

MONTANA.

George I. Watters, Victor.

NEBRASKA.

Myron A. Gordon, Stratton.

NEW JERSEY.

Everett N. Crandell, North Hackensack.

OHIO.

Edgar C. Allison, Cumberland.

Marion E. Campbell, Sardinia.

Nathan S. Hall, Summerfield.

PENNSYLVANIA.

Thomas W. Watkins, Frackville.

WITHDRAWAL.

*Executive nomination withdrawn from the Senate March 21, 1924.*

POSTMASTER.

Carlos A. Goldthwait to be postmaster at Biddeford Pool, in the State of Maine.

HOUSE OF REPRESENTATIVES.

FRIDAY, March 21, 1924.

The House met at 11 o'clock a. m., and was called to order by the Speaker pro tempore (Mr. TILSON).

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

We gratefully pause in this silence, O Lord! Thou art our loving Heavenly Father, whom we embrace by faith—trusting Thee where we can not prove. Thou hast shared Thy infinite nature with man and thus so wondrously endowed him; may we not fail in its use and in its development but strive little by little to grow characters that are after the pattern and similitude of the Master's. Bless us with the sense of gain that comes with grateful hearts. May our love and faith look out upon the future and fear no ill. Through Christ. Amen.

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

ELECTION OF MEMBERS TO COMMITTEES.

Mr. GARNER of Texas. Mr. Speaker, I submit a resolution, which I send to the Clerk's desk.

The SPEAKER pro tempore. The gentleman from Texas offers a resolution, which the Clerk will report.

The Clerk read as follows:

House Resolution 229.

*Resolved*, That the following Members be, and they are hereby, elected members of the standing committees of the House, as follows, to wit:

Irrigation and Reclamation: SAMUEL B. HILL, of Washington.  
War Claims: C. B. HUDSPETH, of Texas.

The SPEAKER pro tempore. The question is on agreeing to the resolution.

The resolution was agreed to.

EXTENSION OF REMARKS.

Mr. LITTLE. Mr. Speaker, the House allowed me to extend my remarks on the wheat problem and to insert some remarks I made before the Committee on Agriculture. I ask leave now to extend those remarks, made before the Committee on Agriculture, in 8-point type, so that they will be like the rest of the speech.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

NO QUORUM—CALL OF THE HOUSE.

Mr. FRENCH. Mr. Speaker, I make the point of no quorum. The SPEAKER pro tempore. The gentleman from Idaho makes the point of order that there is no quorum present. Evidently there is no quorum present.

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

The motion was agreed to.

The SPEAKER pro tempore. The Doorkeeper will close the doors, the Sergeant at Arms will bring in the absentees, and the Clerk will call the roll.

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

Anderson	Driver	Kiess	Ransley
Andrew	Eagan	Knutson	Reed, N. Y.
Anthony	Fairfield	Kunz	Reid, W. Va.
Beers	Faust	LaGuardia	Reid, Ill.
Bell	Fitzgerald	Langley	Rogers, N. H.
Black, Tex.	Foster	Lindsay	Sanders, N. Y.
Bland	Fredericks	Lineberger	Schneider
Boylan	Freeman	McClintic	Smithwick
Britten	Funk	McNulty	Speaks
Brown, Wis.	Gallivan	McSwain	Stalker
Buckley	Geran	Madden	Steagall
Campbell	Gifford	Martin	Sullivan
Carew	Gilbert	Merritt	Swoope
Celler	Greenwood	Michaelson	Taylor, Colo.
Chindblom	Griffin	Miller, Ill.	Taylor, Tenn.
Connolly, Pa.	Hammer	Mills	Upshaw
Cooper, Ohio	Haugen	Minahan	Vare
Corning	Hawes	Mooney	Vestal
Crosser	Hickey	Morin	Ward, N. C.
Curry	Holaday	Morris	Ward, N. Y.
Darrow	Huddleston	Newton, Mo.	Wason
Davey	Hull, Tenn.	Nolan	Welsh
Deal	Hull, Morton D.	O'Brien	Williams, Ill.
Denison	Jacobstein	O'Connor, La.	Winslow
Dickstein	Johnson, S. Dak.	O'Sullivan	Wood
Dominick	Kahn	Oldfield	Zihlman
Doughton	Kelly	Perkins	
Doyle	Kendall	Perلمان	
Drewry	Kent	Phillips	

The SPEAKER pro tempore. Three hundred and eighteen Members have answered to their names. A quorum is present.

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

The motion was agreed to.

The SPEAKER pro tempore. The Doorkeeper will open the doors.

The doors were opened.

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, the naval appropriation bill.

The motion was agreed to.

The SPEAKER pro tempore. The gentleman from Illinois [Mr. GRAHAM] will please 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) making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1925, and for other purposes, 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. When the committee rose on yesterday a point of order had been made to an amendment offered by the gentleman from Texas [Mr. CONNALLY]; a point of order had been made by the gentleman from Idaho, and also one by the gentleman from Ohio [Mr. BEGG], the ground in each case being that the amendment was not germane to the section. The question then arose whether a point of order could be made at that time after the former point of order made by the gentleman from Idaho had been overruled.

The Chair has looked into the precedents a little about the matter, and while he announced tentatively yesterday that he thought the point of order could be made, he was not entirely sure of his ground. He has looked somewhat at the authorities. In the fifth volume of Hinds' Precedents, page 935, is a decision made by the Hon. Henry S. Boutell, of Illinois, the Chairman of the Committee of the Whole. It seems to be the only decision in point on that particular subject.

I will read the decision as it appears in Hinds' Precedents:

On March 22, 1904, during consideration of the Post Office appropriation bill in Committee of the Whole House on the state of the Union, Mr. THOMAS S. BUTLER, of Pennsylvania, proposed an amendment, against which Mr. Jesse Overstreet, of Indiana, raised a point of order.

Mr. James R. Mann, of Illinois, and John S. Snook, of Ohio, having risen to parliamentary inquiries concerning additional points of order, the Chairman said:

"The Chair will state that he considers the better practice for all points of order to be made at one time. The Chair thinks that if one makes the point of order against an amendment which should be overruled that other gentlemen have the right to raise

points of order against the pending amendment. \* \* \* The Chair stated that the gentleman making the point of order should, according to the best usage, include all the reasons for making his point of order, but that other gentlemen could make other points of order if the Chair overruled the point first made."

In view of that decision, which the Chair thinks is sound, the Chair will entertain the point of order made by the gentleman from Ohio [Mr. BEGG] that the amendment is not germane. Is anything to be said on that point of order?

Mr. CONNALLY of Texas. Mr. Chairman, I desire to submit a few remarks. I submit that the amendment is germane for the reason that this section provides for the pay of all men in the service, officers and enlisted men, and if there is any recruiting to be done it necessarily follows that some officer or some enlisted man will perform that duty.

Now, the Chair suggested that because on a preceding page of the bill there was a heading entitled "Recruiting" that necessarily this amendment ought to be offered to that particular section, but if the Chair will examine that section I think he will find that it refers to advertising, contingent expenses, the transportation of the recruits, the care of the recruits pending enlistment and incidental expenses of that kind, but in no way affects the pay of the officers and men who may be engaged in recruiting. So if that be true it seems, in the opinion of the gentleman from Texas, that both of these items—the items included under the heading of "Recruiting" and the items included under the heading of "Pay"—would necessarily enter into the matter of recruiting and that this amendment might properly be offered at either place. If offered to the recruiting section it would be germane to the items of expenses included therein and if offered to the pay section it would be germane to the pay of the men who are engaged in that particular service.

I would like to call the attention of the Chair to what is commonly called the Hull amendment—with which the Chair is familiar—appearing in the last part of the bill and which applies to all portions of the bill, the Hull amendment providing that no part of the funds appropriated by this act shall be utilized for time devices, and so forth. As the Chair knows that has repeatedly and almost immemorially been held in order, with one exception.

I do not care to argue at length, but it seems to me this amendment is germane because it affects the pay of officers and men who do the recruiting.

The CHAIRMAN. The Chair is ready to rule. The amendment offered by the gentleman from Texas [Mr. CONNALLY] is as follows:

*Provided*, That no part of the funds appropriated by this act 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 for such enlistment.

The particular language to which the Chair desires to call attention is this: "For the recruiting or enlistment." The question is whether that is germane to the paragraph just read. The paragraph which has been read provides for the pay of officers and men, some of whom, doubtless, are engaged in the business of recruiting. The amendment, however, does not allude specifically to the pay of officers and men but to the expenses of recruiting. The paragraph beginning on page 9, headed "Bureau of Navigation, transportation and recruiting," contains the following language, which appears on page 10:

Expenses of recruiting for the naval service.

Now, manifestly, this amendment alludes to that same thing, namely, the expenses of recruiting. The Chair is of the opinion that if this amendment is germane it should have been offered to that paragraph. It does not refer to the pay of officers and men, but refers to the expenses of recruiting, which are expressly carried in the paragraph on pages 9 and 10. For that reason the Chair sustains the point of order.

Mr. CONNALLY of Texas. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. CONNALLY of Texas: Page 27, at the end of the paragraph, insert the following: "*Provided*, That no part of the funds appropriated by this act shall be utilized for the pay of any officer or man who may recruit or enlist any boy under the age of 21 years without the written consent of the parent or guardian, if any, of such boy for such enlistment."

Mr. BEGG. Mr. Chairman, I make a point of order against the amendment, and the point of order is that it is not germane

to that section. I think, Mr. Chairman, it is almost a waste of time to argue the point of order after the recent decision of the Chair, but I do want to call the attention of the Chair to this added fact: That this paragraph has to do solely with supplies and the keeping of accounts; that it has to do with various classes of men and not with their activities at all. The activities of the men are not specialized in the paragraph at all, but it is only the classes of men that are referred to in the paragraph, while the amendment offered by the gentleman from Texas specifically selects the kind of work that is to be limited, and that class of work is not referred to in the paragraph anywhere.

The CHAIRMAN. The Chair takes it there is no doubt about one proposition. The pay of the officers or the men who would do this recruiting work is included within the paragraph which has just been read. If the Chair is wrong about that, he will be glad to be corrected, but it is the judgment of the Chair that the pay of such officers and men was included in this paragraph. The amendment offered by the gentleman from Texas [Mr. CONNALLY] is almost exactly the same amendment offered in the Army bill, to which the Chair referred yesterday in his decision. That amendment, which was also offered by the gentleman from Texas [Mr. CONNALLY], reads as follows:

*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 language is almost identical, with just a slight change.

As the Chair called attention yesterday, the Chairman of the Committee of the Whole, the gentleman from Ohio [Mr. LONGWORTH], on that occasion held that that was a proper amendment; that it was a limitation, and overruled the point of order which was made to it.

Mr. BEGG. Would the Chair permit just one interjection there? If that amendment is germane and a man was assigned to enlistment duty, and through accident should happen to enlist a boy 19 years of age, and his pay was to be held up—

Mr. CONNALLY of Texas. Mr. Chairman, I make the point of order that is not a parliamentary inquiry. That is an argument.

Mr. DOWELL. That is an argument, Mr. Chairman.

Mr. BEGG. I submit, Mr. Chairman, that the proper form to make the amendment germane would be to make it applicable to the age of enlistment and not to the salary or to the money paid.

In spite of the precedents heretofore, to be consistent and to be at all intelligent in language and avoid complexities, the only kind of an amendment that is applicable is one that says enlistments in the Navy can not be made unless the boy under 21 years of age has the written consent of his parents; and, again, let me call the attention of the Chair to the fact that this paragraph does not refer to enlistments in any way, and an amendment should not be held in order simply because it says "no part of the moneys." What moneys? The moneys that are to be paid to the retired officers or what class of appropriations in this paragraph is to be curtailed in case an officer does make such enlistments? That is the point I want to submit to the Chair for his consideration. How would the comptroller know to which paragraph to apply this limitation in case the officer did make a mistake and enlist such a man?

The CHAIRMAN. The suggestions made by the gentleman from Ohio [Mr. BEGG] are pertinent in an inquiry by the committee as to the merits of this proposition. They do not, however, go to the matter of parliamentary law involved. The Chair is not called upon, nor is the committee now, to decide just how this would be administered. The only question involved is, Is it such an amendment as the House ought to consider? The Chair thinks he should follow the precedent, the only one there is; however, if the Chair were deciding it upon the merits, as to whether it is a limitation or not, the Chair is entirely frank in saying he thinks it is a limitation and that the former ruling of Chairman LONGWORTH was correct. The Chair, in view of that opinion, feels that the point of order should be overruled.

Mr. CONNALLY of Texas. Mr. Chairman, I rise to debate the amendment. I understand the Chair holds the amendment in order.

The CHAIRMAN. The point of order is overruled, and the gentleman from Texas [Mr. CONNALLY] is recognized for five minutes.

Mr. CONNALLY of Texas. Mr. Chairman—

Mr. FRENCH. Mr. Chairman, I am wondering if we can agree on a limit of time for the discussion.

Mr. CONNALLY of Texas. I would be glad to agree.

Mr. FRENCH. Would 20 minutes on a side be satisfactory? Mr. CONNALLY of Texas. I would suggest making it 30 minutes on a side.

Mr. FRENCH. Then, Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto be limited to one hour, the time to be in control of the Chair.

Mr. CONNALLY of Texas. Oh, no; I want control of half of the time.

Mr. FRENCH. All right; then I ask that one-half the time be in the control of the gentleman from Texas and one-half to be controlled by myself.

The CHAIRMAN. The gentleman from Idaho asks unanimous consent that all debate on this amendment and all amendments thereto close in one hour, one-half the time to be controlled by himself and one-half by the gentleman from Texas [Mr. CONNALLY]. Is there objection?

Mr. BYRNES of South Carolina. Mr. Chairman, reserving the right to object, as I said yesterday, I do not want the gentlemen on that side of the House to conduct a filibuster here. We ought to get this bill through, and if the gentleman does not reduce the time I will object.

Mr. FRENCH. Mr. Chairman, the gentleman from South Carolina has suggested his objection to 30 minutes on a side, and therefore I ask unanimous consent that we limit debate to 30 minutes, one half to be controlled by the gentleman from Texas and the other half by myself.

The CHAIRMAN. The gentleman from Idaho [Mr. FRENCH] modifies his request and asks unanimous consent that all debate on this amendment and all amendments thereto close in 30 minutes, one-half of the time to be controlled by himself and one-half by the gentleman from Texas [Mr. CONNALLY]. Is there objection?

Mr. BLANTON. I object. This is the most important question we have had before us in the bill.

The CHAIRMAN. Objection is heard.

Mr. CONNALLY of Texas. Mr. Chairman and gentlemen of the committee, I would have much preferred that this amendment could have been considered in the original form in which I drafted it, but, gentlemen of the committee, the gentleman from Idaho [Mr. FRENCH] made a point of order against the form in which it was originally presented, and it will not lie in the mouths of gentlemen of the committee or the gentleman from Ohio [Mr. BEGG] to now make the objection that the amendment is drawn in a fashion that will be objectionable on account of its form.

What is proposed by this amendment? It is simply proposed that the Navy Department in recruiting boys who are minors, who are under 21 years of age, who under the law of every State in this Union are supposed to be under the control of their parents for the purpose of their education, for the purpose of contributing to the support of the families, shall, before it enlists any boy under 21 years of age, secure the consent of the parents of that minor, if he has parents. Of course, if he has no parent or guardian, he may enlist in the Navy under this amendment. The amendment in practically the same form is already the law with reference to the Army.

Mr. MADDEN. It cost the Army about \$1,000,000 last year.

Mr. CONNALLY of Texas. Mr. Chairman, while I did not yield to the gentleman, I shall yield to him retroactively. The gentleman says that it cost the Army nearly \$1,000,000 last year. I do not see how the gentleman can arrive with exactitude at those figures. How can he speculate as to how many men and at what expense the Army would have enlisted if it had not been governed by this provision? I have a quotation here from the press, from the War Department, headed as follows, showing that the Army has not been embarrassed by this provision:

#### ARMY GETTING RECRUITS.

War Department gets increases in enlistments. Recent figures show that recruiting for the Army is improving in a most satisfactory manner.

Mr. BEGG. Mr. Chairman, will the gentleman yield?

Mr. CONNALLY of Texas. No.

Mr. BEGG. It is a serious question.

Mr. CONNALLY of Texas. Since it is a serious question from the gentleman from Ohio, I yield.

Mr. BEGG. What would happen in case the naval officers were to enlist a boy who looked the age of 24 and who was only 18, but who swore that he was 24?

Mr. CONNALLY of Texas. I will answer the gentleman. Here is what the effect of this amendment on the Army bill was: The effect of the amendment on the Army bill was that the War Department simply issued instructions to its recruiting officers not to enlist boys under 21, and when they did enlist them under

21, without the consent of their parents, their discharge was ordered. That is all it amounted to. If the gentleman from Ohio [Mr. BEGG] had not made the point of order against my amendment in the form originally drawn, it would have been in identically the same language as it is in the Army appropriation act, and the Navy could have adopted that same policy, so that if recruiting authorities should make a mistake in the enlistment of a boy without the parents' consent, the error could be rectified by discharging the boy when the fact was ascertained. What does The Adjutant General of the Army say? Under this amendment he says in the news clipping that the recruiting by the 1st day of June of this year will be up to the limit that is permitted under the law, that the Army will have all of the enlisted men on June 1 that is permitted by existing law, and it is operating under practically this very amendment as to enlistments.

Mr. FROTHINGHAM. Mr. Chairman, will the gentleman yield?

Mr. CONNALLY of Texas. Yes.

Mr. FROTHINGHAM. I have great respect for the gentleman and his opinion, but I merely want to point out to him something that he does not know because he was not on the committee.

Mr. CONNALLY of Texas. I am sorry.

Mr. FROTHINGHAM. The Adjutant General's Office, through Major Carter, gave evidence before the Military Affairs Committee that they had lost 16,000 men during the first five months of this fiscal year because of this restriction.

Mr. CONNALLY of Texas. Very well. I will answer the gentleman.

Mr. FROTHINGHAM. It is not a matter of answering me. I merely wanted to put that into the Record.

Mr. CONNALLY of Texas. Suppose the Army did lose 16,000 men. What does that mean? It means that the parents of 16,000 boys wanted those boys at home rather than in the Army. [Applause.] That is all it means.

Mr. FROTHINGHAM. Oh, no. If the gentleman will kindly yield again, it shows the difficulty of getting hold of the parents or getting any answer from the parents. That was the difficulty.

Mr. CONNALLY of Texas. There ought not to be any difficulty about getting in touch with the parents. Where are those boys when they want to enlist? Why does not the boy get the consent of his parents and then go to the recruiting officer to enlist?

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. CONNALLY of Texas. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. FRENCH rose.

The CHAIRMAN. Does the gentleman from Texas yield?

Mr. CONNALLY of Texas. Yes; if it is to close debate.

Mr. FRENCH. I want to move to fix the time. I move to close debate on this amendment and all amendments thereto in 25 minutes.

The CHAIRMAN. The gentleman from Idaho moves to close debate upon this amendment and all amendments thereto in 25 minutes.

Mr. CONNALLY of Texas. Mr. Chairman, I did not yield for a motion of that kind.

The CHAIRMAN. The Chair asked the gentleman whether he yielded for that purpose.

Mr. CONNALLY of Texas. I yielded for a unanimous-consent request. I did not know that I was yielding for a motion to break up my speech.

The CHAIRMAN. Then the gentleman declines to yield for that purpose?

Mr. CONNALLY of Texas. In all good conscience I thought the gentleman was going to propound a request for unanimous consent.

Mr. FRENCH. I thought the gentleman had just concluded his speech.

The CHAIRMAN. The gentleman had his time extended by unanimous consent for five minutes and had been recognized.

Mr. FRENCH. Then I withdraw my motion for the present.

Mr. COOPER of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. CONNALLY of Texas. Yes.

Mr. COOPER of Wisconsin. As I understand this situation, there is not a State in this Union which permits a boy 18 years of age to sell or purchase property. He can not do anything, so far as the sale of property is concerned. The gentleman's amendment does not want him to be permitted to do a thing which his father and mother may think that at 18 years of age may affect his whole life.

Mr. CONNALLY of Texas. Absolutely.

Mr. COOPER of Wisconsin. That is all.

Mr. CONNALLY of Texas. Absolutely.

Mr. RAMSEYER. Mr. Chairman, will the gentleman yield?

Mr. CONNALLY of Texas. Yes.

Mr. RAMSEYER. Does not the gentleman know that in nearly every State in the Union a boy 18 years of age can be licensed by the State to teach school and that the Civil Service Commission accepts them into the civil service at 18 years of age without first getting permission from the parents, either to teach school or to enter the Government service at that age?

Mr. CONNALLY of Texas. I will ask the gentleman this question: Does not the gentleman from Iowa also know that there is a great deal of difference between entering into voluntary civil employment which can be terminated at the will of either the parent or the child and enlisting under a military contract to serve for five years or three in the Army or the Navy? [Applause.]

Mr. RAMSEYER. A minor teaching school contracts, and he is held to his contract and—

Mr. CONNALLY of Texas. A minor—

Mr. RAMSEYER. Yes; one over 18 years of age.

Several gentlemen rose.

Mr. CONNALLY of Texas. I can not yield any further just now. But the gentleman from Iowa says that a minor can contract to teach school, and is bound by his contract. How is he bound by it? He can put on his hat and walk out of the school-room and never come back.

The gentleman from Iowa taught school and he ought to know that fact. Let the boy pick up his hat and walk out of the Navy and he will have a sheriff or a deputy United States marshal with a lasso around his neck dragging him back and putting him in the brig for some two or three years; that is what would happen. [Applause.]

Mr. STEPHENS. Will the gentleman yield for a question in regard to the effect of the gentleman's amendment?

Mr. CONNALLY of Texas. Yes.

Mr. STEPHENS. The amendment states that no pay shall be made to an officer who enlists a boy?

Mr. CONNALLY of Texas. Yes.

Mr. STEPHENS. Suppose the Navy had a volunteer officer who enlists the boy, could not the Navy enlist them just the same?

Mr. CONNALLY of Texas. If that is true, the gentleman ought not to object, for then he can get men in the Navy. If that is true, then the gentleman ought to be in favor of my amendment, because it will not hinder the Navy from doing what the gentleman wants it to do, and that is enlisting boys in the Navy, regardless of the wishes of their parents.

Mr. STEPHENS. Is not that the real effect of it?

Mr. CONNALLY of Texas. If it is, the gentleman ought to be mighty well comforted, because it will not hurt the Navy's wishes. I can not yield any more. What does the Navy do about these boys? It tells them in flaming headlines, "Join the Navy; travel; see the world; get an education and promotion; get good pay," and about two weeks after the boy enlists, running away from home and leaving his old father out in the field and leaving his mother at the cowpen milking cows; why, he runs away and joins the Navy, because he wants to see the world, and then in about two weeks this boy, filled with dreams of travel and romance, wakes up down in the bowels of the ship heaving coal, and he wires the old man, "For God sake, get me out." The old man wires his Congressman, "For God sake, get my boy out," and the Congressman beats it down to the Navy Department, and the Navy Department says, "We are sorry; we have no power under the contract of enlistment to discharge the young man, because the law allows us to enlist men 18 years of age and over without their parents' consent, and we have entered into a contract with this young man, and we can not release him unless you show that the old man is almost dead with paralysis and the old woman is not able to do the milking and housework." [Applause.]

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

Mr. CONNALLY of Texas. I ask for an additional two minutes.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to proceed for two minutes.

Mr. MADDEN. I think I shall have to object to that. I do not think any one man should consume all the time to be consumed on this question.

Mr. CONNALLY of Texas. I proposed this amendment, and the burden is upon me to show that it is a proper amendment.

I hope the very genial and gallant gentleman from Illinois will not do that.

Mr. MADDEN. Mr. Chairman, I am overpersuaded.

The CHAIRMAN. Is there objection?

Mr. MAPES. Mr. Chairman, reserving the right to object, I think if we are going to get through with this bill this session there ought to be a limitation made upon debate, and without any limitation on it I object.

The CHAIRMAN. Objection is heard.

Mr. CONNALLY of Texas. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD by printing this poster from the Navy Department [exhibiting]. [Laughter and applause.]

Mr. MADDEN. That can not be done, because no such thing can be printed in the RECORD without the consent of the Committee on Printing.

Mr. DOWELL. Mr. Chairman and gentlemen of the committee, there is no greater abuse practiced anywhere than by the Navy on the question of enlistment. [Applause.] Last year when we were considering the Army appropriation bill I read into the RECORD a letter from a widow woman whose boy had just been taken into the Navy. I inserted that into the RECORD at that time, and in my time I am going to ask the Clerk to read the letter I received from the lady whose boy had just been taken into the service. The letter is addressed to the governor of my State, Hon. N. E. Kendall. I want you to listen to this letter because it represents what is going on over the country to-day. Since that time I have received letters where they claim misrepresentations have been made and boys have been taken into the service under 21 years of age and who are not able to get out afterwards except under the usual form of securing a release. I will ask the Clerk to read the letter.

The CHAIRMAN. Without objection, the Clerk will read the letter designated.

The Clerk read as follows:

ADEL, IOWA, January 5, 1923.

Hon. N. E. KENDALL,  
Governor State of Iowa.

DEAR SIR: I am writing you in regard to my son, Raymond Marker. Thursday there was a Navy recruiting officer came to Adel and got my son with another boy to run away from home and enlist. Got the boys to go to the high-school superintendent and tell him a falsehood to get their age, and also got them to come to their own homes to take their insurance policy, not letting me know one thing about it. As soon as we found it out our sheriff called the recruiting station to find them. We asked them to hold the boy until we got there, and the captain said he would do so, but instead he turned right around and sent the boy out on the 5.15 train, only giving us 40 minutes to make the trip in, and they were gone when we got there, and they only laughed and made fun of us. Does this Government approve of such work? I have been left alone with my family on my hands to support and I have did it by washing and day work. Now I am sick and broke down, when my boy was trying to help me along, and then to have some officer come and do as he certainly has done surely can't be the ways our Government should do. Is there any way I can get him out, as I sure need him, as you will find? I have lived right here in this town and people here know. Would you please do what you can to help us get the boy? I will sure appreciate it more than I can tell.

His mother,

Mrs. MINNIE MARKER STEELE.

Mr. MADDEN. How old was this boy?

Mr. DOWELL. Over 18. And, gentlemen, this is going on all the time. These men are representing to the boys the great things that will come to them if they will enlist. They get them into the service, and when they take it up with the department the department invariably indorses the action of the recruiting officer, and they can get no consideration from the department. In this case I took the matter up with the department, and this is the last clause of the letter which the department sent to me:

Before the bureau can consider the question of discharging young Marker it will be necessary that he present a written request by way of his immediate commanding officer, with affidavits from disinterested persons, testifying as to the circumstances of the case.

That, in fact, means that the boy could not be released from the service. Since that time I have had others call upon me and tell me that their boys had been taken into the service upon representations which they claimed, at least, were not correct. It seems to me, gentlemen, that the Navy Department ought to be required to consult the mothers and fathers of these boys under 21 years of age if they desire the enlistment of the boys.

Mr. BYRNS of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. DOWELL. Yes.

Mr. BYRNS of Tennessee. I was interested to know whether the boy made his request, and whether or not the proof outlined in the letter was presented and what action the department took on that.

Mr. DOWELL. I do not know what was presented to the department.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. DOWELL. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. BLANTON. Mr. Chairman, I move to strike out the last word.

Mr. KEARNS rose.

The CHAIRMAN. For what purpose does the gentleman from Ohio rise?

Mr. KEARNS. Mr. Chairman, I move that the debate on this amendment and all amendments thereto close now.

The CHAIRMAN. The gentleman from Ohio moves that the debate on this amendment and all amendments thereto be now closed.

Mr. JONES. Mr. Chairman, I move to amend that by making it close in 30 minutes.

The CHAIRMAN. The gentleman from Texas moves to amend by making it 30 minutes.

Mr. FRENCH. Mr. Chairman, I move as a substitute that the debate close in 20 minutes.

The CHAIRMAN. The gentleman from Idaho moves as a substitute that the debate on this amendment and all amendments thereto close in 20 minutes. The question is first on the amendment to the motion offered by the gentleman from Texas [Mr. JONES].

Mr. MCKENZIE. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MCKENZIE. Are these speeches all to be made on one side of the question?

The CHAIRMAN. That is a matter to be decided later. The Chair will, as far as he can, alternate if gentlemen ask for recognition. The question is on the amendment offered by the gentleman from Texas [Mr. JONES] fixing the time at 30 minutes.

Mr. LITTLE. Mr. Chairman, what are we voting on?

The CHAIRMAN. For the information of the gentleman from Kansas the Chair will state that we are voting on the 30-minute proposition offered by Mr. JONES.

Mr. ROACH. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. ROACH. The motion was first made that the debate be now closed. Then a substitute motion was offered by the gentleman, making it 15 minutes.

Mr. TREADWAY. Twenty minutes.

The CHAIRMAN. The motion was made by the gentleman from Ohio [Mr. KEARNS] to close debate at once. The gentleman from Texas [Mr. JONES] moved as an amendment to the motion that it should close in 30 minutes. The gentleman from Idaho [Mr. FRENCH] moved a substitute, that it close in 20 minutes. The question comes up first on the amendment to the motion.

Mr. BARKLEY. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. BARKLEY. Suppose the amendment of the gentleman from Texas is adopted to the motion offered originally. Then will the House vote on the substitute for 20 minutes after it has been fixed at 30?

Mr. BLANTON. Yes.

The CHAIRMAN. That is the Chair's understanding.

Mr. SANDERS of Indiana. Mr. Chairman, as I understood the substitute, it was a substitute for the amendment. If there is a motion offered by way of substitute for the amendment, then the substitute is first voted upon. If it were a question of substitute for the motion, it would be a different proposition. But when an amendment is offered, Mr. Chairman, and there is a substitute offered for that amendment, that is practically an amendment to the amendment, and before the amendment is voted on you are going to find out whether that amendment is amended by the substitute.

The CHAIRMAN. Of course, the gentleman is right. The question turns to a considerable degree upon what the substitute was, whether it was a substitute for the amendment or for the motion. If it was a substitute for the motion, of course the

vote can not be had until the motion is perfected. But if it is a substitute for the amendment, then it is an amendment to the amendment, and then it would be voted on first.

Mr. SANDERS of Indiana. As I recollect, Mr. Chairman, the gentleman said, "I move a substitute for that that it be 20 minutes." That is, it would be a substitute for the amendment.

The CHAIRMAN. The Chair holds it would be a substitute for the motion to close debate at once.

Mr. BLANTON. Mr. Chairman, we would have closed the debate by this time if there had not been a filibuster.

Mr. FRENCH. I had in mind, Mr. Chairman, to move it as a substitute to the motion.

The CHAIRMAN. If that is right, then the Chair is proceeding properly.

Mr. LITTLE. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. LITTLE. Can not the Chairman have his motion read? I remember it just as the gentleman from Indiana [Mr. SANDERS] did. Can we not have it read and see what the motion was?

The CHAIRMAN. The Clerk, without objection, will report the amendment offered by the gentleman from Texas.

Mr. LITTLE. The gentleman from Idaho made the last motion.

Mr. BLANTON. As a substitute.

Mr. LITTLE. I would like to have his motion read.

The CHAIRMAN. It is offered verbally, and is taken by the Reporter. But the Clerk has no record of it at the desk here.

Mr. SANDERS of Indiana. Mr. Chairman, I ask for the regular order.

Mr. LITTLE. The regular order is a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. LITTLE. Can the Chairman have the stenographer read the motion of the gentleman from Idaho? Then we will know what we are talking about.

The CHAIRMAN. The Chair will state what his understanding of it is.

Mr. SANDERS of Indiana. You can not go back of the demand for the regular order.

The CHAIRMAN. The Chair thinks that a statement by the Chair is all that can be furnished at this time. The gentleman from Ohio [Mr. KEARNS] had made a motion to close the debate. The gentleman from Texas [Mr. JONES] moved an amendment to it that the debate close in 30 minutes. As a substitute for the original motion the gentleman from Idaho [Mr. FRENCH] moved that the debate close in 20 minutes. We are now about to vote on the motion of the gentleman from Texas [Mr. JONES].

Mr. LITTLE. Is there no way to know what he did say? I remember what he said myself. We are wasting time. I have the right to find out.

Mr. FRENCH. The Chair has indicated to the House what I said.

Mr. LITTLE. No; he thinks he has, but he has not.

Mr. FRENCH. He has indicated what I think I said.

Mr. LITTLE. Mr. Chairman, a parliamentary inquiry. May we not have the Reporter read it?

Mr. BEGG. I call for the regular order, Mr. Chairman.

The CHAIRMAN. Business will be suspended until the committee is in order.

Mr. LITTLE. Mr. Chairman, let me ask this plain question. Does the Chair hold we can not have the Reporter read it?

Mr. BEGG. Mr. Chairman, I make the point of order that is not a parliamentary inquiry.

Mr. LITTLE. I insist it is.

Mr. BEGG. The Chair has stated the situation.

The CHAIRMAN. The Chair will now put the motion. The regular order is demanded, and the regular order is—

Mr. BARKLEY. Mr. Chairman, I desire to offer an amendment to that amendment.

Mr. JONES. That is not in order, because it is an amendment in the third degree.

The CHAIRMAN. The gentleman from Kentucky will offer his amendment.

Mr. BARKLEY. I move an amendment to the amendment offered by the gentleman from Texas that debate be closed in 20 minutes.

The CHAIRMAN. The gentleman from Kentucky moves an amendment to the amendment that debate close in 20 minutes.

Mr. JONES. Mr. Chairman, I make the point of order that that is an amendment in the third degree. I offered an amendment to the amendment, and the gentleman from Kentucky offers an amendment in the third degree. [Cries of "Regular order!"]

The CHAIRMAN. The point of order is overruled. The question is on the amendment to the amendment offered by the gentleman from Kentucky.

The question was taken, and the amendment to the amendment was agreed to.

The CHAIRMAN. The question now comes on the amendment as amended.

The question was taken; and the amendment as amended was agreed to.

The CHAIRMAN. The question is now on the motion to close debate.

Mr. FRENCH. Mr. Chairman, I withdraw the substitute I offered.

The CHAIRMAN. The question is now on the motion as amended.

The question was taken; and the motion as amended was agreed to.

The CHAIRMAN. The gentleman from Idaho [Mr. FRENCH] is recognized.

Mr. FRENCH. Mr. Chairman, no one has a higher regard for the judgment of the gentleman from Texas than have I, and I regret to be compelled to differ from him. Here is a matter of policy which has to do with the Navy and its welfare, and it has to do with the welfare of the young men of the country.

I hope the members of the committee will realize that upon the passage of this amendment depends, in large part, the fate of the Navy for the next fiscal year. The passage of the amendment would be one of the most disastrous actions that could be taken by this House.

You are familiar with the present situation. No young man under 18 to-day can enlist unless he has the written consent, in affidavit form, of his parents. More than that, the orders which are issued by the department require that a young man under 21 years of age shall furnish proof as to his age. The effect of the amendment of the gentleman from Texas is to place the burden of proof upon the Navy instead of upon the individual who applies for enlistment or upon his people.

Let me hastily refer to a few of the salient points that have to do with this amendment.

Mr. WATKINS. I did not quite understand the gentleman. Did the gentleman say that men under 18 had to have the consent of their parents, and is that the law?

Mr. FRENCH. Yes; under 18 years of age. Let me make a statement, which I think will answer all questions and save time, because we are hurried for time this morning.

Upon the 31st of last December there were 26,865 men under 21 years of age in the Navy. That is nearly one-third of the entire enlisted personnel of the Naval Establishment. When you recognize that many of these men attained their twenty-first birthday after they had enlisted it is fair to assume that between one-third and one-half of the new enlistments in the year are of young men under 21 years of age. During the current year approximately 25,000 new men are entering the Navy and that will be true approximately for the next year, the number estimated being about 24,500.

Between July 1, 1923, and January 1, 1924, there were 17,293 men enlisted in the Navy. Of that number 287 were discharged. Why? Because they were either of nonage or else they were subject to some physical disability. Assuming, however, that they were all of nonage then what is the situation? Out of 17,293 only 287 were of nonage, and this included all of them, whether of nonage or physically disabled, men who were discharged because they had not furnished the proper affidavits or because they had furnished false affidavits.

The number I have indicated as having been discharged represents less than 2 per cent of those who were enrolled in the Navy. Under the amendment offered by the gentleman from Texas you would place the burden of proof on the Navy, and you would require not that the 287 but that the 17,293 come forward with affidavits from their parents or guardians showing that they were of the proper age.

Not only that; under the present system 287 were discharged because it developed they were of nonage. Those 287 went out not with a dishonorable discharge, but they went out with a discharge that was marked "discharged for nonage." The old policy that was followed of giving a young man a dishonorable discharge under such circumstances has been discontinued and abandoned.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FRENCH. Mr. Chairman, I ask unanimous consent to continue for five minutes, if I may.

The CHAIRMAN. The gentleman from Idaho asks unanimous consent to proceed for five additional minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. OLIVER of New York. Reserving the right to object, may I ask the gentleman if he will say whether he saw the sign "Spend the winter at Palm Beach" which is held up to these boys of 18 years or less, and does he approve of that policy of the Navy?

Mr. FRENCH. It may be that some of the advertisements are too lurid. It may be that there are some that are misleading, and if so we ought to find a way to stop it. We ought not to mislead, but that is not the point involved here.

Mr. OLIVER of New York. I think it is, because that is a lure to the young man, especially when they advertise and make statements like this, "Go out to Hawaii," with a picture where there are dancing maidens on a beach and the man in the Navy is on a ship sailing toward the dancing maidens. That is exactly what would appeal to a young man.

Mr. HARDY. If the gentleman will permit, the very things the gentleman talks about have been omitted from the advertisements of the Navy and are no longer being used.

Mr. FRENCH. And the lurid advertisements have also been discontinued and I have not seen any lately.

Mr. OLIVER of New York. I saw one last month on Pennsylvania Avenue.

Mr. FRENCH. If there are unreasonable or extravagant advertisements, manifestly they ought not to be continued.

There are a great many young men in our country who can not show the date of their birth for the reason that they were born in States where birth registrations are not required, and not only will this operate to the great disadvantage of the Navy touching men who are under 21, but it will operate also to the disadvantage of the men above 21. Take the experience of the Army, for instance, last year, and you will find that something like 6,000 young men applied for enlistment in the Army who were over 21 years of age, but when the recruiting officer asked them to furnish affidavits showing they were of age they did not choose to go to that trouble, or it would take too much time, or, as to others, they became offended and went away from the recruiting station and the Government lost that many men who otherwise would have joined the Army.

Let me make this further suggestion: It is the greatest advantage to the Navy to have young men below 21 years of age, because they readily adjust themselves to Navy life and they begin to learn a trade.

More than that, the Navy is not in position to make an appeal that is attractive to young men above 21 years of age. In the first place, the pay is too small. Twenty-one dollars per month, plus subsistence, is what the Navy can offer. Young men above 21 years of age are apt to have trades. They are more apt to be married and have families dependent upon them; but young men who are under 21 years of age are not so apt to have these responsibilities. The Navy furnishes an opportunity to young men to go into the Navy and acquire a trade in one of many lines and after a few years of service be able to take part in the citizenship of this country as a well-trained man. Go, if you please, to the employment agencies throughout the United States and you will find that those in charge will tell you that the young men who come from the Navy with honorable discharges have no trouble in being placed in the industrial world, although there may be a surplus of men from elsewhere who are competing for places. Why? Because the young men from the Navy are trained young men and they are proficient in the lines they desire to follow. They are skilled machinists, or carpenters, or electricians, or are skilled in some other of many attractive crafts.

Under present conditions every year 20,000 or 25,000 men approximately go from the Navy of the United States to mingle with the citizenry of every State in this Union. Gentlemen, here is a great body of men who mean for the efficiency of our Government from the standpoint of national defense. In event of crisis they are ready for service. If you pass this amendment you will stop or retard this flow. The next thing you will probably need to consider will be the question of raising the pay of enlisted men in order to induce men to enter the service and make it a profession. Then what do you do further? You build up a permanent enlisted personnel—professional sailor men, if you please—and you diminish the reserve of available men in the United States who could respond to the defense of their country in the event of a national emergency.

Gentlemen, I want to tell you that this amendment is one of the most unfortunate propositions that could have been proposed touching the efficiency of the Navy, touching the welfare of your country, and touching even the welfare of thousands of the young men under 21 who are restless, who are dissatisfied, who want to make something of themselves, and

who crave the opportunity of this service and of the training they will receive. [Prolonged applause.]

Mr. BLANTON, Mr. NEWTON of Minnesota, and Mr. TREADWAY rose.

The CHAIRMAN. The Chair thinks he should now recognize some one in favor of the amendment.

Mr. BLANTON. Mr. Chairman, I ask recognition in favor of the amendment.

The CHAIRMAN. The gentleman from Texas is recognized.

Mr. BLANTON. Mr. Chairman, in every State in this Union the contract of a young man under 21 years of age is not lawful and can be set aside in the courts at the instance of the young man when he becomes 21. That is the law of your home States where you live and where your constituents live. In every State of this Union the father and the mother of a boy, under the laws of your States, are entitled to his earnings, if you please, until he is 21 years old. That is the law of your home State. That is the law that governs your constituents, if you please, who sent you to Congress. There is not a man in this House to-day who would have his boy, 18 years of age, join the Navy. I challenge any man to get up here now and say he would like to see his 18-year-old boy join the Navy. You will not do it, because you do not believe in it as applied to your own 18-year-old son.

Mr. UNDERHILL. Mr. Chairman, I accept that challenge. If my boy wanted to join the Navy, I would be glad to have him join.

Mr. BLANTON. Yes; and you would be the first man who would want to get him out three months afterwards, because your boy would write you and say, "For God's sake, Dad, get me out." How many boys have you?

Mr. UNDERHILL. Two.

Mr. BLANTON. How old are they.

Mr. UNDERHILL. One is 19 and the other is 26.

Mr. BLANTON. Oh, well, they are past the 18-year age. You are ineligible to accept the challenge. I am asking men who have boys 18 years of age. You think you have control over your boy, and you are able to keep him out of the Navy. There are lots of families living on farms who have much less control over their 18-year-old boys, and these alluring naval offers are made in these lurid advertisements, in every color of the rainbow, offering inducements attractive to all boys of this age, and these boys are inveigled into enlisting and their families know nothing about it until it is too late. Then they appeal to us, and we can not get them out. I say it is an outrage, and a Member here who will not put his own 18-year-old boy in the Navy, who would not like to see his own 18-year-old boy go in, ought not to vote the 18-year-old boys of other men and women of the country into the Navy without the consent of their parents.

I want to give you a concrete case. An 18-year-old boy from my district enlisted in the Army on June 30, just the day before this similar provision now in the Army bill went into effect. The Army provision went into effect on the 1st day of July, and that prevented the Army from enlisting boys under 21 years of age after July 1 without the consent of their parents. This boy enlisted the day before that provision went into effect, and when I sent the affidavits in to the War Department showing that he was 18 years of age, showing that he did not have the consent of his father and mother, showing that his enlistment was without their knowledge, and asked that he be discharged, The Adjutant General came back with the statement that the law had not yet gone into effect; that it lacked just one day of going into effect; and that he could not release him. I said, "Mr. Adjutant General, if you make that kind of a technical construction in this case to hold this boy in the Army, I am going to place your ridiculous ruling before the Members of the House when Congress meets." The idea of holding a boy back because of one day!

Mr. SANDERS of Indiana. Could The Adjutant General do otherwise than to follow the law?

Mr. BLANTON. He did do otherwise. He turned him loose. He saw how ridiculous it looked, and he turned him loose.

Mr. OLIVER of New York. The gentleman knows that in the Navy now they have only the consent of one parent, and if the boy can obtain the consent of his mother they take him in.

Mr. BLANTON. They ought to have the consent of both parents. The gentleman from Illinois [Mr. MADDEN] said that this cost \$1,000,000.

Mr. MADDEN. Two million dollars.

Mr. BLANTON. I do not care whether it costs \$10,000,000, and I am an economist. I would rather see \$10,000,000 paid out of the Government Treasury than have one boy of 18 years of age taken away from his parents in peace times by the

Government when they did not want him taken away. It is a matter of principle, it is a question of taking a man's son away from him when he is under 21 years of age, when the man by law is entitled to that son. I do not believe that you will vote to do it.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. FULBRIGHT. Mr. Chairman, I desire to speak briefly on the amendment to the naval appropriation bill offered by the gentleman from Texas [Mr. CONNALLY]. The object of this amendment is to prevent recruiting officers from enlisting young men between the ages of 18 and 21 years without the consent of the parent or guardian of such minors. I am heartily in favor of this amendment and hope it will prevail. I recognize the fact that we should maintain a navy sufficient to place this Nation on an equal footing with the naval powers of the earth for the purposes of protection and defense, but the personnel of the Navy should be recruited from young men who have reached their majority, except in emergencies and in cases where the consent of the parent or guardian has been obtained.

The methods resorted to by the naval authorities in their effort to recruit young men under the age of 21 years without the consent of the fathers and mothers, in my judgment, can not be too strongly condemned. In every post office and in every public building throughout the land flaming posters are displayed, misleading in the extreme, designed to attract young men and lure them from the farms, schools, and homes. The boy reads these glowing accounts of travel, sight-seeing, and adventure, rushes to the recruiting office, joins the Navy, and in a short time there comes a pathetic appeal from the parents for his release. Such a condition should not prevail. In justice to the boys, in justice to the fathers and mothers, the recruiting officer should secure the consent of the parents of such young men before they are inducted into the service. [I shall never consent to the enlistment of minors in the Army or Navy in times of peace unless the consent of the fathers and mothers shall have first been obtained.] It is suggested that the Navy affords an opportunity for education and training that the young man from the families of the poor can not otherwise obtain. I agree that it does afford an opportunity for excellent training, but it is a sad commentary on this great Republic to intimate that young men of this country because of poverty are compelled to join the fighting forces of the Nation in order to secure an education. It has often been said that the poor fight the battles of the rich, but let it never be truthfully said of this great Republic of ours. Rather let it be said that patriotism, not poverty, prompts our boys to join the Army and Navy.

The hope of the Nation abides in the home. The best citizenship is molded in the home under the influence of mother. If we could keep all the boys of the Nation in the schools and in the homes under the influence, guidance, and direction of the mothers of this country until they reached the age of 21 years, and if such a policy were possible in all the other nations of the earth, it would work mightily for loyalty, patriotism, happiness, contentment, and the peace of the world. To my mind there is but a twilight zone between a mother's love and the atmosphere of heaven. It twinkles over the cradle of innocence, the stronghold of youth, the citadel of silver-haired age. Let its hallowed influence be undisturbed. Let us protect the boys, respect the mothers, and preserve the integrity of the homes.

Mr. NEWTON of Minnesota. Mr. Chairman, I ask for recognition against the amendment.

Mr. KEARNS. Mr. Chairman, is it now in order to offer the motion that I did 10 minutes ago, notwithstanding the action of the House?

The CHAIRMAN. To close debate at once?

Mr. KEARNS. Yes.

The CHAIRMAN. The Chair has very serious doubt about that. Only five minutes remain.

Mr. TREADWAY. Mr. Chairman, I ask for recognition.

Mr. JONES. Mr. Chairman, I have a bona fide amendment to this amendment and I would like to have a few minutes.

The CHAIRMAN. Is the gentleman from Minnesota [Mr. NEWTON] opposed to the amendment or in favor of it?

Mr. NEWTON of Minnesota. I am opposed to the amendment.

The CHAIRMAN. The situation is this: Before the time was limited 15 minutes had been used in favor of the amendment, 10 minutes by the gentleman from Texas [Mr. CONNALLY] and 5 minutes by the gentleman from Iowa [Mr. DOWELL]. After debate was limited, 10 minutes was used by the gentleman from Idaho [Mr. FRENCH] against the amendment and 5 minutes were used in favor of it. The question is now whether the Chair

should equally divide the 20 minutes that was fixed between those who were opposed to the amendment and those in favor of it; or whether he should take into consideration the amount of time used before debate was limited.

Mr. MADDEN. Mr. Chairman, I think it is clearly the right of those who are opposed to the amendment to have the remaining time.

The CHAIRMAN. In view of the fact that 20 minutes have already been used in favor of the amendment and but 10 minutes against it, the Chair thinks it only just to recognize gentlemen who are opposed to the amendment. The Chair recognizes the gentleman from Minnesota [Mr. NEWTON].

Mr. NEWTON of Minnesota. Mr. Chairman, there is something that can be said for legislation requiring the consent of the parents up to the point of 21 years of age, but that is a matter that ought to be brought in here as legislation and not by way of a limitation upon an appropriation bill. Here we have this provision that no part of the money appropriated shall be utilized for the pay of any officer or any enlisted man who may recruit any men for the Navy under the age of 21 years without the written consent of the parent or guardian. There are some men who may want to enter the Navy. They have been known to get others to impersonate and forge the names of the parents. They have brought the ostensible parent to the recruiting office and have gotten him to make the statement or the affidavit, and the boy has gone into the Navy. Under this limitation the officer who was thereby imposed upon would not be entitled to his pay, and it would be the duty of the finance officer in the Navy, the duty of the Comptroller General, to hold up the officer's pay. I submit that this is the wrong way to go about this matter. Furthermore, let me say this, that after a boy gets to be of the age of 18 years and care is exercised on the part of the Navy Department in an endeavor to ascertain whether the parents consent or not, the idea, if they do happen to let the boy in, of letting him understand that he can get out of the agreement into which he entered because he has a Congressman or parent who will go to the front for him, is mighty bad training for the boy. Generally speaking, he ought to be made to understand that he should live up to his agreement, and he ought to be told at the age of 18 years that he is going to be kept to it.

Mr. UNDERHILL. How about the number of parents who exploit their children and take their wages away from them, where the boy goes into the Navy to get rid of that thing?

Mr. NEWTON of Minnesota. The gentleman is correct. The gentleman from Idaho [Mr. FRENCH] mentioned 296 of these cases. We have something like 86,000 men in the Navy. I am not willing to write a policy of Congress in respect to the Navy on account of 296 men when it is likely to affect a fair portion of the 86,000 men who are in the Navy.

Mr. SNYDER. Will the gentleman yield?

Mr. NEWTON of Minnesota. I will.

Mr. SNYDER. Does not the gentleman know and does not every man here know that the lure to these young men is largely to get the boys from around the streets and pool rooms who will not work for their mothers or anybody else, and is it not a fact that if these fellows should go home and ask their fathers and mothers for papers that their mothers would scrub their hands off rather than let them go into the Navy?

Mr. NEWTON of Minnesota. Any man who has been in the Navy and met those boys and has seen them at work and play know it is a mighty good place. I yield back the balance of my time.

Mr. SNYDER. Let somebody tell the truth about this proposition.

Mr. CONNALLY of Texas. Mr. Chairman, I claim recognition.

The CHAIRMAN. The gentleman from Texas.

Mr. CONNALLY of Texas. Mr. Chairman and gentlemen of the committee, I want to answer something the gentleman from Idaho [Mr. FRENCH] said. He said the Navy had no attraction for these men, that they were not lured in, that the pay was poor; but that is not what the Navy says in its recruiting posters. I hold one in my hand. It advertises "excellent pay, unlimited promotion, health, recreation, sports, early retirement with an independent income, medical and general attention, board and room." These are some of the things the Navy offers to secure these young men.

Mr. MACLAFFERTY. Will the gentleman yield?

Mr. CONNALLY of Texas. No; I do not yield.

Mr. MACLAFFERTY. Is it not true—

Mr. CONNALLY of Texas. I will not yield. My time is limited. After getting them in the Navy, what do they do? After they are once in the Navy the boys are like partridges in

a trap, they can see the door to get in, but they can not find the door to get out. The Navy does lure these boys by the attraction of travel, by the attraction of special training, and this special training generally consists in shoveling coal down in the bunkers in the bowels of the ship or to scrub—

SEVERAL MEMBERS. Ah!

Mr. CONNALLY of Texas. Oh, you may "ah." I want to ask the gentleman from New York if he has got a boy 18 years of age that he is willing to have go in and join the Navy?

Mr. SNYDER. I have recommended a good many.

Mr. CONNALLY of Texas. Your own?

Mr. SNYDER. I have not got any. [Laughter.]

Mr. CONNALLY of Texas. The gentleman from New York, like lots of other people, is willing for somebody else's boy to go in the Navy, but he is not willing for his own.

Mr. SNYDER. This time the gentleman from New York wants to build up the Army and the Navy and the gentleman from Texas wants to break it down.

The CHAIRMAN. Debate is exhausted. The question is on the amendment offered by the gentleman from Texas [Mr. CONNALLY].

Mr. JONES. I have an amendment to offer which I have been trying to offer for a half hour.

The CHAIRMAN. The gentleman from Texas offers an amendment to the amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. JONES: At the end of the Connally amendment insert the following: "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."

The CHAIRMAN. The question is on the amendment to the amendment offered by the gentleman from Texas [Mr. JONES].

The question was taken, and the amendment to the amendment was rejected.

The CHAIRMAN. The question now recurs on the amendment offered by the gentleman from Texas [Mr. CONNALLY].

The question was taken, and the Chair announced the Chair was in doubt.

The committee divided; and there were—ayes 107, noes 98.

Mr. FRENCH. Mr. Chairman, I demand tellers.

Tellers were ordered.

The committee again divided; and the tellers (Mr. FRENCH and Mr. CONNALLY of Texas) reported that there were—ayes 119, noes 104.

So the amendment was agreed to.

The Clerk read as follows:

#### FUEL AND TRANSPORTATION.

For coal and other fuel for steamers' and ships' use, including expenses of transportation, storage, and handling the same; maintenance and general operation of machinery of naval fuel depots and fuel plants; water for all purposes on board naval vessels; and ice for the cooling of water, including the expense of transportation and storage of both, \$14,500,000: *Provided*, That fuel acquired other than by purchase shall not be issued without charging the applicable appropriation with the cost of such fuel at the rate current at the time of issue for fuel purchased: *Provided further*, That the President may direct the use, wholly or in part, of fuel on hand, however acquired, to be charged at the last-issue rate for fuel acquired by purchase, when, in his judgment, prices quoted for supplying fuel are excessive.

Mr. NEWTON of Minnesota. Mr. Chairman, I move to strike out the last word. I rise for the purpose of asking the chairman of the subcommittee a question. May I have the attention of the gentleman from Idaho? The appropriation for fuel in the bill here is \$14,500,000. As I understand it that is the figure that was allowed by the Budget. Has the gentleman the figure that was requested by the Navy from the Budget officer?

Mr. FRENCH. No; we do not have that.

Mr. NEWTON of Minnesota. You do not have that?

Mr. FRENCH. That is not in regular order submitted to the committee, and we did not call for it.

Mr. NEWTON of Minnesota. Well, it is my understanding that the Navy requests, in order to carry out their program for the next year, will require, so far as they can now estimate, \$435,000 more than that which was recommended by the Budget and which has been recommended by the committee. Now, I want to say just this. A Navy is of use not only because it has a number of ships, but only when those ships can meet in fleet formation for maneuvers. That was clearly demonstrated to some of us who were favored with the trip down to Panama one year ago. Now, the maneuvers then were very extensive and profitable. This year they have had similar ones, but in the Caribbean Sea. The Navy has planned ex-



tensive maneuvers elsewhere for this next year. Estimates were made upon that basis and were submitted to the Director of the Budget. The amount allowed will not permit of those maneuvers if the price of fuel remains as it is, and if the price of fuel will go up—and it has been going up during the past two months—then it will still further handicap them. Now, these maneuvers ought to be carried out. They will be in a strategic position where the fleet has not yet been engaged in extended maneuvers. It seems to me it is not in the interest of sound economy to go to work and cut down the Navy requests for fuel to the extent of \$435,000.

Now, I have the utmost confidence in the subcommittee and the work of its members and of the distinguished chairman of that committee. But I have not the same confidence in some of those who are employed in the office of the Director of the Budget and their knowledge of naval affairs. The gentleman from Idaho [Mr. FRENCH] has been with the fleet; he has studied its needs intensively and sympathetically. That is not true of the men in the office of the Bureau of the Budget. They have little or no knowledge of what the real needs of the fleet are.

The CHAIRMAN (Mr. TEMPLE). The time of the gentleman from Minnesota has expired.

Mr. NEWTON of Minnesota. Mr. Chairman, I ask to proceed for two minutes more.

The CHAIRMAN. The gentleman from Minnesota asks unanimous consent to proceed for two minutes more. Is there objection?

There was no objection.

Mr. NEWTON of Minnesota. They have no idea of just what the fleet does in these maneuvers. They set this figure, \$14,500,000, arbitrarily, without any reason whatever.

Now, then, there might be an occasion for restricting the amount if the Navy were running amuck on this question of fuel; but the fleet is only at sea one-fifth of the time during the year. You can not make sailors and you can not have that cooperation of action from the bridge clear down to the boiler room without these extended fleet maneuvers. Last year the Navy turned back into the Treasury unexpended something over \$1,500,000, or nearly \$2,000,000. They can be trusted not to use any more than is necessary. Therefore the Budget Bureau ought not to go to work and arbitrarily cut down the amount requested. I am not offering any amendment, but I do hope that the distinguished chairman of the subcommittee, when this bill gets into conference, with fuel going up in price, will have all these matters in mind in the event that there should be a change in this bill in the other body. That is the only purpose of my statement at this time.

The CHAIRMAN. The time of the gentleman from Minnesota has again expired.

Mr. FRENCH. Mr. Chairman, while no amendment has been offered, probably I should make a short statement touching the fuel situation. In 1923 the appropriation was \$16,000,000, of which amount the Navy used for fuel purposes \$13,279,476.57, and during that year extensive maneuvers of the Navy were had off Panama. Secretary Denby, in his report to the President touching the operations of the Navy for 1923, said that these maneuvers "were the most extensive maneuvers the Navy had ever attempted." For the current year the Navy will use \$14,400,000. For the coming fiscal year we have recommended \$14,500,000. This year the Navy has had extensive maneuvers, and next year it has planned that still further extensive maneuvers will be held.

The gentleman from Minnesota [Mr. NEWTON] suggested that the appropriations made were not made upon adequate consideration of the functions to be performed. On the contrary, the appropriations are made only on the basis of extensive hearings and upon the basis of the classification of the different functions to be performed by the Navy. We considered what will be required for Navy ships to be maintained in Asiatic waters and ships to be stationed in the Mediterranean, in the West Indies, in handling the transport service, in handling the cargo and freight service, and in handling the ordinary business of the Navy about the navy yards and naval establishments throughout the United States. In addition to that we considered estimates based upon maneuvers that the fleet will likely hold during the year.

Taking into consideration all these elements, the committee believed that we had recommended an amount that would have been adequate.

The gentleman from Minnesota has suggested the increased price of fuel. I recognize that the price now is probably 60 cents a barrel—referring to fuel oil—above what the prices were at the time the hearings were held. It may be that there

will be elements that will need to be taken into consideration in that connection.

Mr. NEWTON of Minnesota. I know that the gentleman appreciates the necessity of the fleet being at sea. My purpose was not to criticize the committee. My principal purpose was not to criticize the committee, but to criticize the Budget for making an arbitrary figure. That is what they did do.

The CHAIRMAN. The time of the gentleman from Idaho has expired.

Mr. FRENCH. Mr. Chairman, I ask for one minute more.

Mr. HASTINGS. Mr. Chairman, I ask that the gentleman from Idaho may have two minutes more.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent that the gentleman from Idaho may proceed for two minutes more. Is there objection?

There was no objection.

Mr. NEWTON of Minnesota. The gentleman, of course, would not want these complicated maneuvers to be crippled by a lack of \$400,000.

Mr. FRENCH. We know that the ships must be handled together as part of a great fleet, and necessary appropriations must be made. But the gentleman must also remember that the amount carried in the bill is \$100,000 in excess of the amount that will be used during the current year and is approximately \$1,200,000 more than was used in 1923.

Mr. NEWTON of Minnesota. The gentleman also will recognize that the contemplated maneuvers will necessarily consume much more fuel in the coming year than in the present year or in the year preceding.

Mr. MADDEN. Why?

Mr. NEWTON of Minnesota. Because of the greater distance.

Mr. MADDEN. They should not go a greater distance.

Mr. HASTINGS. Mr. Chairman, it seems to me that the gentleman from Minnesota [Mr. NEWTON] has leveled the severest criticism that has ever been made on the floor of this House against the Bureau of the Budget, in that he has stated that the Director of the Bureau of the Budget knew nothing whatever about this item and did not make the proper investigation, and that it was a rather haphazard guess. If that sort of statement could be made with reference to this one item, why could not the same criticism be directed against every other item in every appropriation bill? I want to ask the chairman of this committee whether he thinks that criticism is justified, and whether as a matter of fact the Bureau of the Budget does not investigate carefully all the items that make up the several appropriation bills that we are called upon to vote upon and pass upon? I would like to have the gentleman's view on that.

The CHAIRMAN. The time of the gentleman from Idaho has again expired.

Mr. FRENCH. As the gentleman probably knows, the subcommittees do not call upon the Budget officers to come before the committees to give testimony touching the facts upon which the estimates were based. However, it must be said that the estimates that come to the Congress are the estimates of the administration. I have no doubt that the Budget officers go into great detail in shaping the estimates, and I will say that the committee, in calling for a justification of each of the several items, has furnished to it in great detail the proposed work to be carried forward under any appropriation and as complete an itemization as would be helpful either to the Congress or to the committee, and as a result we feel the item is approximately correct.

The CHAIRMAN. The time of the gentleman has expired.

Mr. TAYLOR of West Virginia. Mr. Chairman, I move to strike out the last two words for the purpose of asking a question of the gentleman from Idaho. The gentleman said that during the last year approximately \$13,000,000 was spent for fuel?

Mr. FRENCH. That was for the fiscal year 1923.

Mr. TAYLOR of West Virginia. Can the gentleman tell me how much of that \$13,000,000 was spent for coal and how much for oil?

Mr. FRENCH. I do not have the exact figures for that year, but I would say that probably the expense for coal was a trifle less than one-third of the total expenditures for fuel.

Mr. TAYLOR of West Virginia. When vessels have been converted into oil-burning vessels, does that preclude them from burning coal?

Mr. FRENCH. On those that are oil burners, yes.

Mr. TAYLOR of West Virginia. Coal can not be used after that time?

Mr. FRENCH. No; when they are converted into oil burners they become exclusively oil burners.

Mr. TAYLOR of West Virginia. Has the Navy Department ever thought of the possibility or the practicability of burning coal in time of peace to the exclusion of oil in order to save our fast-windling oil supply for a possible war emergency?

Mr. FRENCH. That would go to the structure of the ships themselves. It would go to the matter of maintaining two distinct types of fuel-supply vessels, each one adequate for most of the fleet, one type to supply coal and the other to supply oil, and it would involve vast expenditures which I think the gentleman does not have in mind when he asks the question. It would not be a practicable thing to do.

Mr. MADDEN. You could not have coal-burning machinery and oil-burning machinery on the same vessel.

Mr. TAYLOR of West Virginia. I come from a State which furnishes the finest steaming coal in the world and naturally am interested. I would like to know to what extent the Navy is substituting the use of oil for coal?

Mr. MADDEN. They are putting in oil wherever they can.

Mr. TAYLOR of West Virginia. And letting out oil wherever they can.

Mr. FRENCH. I will say to the gentleman that all the navies of the world are doing just what the United States is doing—substituting oil burners for coal burners.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn and the Clerk will read.

The Clerk read as follows:

CONTINGENT, BUREAU OF MEDICINE AND SURGERY.

For tolls and ferrages; purchase of books and stationery; hygienic and sanitary investigation and illustration; sanitary, hygienic, and special instruction, including the issuing of naval medical bulletins and supplements; purchase and repairs of nonpassenger-carrying wagons, automobile ambulances, and harness; purchase of and feed for horses and cows; maintenance, repair, and operation of three passenger-carrying motor vehicles for naval dispensary, Washington, D. C., and of one motor-propelled vehicle for official use only for the medical officer on out-patient medical service at the Naval Academy; trees, plants, care of grounds, garden tools, and seeds; incidental articles for the Naval Medical School and naval dispensary, Washington, naval medical supply depots, sick quarters at Naval Academy and marine barracks; washing for medical department at Naval Medical School and naval dispensary, Washington, naval medical supply depots, sick quarters at Naval Academy and marine barracks, dispensaries at navy yards and naval stations, and ships; and for minor repairs on buildings and grounds of the United States Naval Medical School and naval medical supply depots; rent of rooms for naval dispensary, Washington, D. C., not to exceed \$1,200; for the care, maintenance, and treatment of the insane of the Navy and Marine Corps on the Pacific coast, including supernumeraries held for transfer to the Government Hospital for the Insane; for dental outfits and dental material, and all other necessary contingent expenses; in all, \$395,000.

Mr. VINSON of Georgia. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Georgia offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. VINSON of Georgia: Page 32, line 16, before the period insert: "Provided, That the Secretary of the Navy be, and he is hereby, authorized to replace the present old frame buildings at the naval hospitals, Canacao, Philippine Islands, and Mare Island, Calif., with modern reinforced concrete buildings, and to construct necessary additional buildings at the naval hospitals at San Diego, Calif., Pearl Harbor, Hawaii, and Mare Island, Calif., at a total cost not to exceed \$2,257,500, which total expenditure, for the purposes aforesaid, shall be made from the naval hospital fund."

Mr. VINSON of Georgia. Mr. Chairman and members of the committee, this is one item in the bill which does not cost the Government a single penny from its Treasury. The \$2,000,000 required to replace these buildings and to make these changes in the hospitals enumerated in the amendment comes from what is known as the naval hospital fund. A short time after the establishment of this Government, on July 16, 1798, an act was passed levying a tax of 10 cents per capita on the officers and men of the Marine Corps and the Navy; in addition to that, all fines and forfeitures go to make up this hospital fund. The fund now amounts to something in the neighborhood of \$4,313,000. It is proposed to use approximately \$2,500,000 of this fund for hospitals.

It is essential that this improvement be made in view of the fact that they have no contagious wards at the hospital in San Diego. Over 200 patients are required to be kept out in the tents. The hospital at San Diego is a 500-bed hospital, and this amendment proposes to make it a 750-bed hospital.

It is proposed by this amendment to do away with the old fire-trap wooden buildings at Mare Island and to construct concrete buildings. It is proposed to do away with the wooden buildings at the hospital at Canacao, in the Philippine Islands, which serves the Asiatic Fleet. I might state that since the earthquake in Japan at Yokohama we have no other hospital for the Asiatic Fleet except the one at Canacao, and it is intended to make that institution fireproof. This is necessary in view of the fact that we have a large naval base at Pearl Harbor, which is the advance base of the fleet. That hospital should be brought up to meet the requirements.

Now, I want to impress this fact upon every member of the committee, that not one dollar of this expenditure comes out of the Treasury of the United States; but it comes out of the naval hospital fund, put there by the officers and men and by the fines and forfeitures.

Mr. FRENCH. Will the gentleman yield?

Mr. VINSON of Georgia. Yes.

Mr. FRENCH. Will the gentleman indicate the items and the amounts?

Mr. VINSON of Georgia. I have that information right here:

Naval hospitals.

CANACAO.

Replacement of two ward buildings, subsistence building, power house, and certain minor buildings, all of wood construction, destroyed by the white ants and other tropical conditions; new buildings to be of reinforced-concrete construction.....	\$400,000
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SAN DIEGO.

Extension of nurses' quarters to house a sufficient number of nurses to meet the requirements of the completed hospital.....	145,000
Quarters for Hospital Corps men receiving practical instruction in the hospital.....	200,000
Quarters for four medical officers.....	75,000
An isolation ward building for contagious cases.....	225,000
Grading; roads; planting; sprinkler system.....	80,000
Mortuary building.....	10,000
Gatehouse.....	4,500
	739,500

PEARL HARBOR.

Two sets quarters for pharmacists.....	20,000
Two sets quarters for chief pharmacists' mates.....	10,000
Storehouse.....	90,000
Roads, walks, grading, and drainage.....	18,000
	138,000

Mr. FRENCH. And for Mare Island?

Mr. VINSON of Georgia. For Mare Island it was testified by Admiral Stitt, Chief of the Bureau of Medicine and Surgery, that \$980,000 will be necessary to replace the wooden buildings which have been used there as part of the hospital for many years.

Mr. FRENCH. That amount to which the gentleman refers was appropriated some six years ago by the Congress for war emergency purposes and has been held with the thought in the minds of officers that it was available for this use; is that correct?

Mr. VINSON of Georgia. Does the gentleman have reference to the appropriation for Mare Island or for all of them?

Mr. FRENCH. For Mare Island.

Mr. VINSON of Georgia. My understanding is that during the war Congress appropriated \$25,000,000 for hospitals for the Navy. That is all the money that Congress has ever appropriated for the construction of hospitals for the Navy. Prior to that time all expenditures came out of this fund. A portion of the \$25,000,000 was used at Mare Island for the construction of these wooden buildings, and that is how these buildings were built there, and that is where they got the money.

Mr. FRENCH. Then, instead of spending money that was appropriated and could have been expended had it been expended while the emergency was on, you propose to substitute moneys in the naval hospital fund.

Mr. VINSON of Georgia. Exactly.

Mr. FRENCH. And to turn the other back into the Treasury.

Mr. VINSON of Georgia. I propose to take out of the hospital fund over \$2,000,000 of their \$4,000,000 and use it for these hospitals.

Mr. OLIVER of Alabama. Will the gentleman yield?

Mr. VINSON of Georgia. Yes.

Mr. OLIVER of Alabama. The committee had this matter under advisement and, of course, recognized it would be necessary for the legislative committee to indicate their desire that this work should be done, and the committee also, as I understand, had directed that this money to which the gentleman has referred, which was appropriated during the war, should be turned back into the Treasury.

Mr. VINSON of Georgia. That is it exactly.

Mr. OLIVER of Alabama. And this is a means of accomplishing what Congress has heretofore directed should be done, without any charge on the Federal Treasury.

Mr. VINSON of Georgia. Exactly. In other words, the portion of the \$25,000,000 that has not been used in building hospitals must go back into the Treasury and the hospitals must be built out of the hospital fund.

I might state that all the maintenance of the hospitals for the Navy also comes out of this fund.

The CHAIRMAN. The time of the gentleman has expired.

Mr. VINSON of Georgia. I ask for a vote, Mr. Chairman.

Mr. FRENCH. Mr. Chairman, I rise just to say that I concur in the amendment. I believe this thought is shared by other members of the subcommittee. We did not have authority over the items proposed in the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Georgia [Mr. VINSON].

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

#### CARE OF THE DEAD.

For care of the dead; for purchase of cemetery lots; for funeral expenses and interment or transportation to their homes or to designated cemeteries of the remains of officers (including officers who die within the United States and supernumerary patients who die in naval hospitals) and enlisted men of the Navy and Marine Corps, of members of the Nurse Corps, and of officers and enlisted men of the Naval Reserve Force, when on active service with the Navy who die or are killed in action or afloat, and also to enable the Secretary of the Navy, in his discretion, to cause to be transported to their homes the remains of civilian employees of the Navy Department and Naval Establishment who die while employed outside of the continental limits of the United States, \$40,000: *Provided*, That the sum herein appropriated shall be available for payment for transportation of the remains of officers and men who have died while on duty at any time since April 21, 1898.

Mr. FRENCH. Mr. Chairman, I ask unanimous consent that on page 33, line 1, a comma be inserted after the word "Navy."

The CHAIRMAN. Without objection, the correction will be made.

There was no objection.

The Clerk read as follows:

Navy yard, Boston, Mass.: Additional facilities, Dry Dock No. 3, \$175,000.

Mr. DALLINGER. Mr. Chairman, I wish to offer an amendment.

The CHAIRMAN. The gentleman from Massachusetts offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. DALLINGER: Page 34, line 25, after the figures "\$175,000," insert a semicolon and the words "for the removal of the roof of foundry building No. 42-6, \$45,000."

Mr. DALLINGER. Mr. Chairman, it is poor economy to allow property of the United States Government upon which the people have spent tens of millions of dollars to fall into a state of disrepair and decay.

The navy yard at Boston has successfully met all requirements pertaining to ship repair and the manufacture of standard accessories for the United States Navy under circumstances that demanded the most careful administration of Government funds, and notwithstanding limited allotments with increased work loads, the performance here by all concerned is exceptionally creditable.

If this yard is to maintain its reputation, its existence and progress as a "naval necessity" will depend on the condition of water-front facilities, piers, and docks.

The present condition of the water-front piers at this navy yard is such that a battleship of the first line of defense of the Texas type or a vessel of similar draft and length could not be tied up to any pier at this yard with safety.

In addition to the weakened condition of the pilings, the elements on the floor of the basin around the piers have piled up the mud in such quantities that dredging is essential to permit at least a 35-foot depth of water around piers. You can readily see that the berthing spaces for vessels and the piers should be of first priority in maintenance if a navy yard is to prosper.

It is estimated from a reliable source that \$300,000 will be required to make the piers safe, although this does not include the cost of dredging.

No extensive repair program has been undertaken on these piers for a number of years and it has become necessary to

place warning signs on each pier forbidding weights to exceed certain limits prescribed by the civil engineer.

Another matter of vital importance is the roof of the foundry at this navy yard. The foundry is a building covering an area of 50,000 square feet of land, and during the World War it became necessary to enlarge the building, which up to that time was about 250 feet in length. The annex to the old building is of modern design and construction, with a saw-tooth roof, affording light, good sanitation, and working spaces. The roof of the old foundry remains in the same shape as when the building was erected and is not of fireproof design. This roof is now in such a condition that the trusses, of wood construction, have been reduced to punk from age, a liability for continual repairs, a fire hazard, and unsafe. The roof is in a leaking condition, the rain water lodging on the floor of the shop making it extremely precarious to carry or pour molten metal into molds; and, in general, a very unsatisfactory condition prevails. The Director of the Budget has recommended that a sum of money be set aside to repair the roof of the foundry, navy yard, Boston, but for some unknown reason when the Budget recommendations were reviewed by the Naval Appropriations Committee this particular item was omitted from the bill. In this appropriation bill there is an appropriation of \$20,000 for dredging at Charleston, S. C., while metropolitan Boston, the third largest city on the Atlantic seaboard, with a large naval establishment, with a history and record of achievement, is required to progress under these apparent difficulties.

The Budget recommended \$45,000 for repairing this roof, which is in a positively dangerous condition and liable to fall down upon the men working underneath, and liable to cause injury to life and limb, and I fail to see where the economy lies in allowing this sort of condition to go on.

Mr. Chairman, I have repeatedly stated on this floor that either the Government should abandon these navy yards and arsenals, sell them, and put the money into the Treasury, or else it ought to keep them in an efficient condition. Many of these navy yards are absolutely essential to carrying on the work of the Navy, and it is the poorest kind of economy to allow a condition of affairs such as I have described to exist; and when the Budget has made an estimate for this absolutely necessary purpose, it seems to me that the Committee on Appropriations ought to have included the item, and I trust my amendment will prevail.

Mr. FRENCH. Mr. Chairman, undoubtedly the different naval establishments and bases need the attention of the Congress from the standpoint of upkeep. A year ago, when the department called upon the different superintendents and commanding officers of the different stations for estimates of the work needed in respect of yards, the estimates came in totaling approximately \$68,000,000. When the department made its recommendations to the Budget it had scaled those estimates down to approximately \$3,000,000, as I recall, from \$68,000,000. I recall this to remind you that efficient superintendents of yards or stations are alert and bring to the attention of the department the various matters that could well have attention if the times were propitious for the appropriation. This year again the different superintendents made their reports, and this year this item came to the committee in regular order through the Budget and was recommended by the Navy Department. It was the judgment of the committee, however, that the item did not present the important characteristics that were presented in connection with other items, and I believe, too, there are items which were omitted from the bill that are of more importance than this particular item. As a result of weighing the evidence that was brought to the committee the committee felt it should not recommend the appropriation asked for.

Mr. DALLINGER. Mr. Chairman, will the gentleman yield?  
Mr. FRENCH. Yes.

Mr. DALLINGER. How could anything be more pressing than the repair of the roof of a building being used and which is liable to fall in at any time and injure workmen?

Mr. FRENCH. That testimony was not submitted to the committee. The roof is a slate roof, and I would assume that as a slate roof it would not be as hazardous as the gentleman has suggested.

Mr. TAGUE. Mr. Chairman, I rise to support the amendment offered by my colleague from Massachusetts [Mr. DALLINGER]. Notwithstanding the paring down of the appropriation bills, it should be taken into consideration that public property must be kept in such condition that the lives of the workmen in the various institutions are not imperiled. Since the appropriation bill was reported there has been a fire at this foundry. The roof is practically destroyed. There is practically no roof there at all. It is the third or fourth time that this roof has taken fire from the sparks from the foundry, and I believe the time has come when we ought to protect the property and not give

way to a program of economy which is nothing more nor less than wasting money when we could save the money by improvements at this time.

Mr. FRENCH. Mr. Chairman, will the gentleman yield?

Mr. TAGUE. Yes.

Mr. FRENCH. The gentleman does not mean that any fire has occurred since we reported the bill?

Mr. TAGUE. I understand that the fire took place within two weeks.

Mr. FRENCH. How extensive was the fire?

Mr. TAGUE. It destroyed the roof. The roof was about gone, but it is practically all gone now.

Mr. FRENCH. Let me suggest that in various items in the bill the Navy Department has called attention to unforeseen matters that have arisen and that this matter has never been brought to the attention of the committee.

Mr. TAGUE. I think the report upon this bill was in the House before this fire happened. I think that it has been within a week or two weeks. It was brought to my attention, at least, and I think it is worthy of the consideration of this House.

Mr. FRENCH. Does not the gentleman think that inasmuch as another committee will hold hearings upon this bill, since the matter has not been brought to the attention, even informally, of the Appropriations Committee, it would be well to have the matter inquired into by that other committee in regular order?

Mr. TAGUE. That is just the question I raise here. Where an appropriation of \$45,000 is called for we are asked to wait until the Naval Affairs Committee can go out and investigate, and in the meantime more than \$45,000 worth of property will be destroyed if another storm or fire takes place.

Mr. OLIVER of Alabama. Mr. Chairman, will the gentleman yield?

Mr. TAGUE. Yes.

Mr. OLIVER of Alabama. I think, perhaps, the gentleman from Massachusetts failed to understand the purport of the question asked by the gentleman from Idaho [Mr. FRENCH]. If there is an urgent need, and the matter making it so has occurred since the hearings before the House Committee on Appropriations, the facts could be laid before the committee of the Senate. Surely the House should not vote this appropriation without a hearing. As the gentleman from Idaho stated, we went fully into all of these matters, recognizing that there was much work that we had to postpone for the time being. We have made appropriations where we thought they were absolutely necessary, and surely a hearing can be had on the matter before the Senate committee, if it is so urgent, and is due to something occurring since the hearings before the House committee a few weeks ago.

Mr. TAGUE. I will say to the gentleman that I may be mistaken as to the exact time of the last fire or the matter may have been overlooked when supplementary hearings on urgent matters were held. However, the necessity for these repairs is urgent, and this amendment should be adopted.

In a conversation yesterday with the admiral in charge of the Bureau of Yards and Docks, he not only said it was absolutely essential at this time to have this appropriation made but also to have other improvements made, for which I am going to offer an amendment as soon as this amendment is voted upon. I know this situation. It is in my district. I know where the foundry is and the condition of the building and the condition of the surroundings, and I know that while we are waiting here for a committee to report on the matter this is the time to get the appropriation, while the appropriation bill is under consideration in the House. Forty-five thousand dollars is a small amount when we look over this appropriation bill and see the amounts of money that are being expended for matters of less importance than this.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. TAGUE. Yes.

Mr. TABER. Is it not a fact that if there has been a fire which has totally destroyed the roof since the estimate was made, the proper proceeding would be to go back to the Budget and submit the matter anew, because necessarily there must be a different situation to deal with than there was at the time the matter was heretofore considered.

Mr. TAGUE. I emphasize again that I think the proper place and time to ask for the appropriation is when the appropriation bill is before the House. This matter has been already before the Budget and the Navy Department has recommended it.

Mr. TABER. It has not been before the Budget since the fire to which the gentleman refers.

Mr. TAGUE. It was before the Budget, and the conditions are worse now than when the matter was before the Budget, and the Budget Bureau has already recommended it.

Mr. DALLINGER. Mr. Chairman, will the gentleman yield?

Mr. TAGUE. Yes.

Mr. DALLINGER. Is it not a fact that the Budget estimate was based on the fact that this roof was in an unsafe condition at that time?

Mr. TAGUE. The records show that.

Mr. DALLINGER. Mr. Chairman, I ask unanimous consent to extend my remarks in the Record.

The CHAIRMAN. Is there objection?

There was no objection.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts.

The question was taken; and on a division (demanded by Mr. DALLINGER) there were—ayes 29, noes 15.

So the amendment was agreed to.

Mr. TAGUE. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. TAGUE: Page 34, line 25, after the period, insert: "For water-front repairs and improvements to certain docks and piers at the Boston Navy Yard, \$300,000."

Mr. TAGUE. Mr. Chairman, I believe this is a most important amendment. At the Boston Navy Yard there are 10 piers which are in use at all times for tying up ships and the repair of ships. At the present time five of the piers are entirely out of commission.

It is an utter impossibility to tie up any ship at any one of these piers with safety. It is also a tremendous risk on the part of the Government if they would permit a ship to be tied to any one of these piers and attempt to do any kind of work upon any ship sent in there for repair. This question has been before the Director of the Budget. It is true that it was not placed before the Subcommittee on Appropriations, but I have in my hand a copy of a letter, which I will not take the time of the committee to read, sent from officials at the Boston Navy Yard in their appeal that something should be done and done immediately to prevent accidents and loss of life at the yard. They state that five of these piers at the present time are out of commission, and so much out of commission they will not permit the safe operation thereon of the yard locomotives or locomotive cranes. That there should be a general repair and strengthening of the piers, so as to provide safety in the use of the overhauling of any of our fighting craft. When this was presented to the Director of the Budget he gave it consideration to the end that he was in favor of reporting a bill for \$150,000 for this work, and I hold in my hand a letter from Mr. Lord, Director of the Budget, under date of February 13, 1924, which is as follows:

BUREAU OF THE BUDGET,  
Washington, February 13, 1924.

HON. PETER F. TAGUE,

House of Representatives.

MY DEAR MR. TAGUE: I have your letter of February 11 concerning water-front improvements at the Boston Navy Yard.

The Navy Department, in its regular estimates for the fiscal year 1925, submitted September 15, 1923, included an item for \$150,000 (limit of cost, \$300,000) for water-front repairs and improvements to certain docks and piers at the Boston yard.

The total amount requested by the department for public works was \$8,536,800. This bureau at first proposed \$3,000,000 as the maximum amount that should be allowed for public-works projects. The department protested so strongly that the matter was taken up with the President, who decided that \$4,000,000 should be allowed for this purpose. The department was advised of the President's action, and the matter of selection of the projects that should be included within this amount was left with the Secretary of the Navy. It is assumed that the Navy Department selected the items that were included in the Budget in the order of priority of importance. The item of \$150,000 first proposed for repairs and improvements of docks and piers at the Boston yard was not included in the department's final list of projects selected and, therefore, was not included in the Budget.

Very truly yours,

H. M. LORD, Director.

Mr. TREADWAY. Will the gentleman yield?

Mr. TAGUE. I will.

Mr. TREADWAY. Is the work of the department hampered by the lack of the use of piers to which the gentleman refers?

Mr. TAGUE. Yes; they are deprived of the use of these piers.

Mr. TREADWAY. And more work could be performed in the way of repairs if these piers were in a proper condition?

Mr. TAGUE. Not only could more work be done, but it could be done more economically. These piers are adjacent to the machine and repair shops of the navy yard and are practically out of commission, and it is almost impossible to put a crane or a locomotive on these piers without risking the lives of the workmen and destroying the property of the Government.

Mr. OLIVER of New York. Are not these some of the most valuable piers in Boston Harbor?

Mr. TAGUE. Yes. The navy yard is the most valuable piece of water-front property in Boston Harbor.

Mr. DALLINGER. Will the gentleman yield?

Mr. TAGUE. I will.

Mr. DALLINGER. Is it not a fact at the present time, because of the fact that these piers are unsafe, to which the gentleman refers, that vessels have to wait to be repaired, whereas if they were in proper condition they could be repaired at the same time with other vessels?

Mr. TAGUE. That is so. And further, to show the extent to which these piers have rotted out recently, before the sending of the fleet to the south, the *Florida* was tied up to one of these piers and the officers of the navy yard were obliged to move her and tie the boat up to another pier.

The CHAIRMAN. The time of the gentleman has expired.

Mr. TAGUE. I ask for two additional minutes.

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

Mr. TAGUE. I am going to call attention to another condition, so as to show you the real condition of these piers. No money has been expended on these piers for almost 50 years—I say no money, at least very little money. Recently there was launched at the Boston Navy Yard the supply ship *Whitney*, built in the navy yard. When that ship was launched there were thousands of people at the yard to see the launching, and many of them were on one of these piers. Before that ship started off her ways it became necessary to clear one of these piers of people for fear of accident; and when that ship struck the water the pier moved in such a way that it really imperiled the lives of the men stationed there to brake the ship from going across the stream. Yesterday I talked with Admiral Gregory about this matter and he said if it was impossible to get this appropriation in the House, that because of the conditions that have been called to his attention recently, that he may be obliged to go over to the Senate and ask for an appropriation.

Mr. WILLIAMSON. Will the gentleman yield?

Mr. TAGUE. I will.

Mr. WILLIAMSON. Is there necessity for these piers down there at all? Is there a necessity for maintaining these piers of which the gentleman is speaking? Have you not got ample space without these old piers?

Mr. TAGUE. I have emphasized the fact these piers are in the immediate center of the yard, the most important piers in the yard. I would not be here advocating the appropriation if it were not necessary to have the piers to do the work.

Mr. WILLIAMSON. It seems to me the gentleman has had ample time to go before the subcommittee and present this matter without presenting it here.

Mr. TAGUE. That kind of talk is ridiculous if the gentleman knows anything about conditions. I have just read the report of the Director of the Budget. I am going to place in the RECORD letters from men employed at the navy yard. This appropriation is something that has been asked for for the last four years. It is absolutely necessary to immediately repair and increase the capacity of the docks at the Boston Navy Yard.

The CHAIRMAN. The time of the gentleman has expired.

Mr. TAGUE. I ask unanimous consent to extend my remarks in the RECORD.

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

The letters referred to are as follows:

UNITED STATES NAVY YARD,  
Boston, February 21, 1925.

Memorandum for the commandant.

Subject: Supporting data for the item "Water-front repairs and improvements," estimated cost \$300,000, included as project No. 1 in the annual estimates for public works for the fiscal year 1925.

Reference: (a) Letter of Congressman PETER F. TAGUE.

Inclosure: (A) Marked plan of the yard having indicated thereon in red the pier railroad tracks on which no rolling stock is permitted or else on which the load has been greatly restricted.

1. The project entitled "Water-front repairs and improvements," estimated cost \$300,000, which was placed first in importance in the

list of annual estimates for public works items at the Boston Navy Yard, to be undertaken during the fiscal year 1925, covered two main features; first, the strengthening of Piers Nos. 2, 3, 6, 7, and 8, so as to permit safe operation thereon of the yard's locomotives and locomotive cranes; and second, the general repair and strengthening of all the piers of the yard, Nos. 1 to 10, inclusive, so as to enable them to be safely used for the overhaul and repair of the Navy's fighting craft.

2. The inclosure, a marked print of the yard plan, indicates in red the pier railroad tracks on which, by reason of their dilapidated and worn-out condition, it has been necessary either to prohibit entirely the use of the yard's rolling stock, such as locomotives and locomotive cranes, or to seriously restrict such use.

3. Since the construction of these piers there has been a steady increase in the weights which must be handled by locomotive cranes and railroad cars, and if this yard is to continue to successfully compete with other navy yards and private establishments in the economical overhaul and repair of ships, it is evident that it can not suffer the handicap of inadequate weight-handling facilities on its water front. More serious, however, than the restriction which has been placed upon the operation of yard cranes and locomotives is the fact that, due to lack of funds during recent years for ordinary repairs and maintenance, the general condition of the piers at this yard has become such that it is no longer entirely safe to continue their use for their normal function. For example, it has recently been necessary to barricade a portion of Pier No. 1 and to prevent the placing of any load whatever thereon on account of its dangerous condition; similarly the remainder of the piers at the yard are so decayed and rotten that ships are not moored at the yard with entire safety. Recently during the dock trial of the *Florida*, during which the loads applied on the pier were not abnormal, there was a rupture of no less than four bollard piles, revealing a decayed condition of the timber which is indicative of the generally deteriorated condition of all the wooden piers.

4. At the present time the cost of replacing dangerously defective portions of the piers is so great as to be beyond the scope of the appropriation which is available for regular routine repairs, and accordingly a specific appropriation for this purpose is necessary.

5. Each year that the matter of major repairs to the piers is deferred will result in increased final cost of the work. It is not too much to say that unless funds are made available in the comparatively near future for this very necessary work the continued operation of the yard will be jeopardized.

BOSTON, MASS., February 18, 1925.

Hon. PETER F. TAGUE, M. C.

House of Representatives, Washington, D. C.

DEAR CONGRESSMAN: 1. The present condition of certain utilities at the navy yard, Boston, warrants me to respectfully invite your attention to the following facts, with the object in view of soliciting your cooperation, to prevail on the congressional body to provide adequate appropriations for the navy yard, Boston, when the naval appropriations bill is read before Congress.

2. The navy yard, Boston, has successfully met all requirements pertaining to ship repair, and the manufacture of standard accessories for the United States Navy, under circumstances that demanded the most careful administration of Government funds and, notwithstanding limited allotments with increased work loads, the performance here by all concerned is exceptionally creditable.

3. If this yard is to maintain its reputation, its existence and progress as a "naval necessity" will depend on the condition of water-front facilities, piers, and docks.

4. The present condition of the water-front piers at this navy yard is such that a battleship of the first line of defense of the *Texas* type or a vessel of similar draft and length could not be tied up to any pier at this yard with safety.

5. In addition to the weakened condition of the pilings, the elements on the floor of the basin around the piers have piled up the mud in such quantities that dredging is essential to permit at least a 35-foot depth of water around piers. You can readily see that the berthing spaces for vessels and the piers should be of first priority in maintenance if a navy yard is to prosper.

6. The naval appropriation bill for the next fiscal year has not set aside a sum of money to be expended for repairs to our piers, and unless the present bill can be amended the navy yard, Boston, will be severely handicapped.

7. It is estimated from a reliable source that \$300,000 will be required to make the piers safe, although this does not include the cost of dredging.

8. No extensive repair program has been undertaken on these piers for a number of years, and it has become necessary to place warning signs on each pier forbidding weights to exceed certain limits as prescribed by the civil engineer.

9. Another matter of vital importance is the roof of the foundry at this navy yard. The foundry is a building covering an area of 50,000 square feet of land, and during the World War it became nec-

essary to enlarge the building, which up to that time was about 250 feet in length. The annex to the old building is of modern design and construction, with a saw-tooth roof affording light, good sanitation, and working spaces. The roof of the old foundry remains in the same shape as when the building was erected and is not of fire-proof design. This roof is now in such a condition that the trusses of wood construction have been reduced to punk from age, a liability for continual repairs, a fire hazard, and unsafe. The roof is in a leaking condition, the rain water lodging on the floor of the shop making it extremely precarious to carry or pour molten metal into molds, and, in general, a very unsatisfactory condition prevails. The Budget has recommended that a sum of money be set aside to repair the roof of the foundry, navy yard, Boston, but for some unknown reason when the Budget recommendations were reviewed by the Naval Affairs Committee this particular item was omitted from the bill. In reviewing the appropriation bill a recommendation exists to appropriate \$20,000 for dredging at Charleston, S. C.; while metropolitan Boston, a city rated in fourth priority, with a naval establishment of historical record, is required to progress under apparent difficulties.

10. An appropriation should be provided to remodel the old foundry roof after the type of the new, thereby removing fire hazards caused by overheated stacks from cupolas and steel converters that are in operation daily.

11. I feel that in forwarding this information to you that you will make a special effort to induce your colleagues to support a measure to provide funds to make the corrections that have been set forth.

Thanking you for past courtesies, I am,

Respectfully,

WM. A. McDONALD,

45 Speedwell Street, Dorchester, Mass.

Mr. FRENCH. Mr. Chairman, the gentleman's amendment proposes an appropriation of \$300,000 for the work he has indicated in his remarks. The items to which he refers are entirely new items. They were not submitted to the Committee on Appropriations. They were not submitted by the gentleman himself or by the Budget officers. They come to this House as unknown quantities other than as the gentleman himself presents them in his speech. And without attempting to impair the statement that he makes, I want to say that there could be justified on the same basis excessive appropriations for probably every establishment in the country. Our committee members and the chairman of the subcommittee have received memorials and petitions and letters from chambers of commerce, from labor bodies, from boards of trade, from different organizations that are immediately in touch with just such establishments as this, and I have had letters bearing upon this particular proposition, although it is a proposition not recommended by the Budget. I want to appeal to the Members of this House and say that we can not, if we are to proceed in an orderly manner here, act upon the basis of a statement such as that which has just been made, no matter by what Member, and appropriate \$300,000 out of hand, as though it were some free gift we had at our disposal. The facts have not been presented to the committee that is charged with the responsibility of holding hearings and considering the many items of the bill. The items may be worthy, but they were not regarded as so worthy as to justify the administration through the Bureau of the Budget in submitting them in the orderly way to the Congress, and I appeal to Members of Congress to refuse to support the amendment.

Mr. TAGUE. Mr. Chairman, will the gentleman yield? As a member of the Committee on Appropriations can you kindly tell me how any Member of this House can ask for an appropriation for his district when the Budget Bureau has not reported the bill to the House except upon the floor of this House?

Mr. FRENCH. The limitations under the law do not refer to Members of Congress. The limitations refer to officers of the department. The department officers could not come here unless the committee asked the officers to do so and urge this particular appropriation. That, of course, does not apply, as the gentleman knows, to the Members of this body; and different Members of this body did come before the subcommittee and ask for a hearing upon one item and another.

The CHAIRMAN. The time of the gentleman from Idaho has expired.

Mr. WEFALD. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from Minnesota is recognized.

Mr. WEFALD. Mr. Chairman, I have heard a great deal about Boston, but I have never been there.

Mr. TAGUE. I extend to the gentleman an invitation.

Mr. WEFALD. Thank you. But if I should ever go to Boston I believe I would have to be very careful if I car-

ried in mind the fears of the gentleman from Massachusetts [Mr. TAGUE] who has spoken on this amendment. I am in a state of mind now as though if I went to Boston I would be afraid of taking the next step because of the chance that something might happen to me. The good old city of Boston must be in a bad state of repair; they say that roofs are falling down and that the piers are crumbling in. [Laughter.]

Mr. OLIVER of New York. I am from New York, and I agree with the gentleman.

Mr. WEFALD. It looks to me, if we were to allow this amendment and give to Boston \$300,000 for this purpose, as though we would give it to them in the shape of "pork." I have heard so much about Boston beans that I do not wonder that the gentlemen from Boston would want to get a little pork for their beans.

We have just voted on an amendment here for \$40,000 with which to repair a roof in the city of Boston. The gentleman that proposed that amendment pleaded so earnestly that we were afraid that every roof in Boston was coming down. When we consider the fears that these gentlemen have had, I want to remind them that the foremost son of Massachusetts, the President of the United States, has not got nearly as many fears as these men have. I would like to see every building in this country put in a state of good repair, public buildings and other buildings. I read in the newspapers a little while ago that the White House was in bad condition and that it ought to be repaired; in fact, it was said to be in such a bad condition that when Mr. Ford called on Mr. Coolidge he got so scared that he quit his race for the Presidency. [Laughter.] But the President is sticking it out bravely against all his troubles. He does not even seem to be afraid that the Daugherty affair will pull the roof down over his head. The gentlemen from Massachusetts should emulate his example—the good old city of Boston can not need so much repair.

Mr. BLANTON. Has the gentleman noticed how quiescent the committee is on this proposition? When have you ever before seen the committee become quiescent to keep an amendment from getting in?

Mr. WEFALD. I understand that the gentlemen from the State of Massachusetts have had a habit of getting anything they wanted heretofore. Massachusetts rules this Nation; a committee will be quiescent when Massachusetts wants it to be; for that reason I could not be quiet. I want to suggest that we, the Representatives of the Northwest, are going to vote in this Congress, and we are going to ask that something be done for the farmers. We do not want all of the money to be taken out of the United States Treasury at this time. We do not know how much more Boston is going to ask if this item is given to her; if Boston gets all she and Massachusetts wants, some one else will ask for like amounts or more, and the first thing we know we will have no money left for real necessary expenditures; I am against the amendment.

Mr. TREADWAY. Mr. Chairman, the gentleman from Texas [Mr. BLANTON] is such a constant attendant on the floor of the House that it is extremely unfortunate when he acknowledges his absence.

Mr. BLANTON. How does the gentleman know I am always here?

Mr. TREADWAY. I did not hear the gentleman. [Laughter.]

Mr. BLANTON. I asked the most distinguished gentleman from Massachusetts how does he know that I stay here?

Mr. TREADWAY. Well, I stay here myself so much that I have to go out once in awhile to escape listening to the gentleman's speeches. I noticed that the gentleman of the committee spoke in strenuous terms in opposition to my colleague from Massachusetts [Mr. TAGUE] five minutes ago, and either the gentleman from Texas has a poor memory, or poor hearing, or he was absent from the Chamber. One of those three things is true, because the committee is not in favor of this amendment. The gentleman from Idaho [Mr. FRENCH] made a very vigorous speech in opposition to it. As a generality I agree with him that matters of this kind ought to come before the committee in the first instance, but so far as the argument in this case is concerned, my colleague from Massachusetts [Mr. TAGUE] absolutely covered the case. I submit that the evidence of a Member representing the particular section having to do with an item coming up is much better than the evidence of a man from the Northwest, as in the case of the gentleman from Minnesota [Mr. WEFALD], who says that he never was in the city where the improvements are desired.

The gentleman from Minnesota [Mr. WEFALD] seems to think it has something to do with beans; on the contrary it has to do with the building of a pier where the vessels of the United States Government are under repair. Therefore, I consider

that the evidence submitted by my colleague [Mr. TAGUE] is of a great deal more value as to the merits of the case than that of the gentleman from Minnesota [Mr. WEFALD], who acknowledges he does not know anything about it and does not know anything about where the money is to be expended.

Mr. BLANTON. Will the gentleman yield?

Mr. TREADWAY. Yes; I am glad to yield to my friend.

Mr. BLANTON. I am in a different class.

Mr. TREADWAY. Yes; the gentleman is in a class by himself.

Mr. BLANTON. Some of the most delightful hours I ever spent were spent in the city of Boston, but I want to say to the gentleman that I gave him credit for being able to distinguish between a smoke barrage and a real fight when the chairman of the subcommittee was speaking.

Mr. TREADWAY. The gentleman is now questioning the sincerity of the chairman of the subcommittee, which I do not agree with at all. I know of no gentleman on the floor who states his case more explicitly, more firmly, and more honestly than does the chairman of this subcommittee of the Committee on Appropriations having this naval bill before us. So I do not recognize that there was any smoke screen there whatever. The merits of the case have been vouched for by my colleague [Mr. TAGUE], and when one Member attempts to belittle it by getting beans mixed into it he is making a serious blunder, because that has nothing to do with the case.

Mr. OLIVER of Alabama. Will the gentleman yield?

Mr. TREADWAY. Yes.

Mr. OLIVER of Alabama. I understand the gentleman from Massachusetts recognizes that the proper procedure would be to first present this matter to the subcommittee.

Mr. TREADWAY. I do. I have said I agreed with that as a general proposition.

Mr. OLIVER of Alabama. It would be a dangerous thing to make appropriations purely on the statements of Members deeply interested in the appropriations.

Mr. TREADWAY. It would be a dangerous thing, and I agree with my friend from Alabama in that particular.

Mr. OLIVER of Alabama. That is not said as reflecting in any way on any Members of the House, but the orderly procedure would be to first present such matters to the subcommittee.

Mr. TREADWAY. But this is not based on that; it is based on the evidence of the Navy Department itself as to the needs of the Charlestown Navy Yard.

Mr. TAGUE. Will the gentleman yield?

Mr. TREADWAY. Yes.

Mr. TAGUE. The evidence is based upon the request of the officers at the Boston Navy Yard, the evidence of the Navy Department itself, and as set forth in the letter—a part of which I have read and the whole of which I will put in the Record—from the Budget Director, and in that letter he acknowledges that the matter was under consideration by the Budget Director.

Mr. OLIVER of Alabama. However, the Budget Director did not recommend this item.

Mr. TAGUE. I said that in my opening remarks.

Mr. OLIVER of Alabama. In other words, the Budget is an administrative body and supposedly represent the views of the President and the President has not recommended or urged this item.

Mr. LOZIER. Mr. Chairman—

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. LOZIER. I rise to address the committee in opposition to this amendment.

The CHAIRMAN. The gentleman from Missouri is recognized.

Mr. LOZIER. Mr. Chairman and gentlemen of the committee, I desire to register my opposition to the amendment offered by the gentleman from Massachusetts [Mr. TAGUE]. The naval appropriation bill we are now considering calls for an appropriation of approximately \$272,000,000. The paragraph we now have under review appropriates the sum of \$175,000 for additional facilities for Dry Dock No. 3, Boston Navy Yard. The gentleman from Massachusetts [Mr. TAGUE] proposes an additional appropriation of \$300,000 for the repair of the docks or piers in the Boston Navy Yard. I am convinced that this amendment should not prevail and I shall vote against it.

After weeks of painstaking investigation and after considering carefully all requests for appropriations, the Appropriations Committee has submitted a report and recommendations of the amount it considers reasonably necessary to meet the needs of the Navy Department for the fiscal year of 1925. I believe the

committee has performed its work honestly, intelligently, and efficiently.

The only complaint I have to the bill is that it already carries too much money, or at least more than I think should be appropriated for the Navy Department this year in view of present economic conditions. I do not want to be understood as criticizing the subcommittee having the appropriation in charge, for I am sure they have done the best they could under the circumstances. The committee had to deal with the Navy and the Navy Department as they found them. They had to make provision for the Navy Department, the Navy, the personnel, and employees as now constituted. Here was a great big machine that the committee has to keep running until we can, by orderly processes, dispense with a part of the equipment.

I very much regret that a way has not been found to reduce the expenditures for our War and Navy Departments. Undoubtedly these departments are costing us too much money, and I favor a substantial reduction all along the line. However, the present bill carries \$23,024,333 less than the last naval appropriation bill, which is a good sign and points in the right direction. Moreover, the present bill carries \$4,452,927 less than the Budget estimate, which is further proof that the present Appropriations Committee has reduced expenses as much, probably, as can be done at the present time.

But, seriously, I can see no good reason why we should spend annually anything like \$270,000,000 for the maintenance of the Navy Department. These expenditures must be reduced each year and the only way to do this is to "pare to the bone" at all times where by so doing we will not materially impair the efficiency of the Navy. To do this we must begin at the bottom, reorganize the department on an efficiency basis, eliminate all superfluous and unnecessary employees, reduce expenses, destroy the bureaucratic system that has grown up in the department and Navy, discontinue the competitive shipbuilding plans, and everywhere in the department and Navy introduce necessary reforms. I assert this can be done without impairing the efficiency of our Navy.

I do not want to be understood as desiring to withhold any necessary appropriations from the Army and Navy, but I do insist that the naval and military policy of this Nation be not dictated, controlled, or even formulated by the officers of the Army and Navy. The size of our Army and Navy should be determined by the people and not by the military and naval officers, nor by those under the influence of the Army and naval forces. The people of the United States determine our internal, domestic, foreign, and economic policies. The people take advice from all sources, weigh that advice, and then accept or reject it as to them seems right and proper.

So while the Army and naval officers may with propriety make recommendations as to the size of our Army and Navy and in relation to our military and naval policy, still the people are the final judges as to whether we are to have a large or small Army and Navy, and while we welcome the advice of our military and naval officers it does not follow that we will follow their advice.

May I call to your attention that history teaches us that in all ages military and naval officers have advocated the creation and maintenance of large standing armies and strong navies and have insisted that this policy was necessary to protect governments from rebellion within and from foes without. History has also demonstrated the weakness, vice, and extreme danger of this policy. Standing armies and strong navies have more often been a menace to the liberties and safety of nations than a protection, for in the tide of time few governments have fallen where military intrigue and coercion have not materially contributed to national disintegration.

There is something in the life, environment, and atmosphere in which military and naval men live that breeds a contempt for the masses and imbues them with a consciousness of their superior judgment, attainments, and divine right to rule the so-called "common herd." Expert and professional soldiers have a distorted vision of their relation to the rest of mankind—an astigmatism that blinds them to the common affairs of life and to the rights and aspirations of the ordinary man. Military life breeds an autocratic disposition and a desire to rule, as well as a contempt for the opinions that run counter to their imperious will.

I can conceive of no greater calamity that could come to this Nation than would follow giving to our professional military and naval leaders control and entire direction of our military and naval policies. I do not mean to charge that the military and naval leaders are venal or lacking in patriotism, but I do say that many of them are blind to the consequences

of their own policies and lack experience in the practical affairs of life and government.

I concede that the national defense should at all times be uppermost in our minds and plans, but this is not to be secured by the adoption of an aggressive naval or military policy, but by the exercise of the ethics of government and by holding fast to the traditional policies bequeathed to us by the founders of our Republic.

But, Mr. Chairman, I am opposed to this amendment aside from the reasons I have already stated.

I have listened to this argument with all the thoughtful attention and deliberation it is possible for me to exercise, and I can not escape the conviction that we will make a very serious mistake if this amendment should be adopted.

Now, there is an orderly, systematic, safe, and proper method of securing appropriations for purposes of this character. There are probably as strong reasons for increasing the appropriations for every navy yard in the United States as in this particular instance; there is just as great reason for a public building program throughout the United States, and in every department of our Government there are just as urgent needs and opportunities for the expenditure of money in order to increase the efficiency of our Government. But we have reached the point where it is important to economize at every stage of the game.

Now, here is a proposition to appropriate \$300,000 over the heads of the committee, without the advice of the committee, and against the recommendation of the committee. If you let down the bars and begin increasing these appropriations, where will the end be?

Mr. TAGUE. Will the gentleman yield?

Mr. LOZIER. Yes; I yield.

Mr. TAGUE. The gentleman says this is a recommendation over the head of the committee, but the committee admits it never considered it; and that being the case, how could it be a recommendation over its head?

Mr. LOZIER. Well, it seems to me that if these conditions prevail in the Boston Navy Yard, and if they are as bad as represented, it was the duty of the gentleman from Massachusetts and his colleagues from that State to go before the Appropriations Committee and present these matters, and if the gentleman's case was meritorious and the needs as imperative as he represents, undoubtedly the committee would have given careful consideration to his request and granted the appropriation.

Mr. WEFALD. Will the gentleman yield?

Mr. LOZIER. Yes; I yield.

Mr. WEFALD. Would not an item of this kind more properly belong to a rivers and harbors bill?

Mr. LOZIER. I do not know that I can answer the gentleman from Minnesota satisfactorily. I think the item could very properly have been included by the committee in this bill if the committee had found that the appropriation should be granted; but I do say there should be a limit to the practice of this body in impulsively and without due deliberation appropriating large sums in excess of the amount recommended by the committees for projects not considered by the committees and concerning which there may be little or no evidence before the committee or House. While we may be justified occasionally in adding small items in excess of the amounts recommended by the committees where the need is obvious and justified, still, as a rule, if we make any changes the changes should reduce rather than increase the aggregate appropriations.

I have not only listened to this debate, but I listened carefully to the address of the gentleman from Idaho [Mr. FRENCH], chairman of the subcommittee, when he presented the report, and I desire to say that it has not been my privilege to hear in this House a clearer, fairer, more logical, more forceful, and more persuasive presentation of an appropriation bill than that with which the gentleman from Idaho [Mr. FRENCH] presented this measure. It was indeed refreshing to hear the illuminating address with which the gentleman from Idaho favored us. I think we should draw the line here and now and refuse to reach into the Treasury of the United States, without so much as a recommendation from the Appropriations Committee, and take \$300,000 of public funds for the purpose mentioned in this amendment when there are probably hundreds of propositions in the United States that are just as meritorious and where the needs and demands are just as great as in the instant case.

Mr. TREADWAY. Will the gentleman yield?

Mr. LOZIER. Yes; I yield.

Mr. TREADWAY. Then the gentleman does not agree with our colleague from Texas that the statement of the gentleman from Idaho was a smoke screen?

Mr. LOZIER. I never saw or heard the gentleman from Idaho [Mr. FRENCH] in action on this floor until he presented this report of the Committee on Appropriations for the Navy Department, but after listening to that report I could not refrain from giving expression to my opinion that a clearer, more logical, and more convincing report had not been presented on the floor of this House during the short time I have been a Member of this body. Moreover, I am convinced the gentleman from Idaho [Mr. FRENCH] and his committee associates are wholeheartedly opposed to this amendment. [Applause.]

Mr. BLANTON. Will the gentleman yield?

Mr. LOZIER. Certainly.

Mr. BLANTON. I agree with the gentleman. I was only trying to prod this committee into defeating the amendment. You have got to prod them sometimes, and I was trying to get some of the committee to help the distinguished gentleman from Idaho [Mr. FRENCH].

Mr. LOZIER. I would like, gentlemen, in conclusion, to agree with my good friend from Massachusetts [Mr. TAGUE], but we ought to draw the line here and now, and stand by the report of this committee, defeat this amendment, and keep this \$300,000 in the Treasury. Later on, when economic conditions are more favorable, we may be able to do something for the Boston Navy Yard.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. TAGUE].

The question was taken; and on a division (demanded by Mr. TAGUE) there were—ayes 19, noes 39.

So the amendment was rejected.

The Clerk read as follows:

Navy yard, New York, N. Y.: Sprinkler system, building No. 4, \$13,500; repairs and extensions to steam-heating distributing system, \$17,500; central power plant improvements, \$40,000; in all, \$71,000.

Mr. BLACK of New York. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The gentleman from New York [Mr. BLACK] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. BLACK of New York offers the following amendment: Page 35, line 4, after the semicolon insert: "Conversion of building No. 13, \$60,000; transfer of yard telephone exchange from building No. 13 to some other place within the yard, to be designated by the commandant, \$10,000; in all, \$141,000."

Mr. BLANTON. Mr. Chairman, I make the point of order that the amendment is legislation on an appropriation bill, unauthorized by law, and that it is not germane to the paragraph.

The CHAIRMAN. Does the gentleman from New York [Mr. BLACK] care to be heard on the point of order?

Mr. BLACK of New York. Mr. Chairman, I, of course, can lay no claim to any special familiarity with the traditions or the precedents of this institution, and having that in mind I have consulted various experts in the parliamentary practice of this House, submitting to them this amendment, and they informed me this was the proper place to attach the amendment. I understand that this is only an administrative proposition. It calls for work in progress in the navy yard and is not legislation in that sense.

Mr. BLANTON. Mr. Chairman, I reserve the point of order; if the gentleman wants to speak upon it, it is new construction. It is an entirely new building.

Mr. BLACK of New York. No; it is not a new building. It is an alteration of an existing building.

The CHAIRMAN. Does the gentleman from Texas reserve the point of order?

Mr. BLANTON. I reserve it.

The CHAIRMAN. The gentleman from New York [Mr. BLACK] is recognized for five minutes.

Mr. BLACK of New York. Mr. Chairman and gentlemen of the committee, this amendment was to have been introduced by my colleague, the gentleman from New York [Mr. QUAYLE], in whose district the navy yard is situated, but unfortunately he was called away from the Chamber yesterday because of illness, and he asked me to submit the amendment. I must therefore apologize to the committee for not having that detailed information on this project that a man should have before addressing himself to this committee.

However, I wish to state that the amendment simply provides that we alter a building in the Brooklyn Navy Yard for the purpose of properly housing the marine garrison at our navy yard.



To-day we devoted a great deal of time to the welfare of men who might or might not come into the Navy, depending on the ultimate fate of the Connally amendment. My amendment takes care of those men now in the Navy, and I do think that no outfit connected with the United States Government in any way is entitled to more consideration than the United States marines.

In November, 1918, the old marine barracks in the navy yard was demolished to make way for a machine shop. The men were then housed in two other buildings that were makeshift buildings for that purpose—buildings 93 and 425. It seems now that the Bureau of Medicine and Surgery have set forth certain minimum requirements for the housing of men, and under the regulations suggested by the Bureau of Medicine and Surgery the buildings in which the men are now housed can only properly accommodate 117 men, whereas they are actually accommodating 232 men. The buildings now used for housing the men of the marines stationed in the third naval district—and all the men of the marines stationed in the third naval district are now housed in our yard—will only accommodate two-fifths of the number of men that the old marine barracks would accommodate.

This is a small appropriation—\$60,000 for the proper alteration of building No. 13 to accommodate the men and \$10,000 for the removal of the telephone exchange now in building No. 13. It is a great navy yard that comes here for a great outfit asking a very modest appropriation, and I trust that my good friend from Texas may now withdraw his point of order to my amendment.

Mr. BLANTON. Mr. Chairman, I think it is clearly legislation. There is legislation in both paragraphs of the amendment, and I make the point of order against it on that account, and also because it is not germane to the paragraph.

The CHAIRMAN. The amendment offered by the gentleman from New York [Mr. BLACK] reads:

Transfer of yard telephone exchange from building No. 13 to some other place within the yard, to be designated by the commandant, \$10,000.

The only question is whether this might be held to be an appropriation in continuation of appropriations for public works and objects already in progress.

Mr. BLANTON. This requires them to do something that they are not now required to do by present law.

Mr. FRENCH. Mr. Chairman, does the amendment say some other place in the yard or some other place?

The CHAIRMAN. Some other place within the yard. The Chair does not know anything about the physical situation in this particular navy yard, but under this amendment it would be possible for the commandant to direct the taking of the telephone exchange out of building No. 13 and to even erect a suitable building for it at some other place within the yard and there house it.

Mr. FRENCH. Then, Mr. Chairman, I also reserve a point of order.

The CHAIRMAN. The Chair thinks it is plainly subject to a point of order, and therefore sustains the point of order.

The Clerk read as follows:

Navy yard, Mare Island, Calif.: Rebuilding dikes, wharves, and quay walls, and maintenance dredging (limit of cost, \$2,800,000), to complete, \$550,000; dredging equipment, \$150,000; mooring dolphins, replacement, \$28,000; in all, \$728,000.

Mr. HAWLEY. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment by Mr. HAWLEY: Page 35, after line 17, insert: "For continuance of the development of a submarine and destroyer base, Columbia River, Oreg., \$350,000."

Mr. FRENCH. Mr. Chairman, I make a point of order on that.

Mr. VINSON of Georgia. Mr. Chairman, I reserve a point of order.

Mr. HAWLEY. I would rather have the gentleman make it.

Mr. FRENCH. Mr. Chairman, I make the point of order that there is no law authorizing the proposed expenditure.

Mr. BLANTON. And the additional point of order that it is not germane.

Mr. FRENCH. And that it might contemplate work not authorized.

Mr. HAWLEY. Mr. Chairman, in the last appropriation act reported by the Committee on Naval Affairs when that committee was an appropriating committee, approved June 4, 1920, found in the Forty-first United States Statutes, at page 822, the following language was used:

Submarine and destroyer base, Columbia River: Toward the development of a submarine and destroyer base, and the Secretary of the Navy is hereby authorized to accept from the city of Astoria, Oreg., free from incumbrances and conditions and without cost to the United States Government, a certain tract of land at Tongue Point, Columbia River, for use as a site for a naval submarine and destroyer base, and containing 115 acres, more or less, of hard land, and 256 acres of submerged land, \$250,000.

I call the attention of the Chair to the first words of this item—"toward the development of a submarine and destroyer base."

Mr. BEGG. Mr. Chairman, will the gentleman yield?

Mr. HAWLEY. Yes.

Mr. BEGG. The language the gentleman is quoting is in an appropriation bill instead of in the permanent statutes, is it not?

Mr. HAWLEY. It is in the last appropriation act reported by the Committee on Naval Affairs when it was an appropriating committee.

Mr. BEGG. The gentleman admits that it dies with the end of the fiscal year.

Mr. HAWLEY. Oh, not all the provisions of a bill die with the end of the year, because legislation was frequently carried in appropriation bills in those days. The use of the words "toward the development" would indicate that it is a work in progress and that further appropriations were contemplated to be necessary to complete the work in question.

Mr. FRENCH. Does not the gentleman think that under the language of his amendment new buildings could be constructed, piers could be constructed, projects carried forward, that were not necessarily contemplated when the language was put into the bill originally?

Mr. HAWLEY. I think the gentleman is going somewhat afield when he says it was not necessarily intended in any appropriation bill previously. How can the gentleman know what the committee had in mind except from what they put into the bill?

Mr. FRENCH. Is it not true that under the language the gentleman has offered new buildings could be constructed?

Mr. HAWLEY. It might be, but that is a matter extraneous to the proposed amendment.

Mr. FRENCH. But it is contrary to the rule. Our committee can not bring in an authorization.

Mr. STENGLE. Mr. Chairman, I demand the regular order.

The CHAIRMAN. The regular order is to discussion of the point of order.

Mr. HAWLEY. Mr. Chairman, in answer to the point of order that the amendment is not germane at this point, I call the attention of the Chair to the fact that there are provisions in the bill for navy yards and submarine bases, but that they are not arranged in order. Navy yard provisions occur on page 36, and in line 22 provision is made for a submarine base, and this is followed by provisions for another navy yard. There was no attempt to arrange in order the items in this section. The amendment is as much germane here as it is to any other part of the section under consideration.

Mr. WATKINS. Mr. Chairman, I desire to call the attention of the Chair to the language of the Statutes at Large dealing with this matter, 1919-1921, volume 41, page 822. The language used is:

Submarine and destroyer base, Columbia River: Toward the development of a submarine and destroyer base, and the Secretary of the Navy is hereby authorized to accept from the city of Astoria, Oreg., free from incumbrances and conditions and without cost to the United States Government, a certain tract of land at Tongue Point, Columbia River, for use as a site for naval submarine and destroyer base, and containing 115 acres, more or less, of hard land and 256 acres of submerged land, \$250,000.

In support of the amendment of the gentleman from Oregon [Mr. HAWLEY], I claim that under Rule XXI, subdivision 2, of the rules of this House this is clearly in order and it is certainly germane. The rule in question reads as follows:

No appropriation shall be in order 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 clearly in progress.

This work there is in progress. It needs more money to continue it. The gentleman's amendment has that purpose in view. I maintain that under the act of June 4, 1920, establishing this base and appropriating \$250,000 for its development, that this amendment asking for \$300,000 is clearly in order, and is merely in continuation of a work already in progress and that it is germane.

Mr. VINSON of Georgia. Mr. Chairman, will the gentleman yield?

Mr. WATKINS. Yes.

Mr. VINSON of Georgia. The expenditure of this \$250,000 completed the project, did it not?

Mr. WATKINS. Oh, no. It will not complete it, as the Helm reports disclosed, also that signed by Parks, McKean, and Hilton, for it is recommended that an appropriation of \$1,500,000 be obtained from the present Congress. The gentleman himself was there last June, and he must know that it is not completed.

Mr. VINSON of Georgia. I differ with the gentleman.

Mr. WATKINS. I ask for a ruling.

The CHAIRMAN. The Chair is ready to rule. The gentleman from Oregon [Mr. HAWLEY] offers an amendment, which reads as follows:

For continuance of the development of a submarine and destroyer base, Columbia River, Oreg., \$350,000.

The gentleman from Oregon submits in support of his contention that it is a proper amendment; that it is an appropriation in continuance of an appropriation for a public work already in progress.

The naval act passed in 1920 contains this provision:

Submarine and destroyer base, Columbia River: Toward the development of a submarine and destroyer base, and the Secretary of the Navy is hereby authorized to accept from the city of Astoria, Oreg., free from encumbrances and conditions and without cost to the United States Government, a certain tract of land at Tongue Point, Columbia River, for use as a site for a naval submarine and destroyer base, and containing 115 acres, more or less, of hard land and 256 acres of submerged land, \$250,000.

There is in this particular section which the Chair has read no limit as to the cost of that improvement. Congress did not attempt in this legislation to limit the cost of that improvement, but simply appropriated \$250,000 to start the project, namely, the development of a submarine and destroyer base by acquiring certain land.

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

The CHAIRMAN. The Chair thinks—

Mr. BLANTON. May I ask the Chair to what this language applies where it says "without cost to the Government"?

Mr. HAWLEY. The acquisition of the base.

The CHAIRMAN. It says "accept from the city of Astoria, Oreg., free from any encumbrance and conditions without cost a tract of land at Tongue Point." Now, this amendment is in order in the judgment of the Chair. Just what the appropriation can be used for is a matter of administration, but the Chair is of opinion that, judging by the language of the original appropriating act, this present appropriation can only be used to carry out the purposes made in the original appropriation and the only work that can be conducted under this appropriation would be the work authorized by the section which the Chair has just read. The question as to whether a new building might be built or some other construction does not arise. It is sufficient to say that the amendment is framed in the language of the original statute and is properly a continuation of work in progress. The Chair overrules the point of order.

Mr. HAWLEY. Mr. Chairman, on October 8, 1919, a special board of inspection of naval bases, and so forth, on the Pacific Coast made a report to the Secretary of the Navy on the then proposed submarine and destroyer base on the Columbia River, which contained the following language:

The board recommends that this area be secured at the earliest date practicable, either by gift or purchase; that its development to the capacity or for the successful maintenance and operation of a minimum of 12 submarines, 6 destroyers, and the necessary aircraft for the patrol of the waters in the vicinity of the mouth of the Columbia River be proceeded with at once; that the project be planned to be completed within three years; and that the plans be so made as to permit of the operation of double the force recommended above in time of emergency.

The report in full reads:

OCTOBER 8, 1919.

From: Special Board of Inspection of Naval Bases, etc., on the Pacific coast.

To: Secretary of the Navy.

Subject: Proposed submarine, destroyer, and aviation base, Columbia River.

1. The board is in full agreement with the report of the Helm Commission as to necessity for the location of a submarine, destroyer, and aviation base between Puget Sound and San Francisco, and is in further agreement with the commission in its selection of the Tongue Point site at Astoria, Oreg., as the best site both strategically and tactically. The board recommends the site in the locality chosen, but

that a larger area, including all the shore front between the railroad and the pier land line extending from the western point where Tongue Point Peninsula joins the mainland around and including Tongue Point and along the shore line to the mouth of John Day River, is essential.

2. The board recommends that this area be secured at the earliest date practicable, either by gift or purchase; that its development to a capacity for the successful maintenance and operation of a minimum of 12 submarines, 6 destroyers, and the necessary aircraft for the patrol of the waters in the vicinity of the mouth of the Columbia River be proceeded with at once; that the project be planned to be completed within three years; and that the plans be so made as to permit of the operation of double the force recommended above in time of emergency.

3. It is further recommended that the Navy Department take up with the War Department the desirability of the dredging of the necessary channel and anchor ground in the vicinity of this proposed base to permit a safe entrance and anchorage of at least a division of dreadnoughts. This anchorage and channel development will not only be of great service to the fleet but will be of greater aid to commerce and will permit and provide for the full use of the fine harbor facilities built and building at Astoria. It is the opinion of the board that the problem of the Columbia River bar has been satisfactorily solved, there now being a depth of 42 feet over the bar, and the board is also of the opinion that it will be only a short time until a minimum of 50 feet will be obtained, thus making this a practicable port in any weather.

4. It is recommended that an appropriation of a million and a half be obtained from the present Congress, with authorization of the completed project not to exceed five millions, to be completed within three years.

5. Although not, strictly speaking, a part of this report, the board calls attention of the department to the desirability, primarily, from a commercial point of view, but also from the Navy point of view, of the continued development of the Columbia River and the Willamette River as far as Portland, Oreg.

C. W. PARKS, Rear Admiral (C. E. C.), U. S. Navy,  
Chief, Bureau of Yards and Docks.

J. S. MCKEAN, Rear Admiral, U. S. Navy,  
Assistant Chief of Naval Operations.

J. C. HILTON, Commander (S. C.), U. S. Navy,  
Supplies and Accounts.

On July 13, 1920, the office of the Solicitor of the Navy Department addressed a letter to the mayor of the city of Astoria, Oreg., as follows, calling attention to the act approved June 4, 1920, authorizing the Secretary of the Navy to accept the gift of a site for a base on the Columbia River.

NAVY DEPARTMENT,  
OFFICE OF THE SOLICITOR,  
Washington, July 13, 1920.

The honorable the MAYOR,  
Astoria, Oreg.

SIR: I have the honor to direct your attention to the following provision contained in the naval appropriation act for the fiscal year 1921, approved June 4, 1920 (Public, No. 243, 66th Cong.):

"Submarine and destroyer base, Columbia River: Toward the development of the submarine and destroyer base the Secretary of the Navy is hereby authorized to accept from the city of Astoria, Oreg., free from encumbrances and conditions and without cost to the United States Government, a certain tract of land at Tongue Point, Columbia River, for use as a site for a naval submarine and destroyer base and containing 156 acres of submerged land."

It is the desire of the department to begin the development of this site, but before any money can be expended title to the tract of land must be vested in the United States.

An unconditional deed to the United States of America represented by the Secretary of the Navy without cost to the Government is required, as will be seen from the provisions of the act above quoted. The deed should be accompanied by an abstract title showing title in grantee free and unencumbered. If the city of Astoria is the grantee, evidence of compliance with the laws of the State of Washington relating to the conveyance of real estate by municipalities should also accompany deed.

The abstract of title and deed will have to be approved by the Attorney General of the United States. It is suggested that the evidence of the title and the right of the grantees to convey be submitted to the United States district attorney for the district of Oregon, Portland, Oreg., in order to quickly secure this approval.

The solicitor has requested the Attorney General to issue appropriate instructions to the district attorney at Portland, Oreg., to insure prompt consideration in the matter.

Very respectfully,

PICKENS NEAGLE, Acting Solicitor.

In compliance with the suggestions in this letter, the county of Clatsop, in which the city of Astoria is situated, transferred to the United States, by warranty deed, for the consideration of \$1—that is, by gift—a large tract of land said to comprise about 1,300 acres, for the purposes set forth in paragraph 2 of the report of the special board, which reads as follows:

2. The board recommends that this area be secured at the earliest date practicable, either by gift or purchase; that its development to a capacity for the successful maintenance and operation of a minimum of 12 submarines, 6 destroyers, and the necessary aircraft for the patrol of the waters in the vicinity of the mouth of the Columbia River be proceeded with at once; that the project be planned to be completed within three years; and that the plans be so made as to permit of the operation of double the force recommended above in time of emergency.

The work so far provided for will accommodate only three vessels with berthing accommodations.

The people of Clatsop County, moved by patriotic zeal, bonded the county in the sum of \$100,000, and with the proceeds of the issue purchased the lands deeded to the Government. The owners of the lands made large concessions in the prices asked to such an extent that the lands were obtained for \$100,000, although reasonably worth \$200,000 for commercial and other purposes. The deed to the Government is dated January 31, 1921.

That the requirements of paragraph 3 of the report of the special board have been fully met is evidenced by the statement of Maj. R. Park, Corps of Engineers, United States Army, under date of January 16, 1924, addressed to the editor of the Oregonian, of Portland, Ore.:

The facts are these: The shoals at the entrance to the Columbia River have, by the art of man, been so deepened and controlled by the construction of twin jetties that for years there has been a channel over 40 feet deep and over 1 mile wide; that this channel has improved year by year until now there is a channel 43 feet deep and over 2,000 feet wide; that the largest freight vessel afloat can and has navigated this channel; that the largest vessels in the world can regularly navigate this channel at high tide in any but the most severe weather; that the 40-foot channel is far wider than the Ambrose Channel into the harbor of New York; and that the 43-foot channel is deeper and safer than the entrance channels of the greatest ports of the world.

The river channel proper is, of course, a succession of deep, wide pools and some 25 shoals, where dredging is necessary. Out of 114 miles of river there are some 35 miles of shoals. Channels are provided through these shoals from 300 to 500 feet wide and 30 feet deep.

In the last appropriation act reported by the Committee on Naval Affairs of the House (41 U. S. Stat. L. p. 822, ch. 228, approved June 4, 1920), the following provision was made:

Submarine and destroyer base, Columbia River: Toward the development of a submarine and destroyer base; and the Secretary of the Navy is hereby authorized to accept from the city of Astoria, Ore., free from encumbrances and conditions, and without cost to the United States Government, a certain tract of land at Tongue Point, Columbia River, for use as a site for a naval submarine and destroyer base, and containing 115 acres, more or less, of hard land and 256 acres of submerged land, \$250,000.

The expenditure of the money provided in this act has accomplished "dredging of an entrance channel with depth of 28 feet, a turning basin 660 feet in width with 22 foot depth, the construction of a timber-retaining bulkhead, a timber pier, and three timber finger piers for berthing of submarines and destroyers," as stated by the Secretary of the Navy in a letter to me, dated February 7, 1924.

This work by no manner of means conforms to paragraph 2 of the report of the special board, upon which the people of Clatsop County relied when they made their generous gift of the site for a real and effective base.

Submarine-destroyer base is described to include workshops, including machine shops, repair shops, barracks, quarters, and so forth; wharves and dockage, warehouses for storage of torpedoes, armament, and so forth; roads and approaches to dockages; utilities necessary to keep up repair work, power connections, and so forth.

Harbor facilities include sufficiently dredged channel, with enough space to assure accommodation of all anchored crafts and all boats out of commission. This should also include dry dockage in case it was to be utilized for boats undergoing repair.

The mouth of the Columbia is the only fresh-water harbor on the Pacific coast of the United States. This is a particularly important fact, from the naval standpoint, as it immediately frees all vessels entering the harbor from the salt-water

accumulation of barnacles and other sea débris. This accumulation of salt-water débris is sufficient to lessen their speed from 10 to 20 degrees.

The mouth of the Columbia is the entrance to the Columbia River Basin, which is the only natural egress from the interior for large maneuvering bodies of troops. This fact is further emphasized by the condition by which it is necessary for 60 per cent of our transcontinental railroad lines to pass through the Columbia gorge in order to approach the western coast. The Columbia taps, through its tributaries and main river, approximately 300,000 square miles of northwestern territory, whereas the sound has just 40,000 square miles of tributary territory and San Francisco about 70. The entrance to the Columbia effected by an enemy's army would mean the occupation of Portland, Ore., and the severing of the only strategic line of railroad we have from the Pacific coast, namely, the Southern Pacific, whereas our troops would be kept immobilized by the loss of this parallel communicating system.

Therefore the necessity of protecting the only logical approach to this line, namely, the Columbia River, and particularly the only approach from the sea, is obvious.

On January 28, 1924, Brig. Gen. Henry D. Todd, jr., commanding the ninth Coast Artillery district, which comprises all the coast defenses on the Pacific coast, having completed a tour of inspection of the fortifications guarding the Puget Sound and the mouth of the Columbia River, made a report, from which I quote his findings as to the defenses on the Columbia River:

WAR DEPARTMENT,  
HEADQUARTERS NINTH CORPS AREA,  
Presidio of San Francisco, January 28, 1924.

Brig. Gen. Henry D. Todd, jr., commanding the ninth Coast Artillery district, which comprises all coast defense on the Pacific coast, recently completed a tour of inspection of the fortifications guarding Puget Sound and the mouth of the Columbia River. General Todd's report follows:

"Between the 8th and 18th of December I inspected the coast defenses of Puget Sound and of the Columbia, including the works at Grays Harbor and Willapa Bay. As is the case in the coast defenses of San Francisco, I found the armament to consist of guns designed in 1895 and unable to shoot at ranges beyond 17,000 yards. At that time, however, the best foreign battleships carried but four 12-inch guns and twelve 6-inch guns each, and these guns were no better than the American guns—that is, it would have taken a number of the British *Majestic* class, the Japanese *Fuji* class, or the German *Wittelsbach* class to furnish as many guns of the larger calibers as are mounted in Puget Sound. To-day each ship of the British *Royal Sovereign* class carries eight 15-inch guns and fourteen 6-inch guns, the 15-inch guns being able to outrange our 12-inch guns by at least 10,000 yards, and each ship of the Japanese *Nagato* class carries eight 16-inch guns and twenty 5.5-inch guns, of which the 16-inch guns also greatly outrange our 12-inch guns. Consequently the coast defenses of the northwest part of the country would be utterly unable to protect units of the American Battle Fleet while leaving the harbor and before they could take up battle formation.

"The armament, with its accessories, power plants, etc., however, old fashioned as they are, I found in excellent condition. While the work entailed on the depleted garrisons is enormous, the morale of both officers and enlisted men was high, and everyone seemed to realize he must do double work to make up for the shortage in personnel.

"We always considered that it took at least 1,300 Coast Artillery officers and men to maintain the Puget Sound forts in a serviceable condition and be able to repulse a surprise attack from a raiding force, yet in the Puget Sound forts to-day there are but 11 Coast Artillery officers and 281 enlisted men.

"Conditions are worse in the coast defenses of the Columbia. There the garrison is so small—2 Coast Artillery officers and 20 enlisted men for the three forts at the mouth of the Columbia and for the batteries at Grays Harbor and Willapa Bay—that all that can be done is to keep the material in good condition.

"If the Coast Artillery National Guard organizations in the State of Washington were called into the Federal service, they would increase the garrisons of the Puget Sound forts by but 210 officers and men, and the forts at the mouth of the Columbia could be increased by the Oregon National Guard organizations to the extent of 350 officers and men. The war strength authorized by the War Department for the Puget Sound forts is 3,235 officers and men, while that for the forts at the mouth of the Columbia is 1,341. Consequently, in case of sudden attack, these forts could not put up much resistance until the units of the Organized Reserves had been enlisted, equipped, and transferred to these forts."

E. D. GRIFFITH, JR.,  
Assistant Chief of Staff, Military Intelligence.

The need for an effective, well-equipped base on the Columbia River is apparent. That it is the most exposed portion of our national coast line and therefore the part most inviting attack is clear. That it is practically undefended is evident. The Columbia River is the only river on the coast whose sources lie east of both the Coast and Cascade Mountain Ranges and extend to the Rocky Mountains. It is a most fertile area, capable of subsisting a large force, which, through its railroad systems and hard-surfaced roads, could be rapidly distributed to whatever point an invader might desire in an area of over 250,000 square miles. The products of grains, meat animals, vegetables, and other products would subsist a large army indefinitely. Its timber products alone, comprising more than one-third of the standing merchantable timber of the United States, would be in itself a great prize. This great area is separated from the rest of the United States by the great mountain systems of the Rockies on the east and of the Siskiyou on the south, which would afford effective barriers to protect an invader who controlled the road and railroad systems.

We on this far-flung line are asking for a protection that will discourage any attempt at invasion, and which in case of war will keep an invader at a distance on the sea and destroy him before he can reach the land or turn him back.

Our pioneer fathers and mothers, before the middle of the last century, after enduring great hardships and sufferings and the attacks of savage foes, won and held this important area for the United States against the claims of other powers who endeavored to secure it for their possession. We now ask the United States to prepare in time against the ever-recurring eventuality of war. It may seem to those who reside at places far distant that no danger can ever arise. So may Belgium have thought. Our people are greatly concerned and are unanimous in favor of the development of the base on the Columbia. The people of Clatsop County made their gift, understanding that a very active, fully equipped, and effective base would be developed upon the site.

At a meeting of the Clatsop County Council, held on the 24th day of January, 1924, the following resolution was unanimously adopted:

Whereas the county of Clatsop, State of Oregon, having presented deed of gift to the United States Government of about 1,300 acres of land and water, known as the Tongue Point naval base site, under an act of Congress instructing the Secretary of the Navy to accept the said deed, and the people of Clatsop County having anticipated through an act of Congress that the site would be improved by the construction of an aviation base, submarine base, destroyer base, and anchorage for superdreadnaughts, and taxpayers of Clatsop County having expended for the site \$100,000; and

Whereas an appropriation by Congress of \$250,000 will have been expended by the 1st of April next: Therefore be it

*Resolved*, That the Clatsop County Council, an advisory body composed of the municipalities listed below, urge upon Congress that an appropriation of \$350,000 be included in the naval appropriation bill at the present session of Congress or a special act introduced and passed for the said amount, to be expended in the construction of quarters, barracks, machine shop, and other appurtenances and equipment necessary for the proper conduct of a minor naval base in accordance with the understanding of the people of Clatsop County through the acceptance by the Secretary of the Navy of a deed of gift for the so-called Tongue Point naval base site, and the combined efforts of the Oregon delegation in Congress are hereby requested to strenuously secure the amount stated, to be expended as stated, during the present session of Congress.

Representatives of the following bodies were present at the meeting above stated:

Mayor and councilmen of city of Astoria, Oreg.  
 Mayor and councilmen of city of Seaside, Oreg.  
 Mayor and councilmen of city of Warrenton, Oreg.  
 Mayor and councilmen of city of Hammond, Oreg.  
 Mayor and councilmen of city of Gearhart, Oreg.

CLATSOP COUNTY COUNCIL,  
 By B. F. STONE, *President*,  
 By THOS. J. JORDAN, *Secretary*.

COUNTY COURT, CLATSOP COUNTY,  
*Port of Astoria.*

The work done by the expenditure of the \$250,000 heretofore appropriated is well done as far as it goes, and money's worth has been fully obtained for the money expended, but it provides for the berthing of only three vessels at a time and for nothing more.

Mr. VINSON of Georgia. Will the gentleman yield?  
 Mr. HAWLEY. I will.

Mr. VINSON of Georgia. Will the gentleman inform the committee what improvement is contemplated by this additional appropriation?

Mr. HAWLEY. I will restate the matter and will come to that if the gentleman will permit. In conformity with this recommendation and with the act in Public Law No. 243, Sixty-sixth Congress, approved June 4, 1920, the people of Clatsop County bonded themselves in the sum of \$100,000 and bought a tract of land designated by the Navy Department. The land was reasonably worth twice the amount the county paid for it, but out of consideration to the wishes of the rest of the people the owners of the tracts sold them for about 50 per cent of their value. The area includes 1,300 acres of the very best sites for manufacturing purposes near the mouth of the Columbia River and is an ideal site for a submarine and destroyer base. There was an appropriation made in 1920 of \$250,000 with which there has been constructed a timber bulkhead and timber pier and three timber fingers providing berthing space for submarines. Now, the original proposal of the special board was that there should be berthing space for 12 submarines and 6 destroyers and for the necessary aircraft, with the necessary appliances for the maintenance and operation of all craft. There is no provision at this time for maintenance, nothing for operation, and berthing spaces for only 3 out of the 18 vessels have been provided, and no place has been provided for the landing or rise of aircraft or—

Mr. VINSON of Georgia. Is there any space there where an aircraft or a hydroplane or a lighter than air craft could land?

Mr. HAWLEY. There are more than 50 square miles of water in which the hydroplane could land. I have seen them land many times in these waters and rise from them.

Mr. VINSON of Georgia. That is in reference to the Columbia River, but there is no landing field there; there is no place for a landing field?

Mr. HAWLEY. There is the best possible.

Mr. VINSON of Georgia. On the top of the mountains?

Mr. HAWLEY. Just across from the bulkheading, as the gentleman will remember who did us the honor to visit Oregon last summer, there is a bay called the Cathlamet Bay. By bulkheading as large a space as may be desired and filling in with a suction dredge a magnificent place for a flying field could readily be made. A field so made would be long enough, wide enough, and smooth enough for any aircraft to rise or land.

Now, the people when they made this gift—very generous for a county—expected that a real base would be constructed, but nothing has been done to make it a usable station. A vessel could come in, having been injured by an enemy or crippled by a storm, and run into one of the slips, but that is all that it could do. There is no machine shop, no repair shop, or supplies, nothing at all to assist a vessel in distress. Now, the Columbia River is the one river on the Pacific coast that breaks through both the Coast Range and the Cascade Mountains.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HAWLEY. I ask unanimous consent for an additional five minutes.

The CHAIRMAN. The gentleman from Oregon asks unanimous consent to proceed for five additional minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. HAWLEY. Its drainage basin includes an area of 250,000 square miles of land as fertile as there is in this country. It opens a way into the interior of the country. An enemy vessel drawing 30 feet of water can go up to Portland by using the Willamette River, and could go very far inland by using the Columbia River. It is a country rich in grain production, in food animals, and in vegetables and fruits, and if an invader ever entered that country he could subsist upon it indefinitely. It is segregated from the rest of the United States by the barrier of the Rocky Mountains on the east and the Siskiyou on the south. There is only one railroad out of Oregon to the south at present, and there are only a few passes to the east, and if the roads east and south were seized by an enemy invader it would be almost impossible for the American troops to get in there and dislodge them by land attack.

Mr. VINSON of Georgia. Mr. Chairman, will the gentleman yield there?

Mr. HAWLEY. Yes.

Mr. VINSON of Georgia. Was the appropriation recommended by the Budget Bureau, or has the Navy Department recommended to the committee the consideration of this additional work that you contemplate having done there?

Mr. HAWLEY. There was no recommendation by the Budget—

Mr. VINSON of Georgia. Has the Navy Department recommended this additional expenditure?

Mr. HAWLEY. I do not know of any recommendation from the Navy Department.

Mr. VINSON of Georgia. Is it not a matter of fact that the Navy Department has all the necessary facilities for the activities that are required there now?

Mr. HAWLEY. If the gentleman means that all the activities required for vessels are provided, he is mistaken. There are three finger piers at which they can berth, but there are no shops, storehouses, or any other means of repairing a vessel or furnishing it with ammunition, fuel, food, or anything else it may need.

Mr. VINSON of Georgia. Does the gentleman contemplate doing anything at Tongue Point to have a base for the destroyers, or merely for having a berth pier there? What does the gentleman contemplate?

Mr. HAWLEY. We contemplate what the report I read a moment ago contemplates, and which I have previously described.

Mr. VINSON of Georgia. But the Navy Department does not need any more there.

Mr. HAWLEY. How does the gentleman know?

Mr. VINSON of Georgia. Because they have not asked Congress for anything more. The gentleman is trying to read into the bill the conclusions contained in the Helm report for the development there. Does not the gentleman know that it would cost many millions of dollars to carry out the recommendations of the Helm report?

Mr. HAWLEY. Not at all. There never was a suggestion of anything more than a little over a million dollars for complete construction.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. HAWLEY. Yes.

Mr. BLANTON. When the distinguished gentleman from Georgia was up in Oregon did he approve of this item?

Mr. VINSON of Georgia. I thought it was a waste of money ever to have spent one dollar at Tongue Point, and I could never see any justification in trying to build a submarine base 50 miles up the Columbia River.

Mr. HAWLEY. The gentleman from Georgia is entirely in error about his figures. It is only about 13 miles from the mouth of the Columbia River. There is better water at the entrance of the Columbia River than in any other waterway in this country, so the engineers of the War Department say, and there is ample water in the river channel for vessels of great draft. At the entrance there is a channel a mile wide and 40 feet in depth, and a section of the channel 2,000 feet wide has a 45-foot depth; and in all except the roughest weather large vessels can enter and depart at will.

I was speaking, when I was interrupted by the gentleman from Georgia, about the segregation of this area from the rest of the country. It may seem to gentlemen who come from localities far removed from that section that we are unduly alarmed, but we are the farthest-flung post in the United States. If attacked by an enemy and if the roads and railroads are seized, we are segregated from the rest of the United States by mountain barriers that would afford an invader a great protection.

Little Belgium assumed that she was perfectly safe until it was proven that she was not safe. We are asking Congress at this time to proceed with the development of the land which was obtained from the citizens of Clatsop County as a gift, with the understanding that the proposal would be carried out, as stated in the report of the special board.

The CHAIRMAN. The time of the gentleman from Oregon has expired.

Mr. HAWLEY. May I have one minute more?

The CHAIRMAN. The gentleman from Oregon asks unanimous consent to proceed for one minute more. Is there objection?

There was no objection.

Mr. HAWLEY. We are asking that the proposal shall be carried out to some complete development. There is in all this Northwest territory drained by the Columbia River one-third of all the standing timber in the United States. One-third of all our standing merchantable timber is in this Northwest section that is to be protected by this base. At the mouth of the Columbia River there is a fort with some 20 men. If an enemy should approach it and begin firing, he could fire effectively at a distance of 10,000 yards; that is, or nearly 6 miles, beyond the range of any guns at the mouth of the Columbia River.

This timber alone would be an invaluable prize of war, scarce as timber is becoming in the world. These people having made all these sacrifices, understanding that a complete development

would be made here, donated 1,300 acres of valuable land to the Government on that understanding. In their behalf my colleagues and I are asking that the Congress make this appropriation. [Applause.]

Mr. FRENCH. Mr. Chairman, I am always reluctant to oppose a proposition urged by my persuasive and able friend from Oregon [Mr. HAWLEY], who never overlooks an opportunity to advance every interest of his district, but I am opposed to the proposition that he now brings to the House.

In the first place, the project was begun two years prior to the Limitation of Armaments Conference. It was started on the basis of the Helm report, which in turn had been made before that armaments conference was held and the treaty entered into.

We have at this time throughout the United States different naval establishments that are tied up, that are out of commission, for which we have no use whatever, any more than a wagon has use for a fifth wheel. I am very sure that if the proposition had not been acted upon favorably prior to the Limitation of Armaments Conference it would never have been approved by the Government.

There is another point: This proposition has not come before the House through the Budget Bureau. It does not have the backing of the department. It is not an urgent proposition, and we have at this time an abundance of facilities to care for the submarines and destroyers that are upon the Pacific coast.

Another thought I must not fail to mention: If this proposition is to be adopted it ought not to be adopted unless a limit of cost shall be fixed.

Of course, that would be legislation pure and simple. Here we are asked to appropriate \$300,000 for the continuation of a project, turning over to the department complete authority and discretion as to how the money shall be handled, without limitation or restriction and without the Congress knowing what may be in the minds of the Navy Department. The proposition has never come to the committee that shaped this bill from the Navy Department. We do not have one word from naval officers to indicate that it is desirable, but we do know that there are bases upon the Pacific coast ample and sufficient to care for all our submarines and destroyers on the Pacific, and we do not need at this time to carry on the development program suggested by the gentleman's amendment.

Mr. WATKINS. Mr. Chairman and gentlemen of the committee, I want to submit some observations which I hope will convert and induce the committee to favor this amendment.

The act of June 4, 1920, appropriated \$250,000 toward the development of a submarine and destroyer base at Astoria, and the project, now nearing completion, undertaken with the funds appropriated by this act, includes the dredging of an entrance channel with depth of 28 feet, a turning basin 600 feet in width with 22-foot depth, the construction of a timber retaining bulkhead, a timber pier, and three timber finger piers for berthing of submarines and destroyers.

The people of Astoria, Oreg., acting in good faith and believing that the United States intended to develop, establish, and maintain a submarine, destroyer, and airplane base and anchorage for superdreadnaughts, at an expense of \$100,000, presented a deed of gift to the United States for the site embracing about thirteen hundred acres. The correspondence is fully covered in the President's message, Sixty-fourth Congress, second session, Document No. 1946, part 7, pages 93, 99, 132, 139, and 150.

By act of June 4, 1920, the Secretary of the Navy was authorized to accept said land for said purposes—Statutes at Large, 1919-1921, volume 41, page 822.

In June, 1921, Lieutenant Commander Church, of the United States Navy, arrived in Astoria and took possession of the site in the name of the United States Government, since which time improvements have been going on under the original appropriation of \$250,000, which will be exhausted upon the completion of the present contract.

Unless the Congress appropriates more money for further development the money expended so far will be useless, as is the case with any construction or development not maintained. Admiral Coontz, in his report, No. 1946, part 4, Navy Yards and Naval Stations Commission, fourth report, page 76, Appendix B, Sixty-fourth Congress, has the following to say on this matter:

At Astoria should be placed the best temporary base on the Washington and Oregon coasts. Land, Government or otherwise, at a place recommended by the commission, should be acquired to allow for distilling plant, motor generator plant, and a small repair shop for emergency.

The Pacific Ocean is likely to be our most important theater of future commercial growth and activity, involving problems of both a national and international character. The long

Pacific coast line, with its many important cities and harbors, the rapid development of our shipping and commerce generally, the constantly increasing quantity of food, forest, and other products which go from the west coast to supply the needs of other sections of our own country, as well as the needs of other countries, seem to make it advisable, if not indeed quite imperative as a naval policy, that the major part of our naval forces should be maintained and accommodated in the Pacific Ocean.

I believe that any broadly conceived, well-rounded plan for Pacific coast naval development should include the location and development of at least a secondary base in the Columbia River. Depth of water, anchorage area, easy access from the ocean, and other necessary physical conditions exist. The shipping and general commercial importance of the Columbia River is large and rapidly growing. From its shores easy access is obtained, free from natural obstacles, to rich and populous regions, north and south, from the mouth of the river to approximately 150 miles eastward. The water grade it affords through the Cascade Mountains is the gateway to a great producing region east of these mountains. The strategic value and necessity of naval defense is obvious.

Prior to the World War we were concerned with the strict observance of and the universal respect for the Monroe doctrine; for this reason we stationed our fleet in the Atlantic, and to maintain and preserve it we developed navy yards at various and sundry places on the Atlantic coast. The possible and almost probable theater of war has now been shifted to the Pacific, due to a combination of circumstances. And this fact necessitates the development and establishment of proper facilities on the Pacific coast so as to meet the needs for the fleet.

One of the most strategic places on the Pacific coast for a naval base is Tongue Point, near the mouth of the Columbia River. It is strategic because of the following facts:

1. It is the only fresh-water harbor on the Pacific coast.
2. It is protected from wind and strong currents.
3. It is without range of the enemy's gun.
4. It commands commodious water frontage.
5. It is protected from the fire of any gun by a hillside of rock which no gun can penetrate.
6. In time of war base is imperative.
7. It protects the entrance of the Columbia River, the second largest river in the United States, and the most vulnerable place of attack on the Pacific coast.
8. There is no base—no place for ships of the Navy to go—nearer than 700 miles to the south or 150 miles to the north—nearly 900 miles of unprotected sea coast.
9. It is ideal for defensive and offensive fighting.
10. It is the only water grade on the Pacific coast.
11. It is ideal for an observation tower in aviation matters.
12. Finally, it protects and defends an empire wherein is raised enough food and munitions of war to maintain our Army and Navy indefinitely. An empire the enemy could seize, if unprotected, and feed its army, support its navy, and fight the American people on their own territory with their own resources, and with the railroads and other means of transportation available move its army to the inland, slowly but surely, to the final goal.

We now have a fleet but do not have sufficient bases.

We need to unify the Pacific coast line of defense.

We need to protect the one vulnerable point on the Pacific coast.

Help us to secure appropriation for Tongue Point and you serve the whole country.

I take the liberty of submitting at this point a naval report most instructive on this matter, reading as follows:

OFFICIAL INSPECTION BOARD REPORT.

[From special board of inspection of naval bases, etc., on the Pacific coast.]

To: The Secretary of the Navy.

Subject: Proposed submarine, destroyer, and aviation base, Columbia River.

1. The board is in full agreement with the report of the Helm Commission as to necessity for the location of a submarine, destroyer, and aviation base between Puget Sound and San Francisco, and is in further agreement with the commission in its selection of the Tongue Point site at Astoria, Oreg., and the best site both strategically and tactically. The board recommends the site in the locality chosen, but that a larger area, including all the shore front between the railroad and the pierhead line extending from the western point where Tongue Point Peninsula joins the mainland around and including Tongue Point and along the shore line to the mouth of John Day River, is essential.

2. The board recommends that this area be secured at the earliest date practicable, either by gift or purchase; that its development to a capacity for the successful maintenance and operation of a minimum of 12 submarines, 6 destroyers, and the necessary aircraft for the patrol of the waters in the vicinity of the mouth of the Columbia River be proceeded with at once; that the project be planned to be completed within three years, and that the plans be so made as to permit of the operation of double the force recommended above in time of emergency.

3. It is further recommended that the Navy Department take up with the War Department the desirability of the dredging of the necessary channel and anchor ground in the vicinity of this proposed base to permit a safe entrance and anchorage of at least a division of dreadnoughts. This anchorage and channel development will not only be of great service to the fleet, but will be of greater aid to commerce and will permit and provide for the full use of the fine harbor facilities, built and building at Astoria. It is the opinion of the board that the problem of the Columbia River bar has been satisfactorily solved, there now being a depth of 42 feet over the bar, and the board is also of the opinion that it will be only a short time until a minimum of 50 feet will be obtained, thus making this a practicable port in any weather.

4. It is recommended that an appropriation of a million and a half be obtained from the present Congress, with authorization for the completion of project not to exceed \$5,000,000, to be completed within three years.

5. Although not, strictly speaking, a part of this report, the board calls attention of the department to the desirability, primarily from a commercial point of view, but also from the Navy point of view, of the continued development of the Columbia River and the Willamette River as far as Portland, Oreg.

C. W. PARKS, Rear Admiral (C. E. C.), U. S. Navy,  
Chief, Bureau Yards and Docks.  
J. S. MCKEAN, Rear Admiral, U. S. Navy,  
Assistant Chief of Naval Operations.  
J. C. HILTON, Commander (S. C.), U. S. Navy,  
Supplies and Accounts.

Mr. FRENCH. What is the date of that report?

Mr. WATKINS. That was in 1917.

Mr. FRENCH. That was during the war and, of course, some years prior to the Limitation of Armament Conference?

Mr. WATKINS. Yes.

Mr. BLANTON. Will the gentleman yield?

Mr. WATKINS. Yes.

Mr. BLANTON. It is the duty of the United States to protect all of her citizens and to keep them in a condition of safety and prevent their minds from being disturbed. Are the people out there as scared up as the other gentleman from Oregon indicated?

Mr. WATKINS. Well, I do not think that the people out there are scared, but I know that if any foreign power wants to jump on this Government the people on the Pacific coast are ready to a man to repel the invader.

At this point I want to read from a report of an Army official dated January, 1924, which is as follows:

Brig. Gen. Henry D. Todd, Jr., commanding the Ninth Coast Artillery District, which comprises all coast defense on the Pacific coast, recently completed a tour of inspection of the fortifications guarding Puget Sound and the mouth of the Columbia River. General Todd's report, *inter alia*, said:

"Between the 8th and 18th of December I inspected the coast defenses of Puget Sound and of the Columbia, including the works at Grays Harbor and Willapa Bay. As is the case in the coast defenses of San Francisco, I found the armament to consist of guns designed in 1895 and unable to shoot at ranges beyond 17,000 yards. At that time, however, the best foreign battleships carried but four 12-inch guns and twelve 6-inch guns each, and these guns were no better than the American guns. That is, it would have taken a number of the British *Majestic* class, the Japanese *Fuji* class, or the German *Wittelsbach* class to furnish as many guns of the larger calibers as are mounted in Puget Sound. To-day each ship of the British *Royal Sovereign* class carries eight 15-inch guns and fourteen 6-inch guns, the 15-inch guns being able to outrange our 12-inch guns by at least 10,000 yards, and each ship of the Japanese *Nagato* class carries eight 16-inch guns and twenty 5.5-inch guns, of which the 16-inch guns also greatly outrange our 12-inch guns. Consequently the coast defenses of the Northwest part of the country would be utterly unable to protect units of the American Battle Fleet while leaving the harbor and before they could take up battle formation.

"Conditions are worse in the coast defenses of the Columbia. There the garrison is so small, 2 Coast Artillery officers and 20 enlisted men for the three forts at the mouth of the Columbia and

for the batteries at Grays Harbor and Willpa Bay, that all that can be done is to keep the material in good condition.

"Of course if an enemy determined to make a base near the mouth of the Columbia, he could outrange and overpower the batteries there just as he could at Puget Sound."

Mr. VINSON of Georgia. The gentleman does not think that a submarine and destroyer base with 12 submarines would protect that whole coast, does he?

Mr. WATKINS. No; but I do say that the Pacific coast for 1,000 miles is defenseless and unprotected.

Mr. VINSON of Georgia. The Navy can protect the coast.

Mr. WATKINS. The Navy has no place of refuge and no place to seek shelter in case a boat is crippled, as I pointed out heretofore.

The following table shows the distance between certain points and for that reason is most timely:

[From United States Hydrographic Office records.]

	Nautical miles.	Statute miles.
From Tongue Point, Astoria, Oreg., to--		
Cape Flattery, Wash.....	234	260
Seattle, Wash.....	390	415
San Francisco, Calif.....	450	740
Honolulu, Hawaii.....	2,332	2,685
Vladivostok, Siberia.....	4,423	5,092
Hongkong, China (Rhumb.).....	6,063	7,016
Hongkong, China (G. C.).....	5,994	6,902
Shanghai, China, via Yokohama.....	5,278	6,073
Manila, P. I.....	6,023	6,935
Nagasaki, Japan via Yokohama.....	5,043	5,808
Yokohama, Japan (G. C.).....	4,310	4,963
Auckland, New Zealand (G. C.).....	6,075	6,995
Wellington, New Zealand.....	6,327	7,286
Sydney, Australia, via Honolulu and Pago Pago.....	6,985	8,044
Melbourne, Australia, via Honolulu.....	7,274	8,374
Newcastle, Australia.....	6,833	7,869
Singapore, Straits Settlements, Composite.....	7,142	8,224
Batavia, Java, via Balingtang, Channel and Composite.....	7,415	8,539
Panama, Canal Zone.....	3,869	4,455
Callao, Peru.....	4,611	5,310
Valparaiso, Chile.....	5,764	6,638
New Orleans, La., via South Pass.....	5,315	6,120
Norfolk, Va., via Windward and Crooked Island Passage.....	5,091	6,564
New York, N. Y., via Windward and Crooked Island Passage.....	5,888	6,778

The following facts, submitted to me from a reliable source, are most interesting:

The mean depth of entrance channel from Pacific Ocean through mouth of Columbia River leading to port of Portland is 43 feet for width of 4,000 feet, and for width of 1½ miles, mean depth of 40 feet obtains. (From survey United States Army Engineers' Department, June, 1921.)

Rock jetties, extending miles into ocean, protect harbor entrance, with open-water space between of about 2 miles. (Constructed by United States Government at cost of \$16,000,000.)

Channel entrance is well supplied with all necessary aids to navigation, including lightship, buoys, pilotage service, and other facilities for uninterrupted navigation day or night. (Listed in United States Government publications, United States Coast and Geodetic Survey charts, etc.)

Mean rise of tide at channel entrance, 7.5 feet, extending in diminishing amount up river to port of Portland Harbor.

At entrance to Columbia River pilots are placed aboard or taken off vessels by pilot tugs of the port of Portland.

Minimum fog condition at Columbia River entrance is important item in reducing delays and subsequent financial loss to shipping. Records of United States Lighthouse Service, \* \* \* indicate most favorable conditions as compared with other Pacific port entrances.

Port.	Station.	Hours of fog, 1921.	Average 10-year period.
Entrance to Puget Sound....	Switsure Bank, Lightship No. 93.	1,113	1,413
Entrance to San Francisco....	San Francisco, Lightship No. 70	1,862	1,725
Entrance to Columbia River.	Columbia River, Lightship No. 88.	586	684

Approximately 100 miles from the mouth of the Columbia River is America's foremost American city, Portland, Oreg.

Portland is the greatest lumber manufacturing city in the world, with region tributary to Columbia River basin having standing timber amounting to 560,000,000,000 feet, board measure, with approximately one-fifth of standing timber in United States located in Oregon. During 1921, 536,298,929 feet of lumber were shipped by water from the Columbia River.

Portland is the leading wheat shipping port on the Pacific Ocean and one of the largest in the United States, with cargo wheat shipments during calendar year 1921 totaling 37,290,188 bushels.

Portland ranks equal of any Pacific coast city in flour manufacture, besides being distributing point for thousands of tons of flour manufactured elsewhere in Pacific northwest. Flour shipments for calendar year 1921 totaled 1,419,304 barrels, being equivalent of 6,286,868 wheat bushels, thus making port's total water-borne wheat shipments during 1921 amount to 43,677,058 wheat bushels.

Extensive sheep raising in northwestern group of States has led to concentration of wool clip at Portland, for storage, manufacture, and annual auction. Portland ranks second only to Boston as Nation's wool market. Eight woolen mills are established in vicinity. Portland is largest wool manufacturing city west of the Mississippi.

Portland was world ranking shipbuilding center during war, resulting in being well equipped to continue the industry as conditions demand.

Ten railway lines serve Portland, five of which are transcontinental systems.

Portland's water supply is world famous and unlimited, originating from mountain streams of the Cascades.

Tributary to this wonderful city is an empire unequalled and unsurpassed by any land anywhere.

Because of strategic position at foot of only down grade from the rich productive plateaus of the Rocky Mountains, which extends from Canada to the Mexican border, Portland is natural outlet for a vast hinterland.

It is estimated 100,000,000 bushels of grain are annually raised within immediate tributary territory and which, with other products of 10,000,000 acres of land under crop, naturally seek market through the port of Portland.

The Columbia River drainage basin has approximate area of 254,000 square miles, with Portland the industrial center, where basic raw material supplies from this territory are converted into staple commodities and shipped to world markets.

The Pacific Northwest, of which Portland's hinterland is a major portion, leads in supply of raw materials on which industry is based. It is estimated that approximately one-fifth of remaining standing timber in United States is located in Oregon alone.

Minerals abound throughout tributary territory, with one of world's largest phosphate rock deposits in southern Idaho, so located that marketing is naturally through the port of Portland. Rich deposits of coal in Wyoming and Utah fields likewise find a route of least resistance via port of Portland.

The port of Portland is the only Pacific coast port where transcontinental rail lines from Rocky Mountain plateaus connect with ocean carriers without having to climb over the snow-covered peaks of Cascade and Sierra Ranges.

Population of countries bordering on Pacific Ocean is estimated at 910,000,000 people. This great consuming market becomes more attractive each year, developing water-borne traffic in the resources of the Pacific Northwest with its neighbors of the Far East.

The Pacific Northwest, one of the last sections of the United States to be developed, is fast fulfilling the prophetic words of ex-President Roosevelt:

"The Mediterranean era died with the discovery of America; the Atlantic era has reached the height of its development; the Pacific era, destined to be the greatest, is just at the dawn."

Now, Mr. Chairman and gentlemen, the Pacific coast is like a football line. There is no need to have your right and left wings protected and your center wide open, and no need to protect San Francisco, the California coast, and Washington and leave the Oregon coast unprotected. The enemy can push right up the Columbia River and in that market basket of the world plant its army on American shores and with our food maintain itself for years and years, and fight us with our own food, munitions, and material.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WATKINS. I ask for one more minute.

The CHAIRMAN. The gentleman asks unanimous consent to proceed for one additional minute. Is there objection?

There was no objection.

Mr. WATKINS. It can transport its soldiers down through California by the railroads, north by the railroads, and east by the railroads.

Not only that, this submarine base would afford a chance for the biggest ships of the Navy to have a place of shelter; in case a boat were crippled out in the Pacific Ocean it could enter this place and have safety; to go south it has to sail 700 miles, and if it goes north it has to cover 150 miles.

We have authorized the expenditure of \$250,000, and this amendment is asking for \$300,000 more. If we do not give

something, it will mean that the piers and the base as it now is will deteriorate.

Mr. VINSON of Georgia. Does not the gentleman know that they have not finished it?

Mr. WATKINS. No; they have not finished it.

Mr. VINSON of Georgia. Then how is it going to deteriorate?

Mr. WATKINS. The same as any pier or building exposed and abandoned to the elements.

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

Mr. WATKINS. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the Record.

The CHAIRMAN. The gentleman from Oregon asks unanimous consent to revise and extend his remarks in the Record. Is there objection?

There was no objection.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Oregon [Mr. HAWLEY].

The question was taken, and the Chair announced that he was in doubt.

The committee divided; and there were—ayes 19, noes 33.

So the amendment was rejected.

Mr. HAWLEY. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the Record.

The CHAIRMAN. The gentleman from Oregon asks unanimous consent to revise and extend his remarks in the Record. Is there objection?

There was no objection.

Mr. JONES. Mr. Chairman, this is a very important bill, and I make the point of order there is no quorum present.

Mr. MADDEN. I hope the gentleman from Texas will not do that. Let us go on with the bill. I ask the gentleman as a personal favor to withdraw that. I do not think there is anything to be gained by it except to kill time.

Mr. JONES. I will withdraw the point of order, Mr. Chairman.

The Clerk read as follows:

BUREAU OF AERONAUTICS.  
AVIATION, NAVY.

For aviation, as follows: For navigational, photographic, aerological, radio, and miscellaneous equipment, including repairs thereto, for use with aircraft built or building on June 30, 1924, \$325,000; for maintenance, repair, and operation of aircraft factory, helium plant, air stations, fleet activities, testing laboratories, and for overhauling of planes, \$6,716,950, including \$300,000 for the equipment of vessels with catapults; for continuing experiments and development work on all types of aircraft, \$1,573,224; for drafting, clerical, inspection, and messenger service, \$710,000; for new construction and procurement of aircraft and equipment, \$5,264,826; in all, \$14,590,000, and the money herein specifically appropriated for "Aviation" shall be disbursed and accounted for in accordance with existing laws as "Aviation" and for that purpose shall constitute one fund: *Provided*, That the Secretary of the Navy is hereby authorized to consider, ascertain, adjust, determine, and pay out of this appropriation the amounts due on claims for damages which have occurred or may occur to private property growing out of the operations of naval aircraft, where such claim does not exceed the sum of \$250; *Provided further*, That all claims adjusted under this authority during the fiscal year shall be reported in detail to the Congress by the Secretary of the Navy; *Provided further*, That no part of this appropriation shall be expended for maintenance of more than six heavier-than-air stations on the coasts of the continental United States; *Provided further*, That no part of this appropriation shall be used for the construction of a factory for the manufacture of airplanes.

Mr. BLANTON. Mr. Chairman, I make a point of order against the paragraph, because it embraces legislation not authorized on an appropriation bill, and I call the attention of the Chair to the new construction in the paragraph and also to the provisos in the last paragraph, both of which make it subject to a point of order.

The CHAIRMAN. Does the gentleman from Idaho have any suggestions to make on this point of order? The gentleman from Texas [Mr. BLANTON] has made a point of order on the two provisos.

Mr. BLANTON. Mr. Chairman, I made the point of order to the whole paragraph, because of legislation in it.

The CHAIRMAN. The gentleman makes the point of order, calling attention particularly to the first proviso.

Mr. FRENCH. In regard to that, Mr. Chairman, I would say that these planes are in the nature of replacements and this is in the nature of continuing work. The airplanes are upon a somewhat different basis from battleships. We use up planes in the course of training and we have to carry

money in every bill in order to care for replacement of parts and replacement of machines.

Mr. BLANTON. Will the gentleman yield?

Mr. FRENCH. Yes.

Mr. BLANTON. What about the language in line 13, on page 37, where it says for new construction and procurement of aircraft and equipment, \$5,264,826?

Mr. FRENCH. That was the item to which I was referring.

Mr. BLANTON. That has never been authorized by legislation at all. I challenge the gentleman to show any substantive law whatever authorizing it.

Mr. TILSON. Will the gentleman from Texas yield?

Mr. BLANTON. I have not the floor. The gentleman from Idaho has the floor.

Mr. TILSON. Does the gentleman mean to say that every time a new airplane is constructed we would have to come to Congress and get an authorization for building an airplane, the same as in the case of a battleship?

Mr. BLANTON. I will answer the gentleman by asking him a question. Does the distinguished parliamentarian from Connecticut believe that this Appropriations Committee can build a dreadnaught without coming to Congress for legislation that would authorize the appropriation? What is an airship but an air dreadnaught. It has the same position with respect to legislation and appropriations that a dreadnaught on the sea occupies.

Mr. TILSON. No; I think it has much more the relationship of building a rifle or an automobile or something of that sort.

Mr. BLANTON. Oh, I do not think so and I do not believe the gentleman really thinks so.

Mr. TILSON. Oh, I can not believe that the Bureau of Aeronautics is without any power to construct any airplanes at all.

Mr. BLANTON. What is the difference between an air dreadnaught and a sea dreadnaught, so far as the principle is concerned? They are both fighting machines, one to fight on the sea and one to fight in the air.

Mr. TILSON. And the gentleman contends that he would have to come Congress and get an authorization for each individual airplane built?

Mr. BLANTON. For every new construction; yes.

The CHAIRMAN. Let the Chair ask the gentleman from Idaho, does the gentleman from Idaho contend that the language contained in the first proviso is in order if a point is made against it?

Mr. FRENCH. I think the language in the first proviso is probably subject to the point of order.

The CHAIRMAN. The Chair thinks so, too. It seems to the Chair that it is plainly legislation.

Mr. FRENCH. Likewise the second proviso.

The CHAIRMAN. The point of order is sustained on account of the legislative matter in the paragraph.

Mr. FRENCH. Then do I understand the whole paragraph goes out? I offer an amendment in that case.

Mr. BLANTON. I will not require the gentleman to reoffer it, because that just delays matters. I will direct the point of order specifically, in view of the Chair's ruling, to the first and second provisos.

The CHAIRMAN. As to the first and second provisos, the point of order is manifestly good.

Mr. FRENCH. Mr. Chairman, I offer an amendment. On page 38, line 1, strike out the word "further."

The CHAIRMAN. The gentleman from Idaho offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. FRENCH: On page 38, line 1, after the word "*Provided*," strike out the word "*further*."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Idaho.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

NAVAL ACADEMY.

Pay, Naval Academy: Pay of professors and others, Naval Academy: Pay of professors and instructors, including one professor as librarian, \$275,000: *Provided*, That not more than \$38,500 shall be paid for masters and instructors in swordsmanship and physical training.

Mr. STENGLE and Mr. BEGG rose.

The CHAIRMAN. For what purpose does the gentleman from Ohio rise?

Mr. BEGG. I offer an amendment, Mr. Chairman. I want the amendment offered at the end of line 15, on page 38.

The CHAIRMAN. The gentleman from Ohio offers an amendment, which the Clerk will report.



The Clerk read as follows:

Amendment offered by Mr. BEGG: At the end of line 15, on page 38, insert: "No part of any sum in this act appropriated shall be expended in the pay or allowances of any commissioned officer of the Navy detailed for duty as professor or instructor in academic subjects at the United States Naval Academy to perform the duties which were performed by civilian professors or instructors on January 1, 1922, whenever the number of civilian professors or instructors employed in such duties shall be less than 80: *Provided*, That in reducing the number of civilian professors no existing contract shall be violated: *Provided further*, That no civilian professor, associate or assistant professor, or instructor shall be dismissed, except for sufficient cause, without six months' notice to him that his services will be no longer needed."

Mr. FRENCH. Mr. Chairman, I make the point of order against the provisos on the ground that they are new legislation and impose duties and will not retrench expenditures, but, on the contrary, will have a tendency to increase the expenses, and also that it is not a proper limitation.

Mr. BEGG. Mr. Chairman, in answer to the points of order, I will say, first, which is not conclusive at all, that this language is contained in the appropriation act of last year. As to its not being a limitation, it is a limitation on where the money and how the money shall be expended. It has been repeatedly held by various Chairmen that the House can direct the expenditures of any part of an appropriation to any channel or in any direction it desires.

As to the point of order that it is legislation on an appropriation bill, the only reply that a man can make to that is that the whole appropriation is legislation, and that it is not legislation within the terms of the rule which seeks to exclude legislation when direction is given to the authorities as to how they shall expend the money. Technically, you can not pass an appropriation bill unless you legislate, but the rule is intended to keep basic legislation off appropriation bills. I submit this is not basic legislation but that it is made directory.

The other point is that this adds new duties. I submit that to stipulate that instructors in the Naval Academy shall be a minimum of 80 civilians is to add no new duty or responsibility upon the superintendent of the academy nor any other official. On the contrary, these civilian employees are now there working, and instead of putting an added burden on the superintendent, it would keep them there, but to discharge them and substitute military instructors would add labors to the officers who are now responsible for the conduct of the institution. I think that covers the points of orders that have been made against the amendment and I believe answers the contention completely.

Mr. SANDERS of Indiana. Mr. Chairman, I desire to be heard in support of the point of order. The point of order is directed against the entire amendment which purports to be a limitation. It does not purport to come under the proposition of a retrenchment of expenditures. That is not involved in the point of order. The sole question, as I gather it, that the Chair must decide is whether this is a proper limitation upon an appropriation. It is legislation. The gentleman from Ohio [Mr. BEGG] quite well says that that does not bar it. We have a right to put on legislation if it is merely by way of a limitation on an appropriation, the theory being that the appropriation committee has the entire jurisdiction to appropriate, and having entire jurisdiction to appropriate it may appropriate for a purpose, it may appropriate for the entire naval program, it may appropriate for part of it, and anyone can offer an amendment which limits it properly. Mr. Chairman, I had in mind a decision with which the Chair is no doubt familiar, but I can not turn to it for the moment. It is the decision by Chairman Saunders, of Virginia, which says that a limitation can not go clear out beyond the purpose of the limitation and bring in legislative matters not properly connected with the limitation. This amendment was put in last year by way of amendment, but no point of order was addressed to the two provisos, which clearly are in no way connected with the limitation itself. It seems to me they are clearly legislation. The first proviso is that in reducing the number of civilian professors no existing contract shall be violated. That is plain, straight-out legislation. It has nothing in the world to do with a limitation. There is a second proviso that no civilian professor or instructor, and so forth, shall be dismissed except for sufficient cause after six months' notice to him that his services will no longer be required. I do not think any plausible contention can be made that either of those provisos has anything to do with the limitation, and no plausible contention can be made that they are not both straight-out legislation within the rules which exclude legislation. In other words, the rule provides that there can be no legislation upon an ap-

propriation bill, but there has been read into that rule a provision that a limitation is proper. Whenever a limitation goes outside of the strict interpretation of a limitation then it is subject to the point of order, and either one of those provisos being subject to the point of order makes the entire amendment fall.

Mr. DENISON. Mr. Chairman, if I understood the point of order correctly it was first made to the two provisos.

The CHAIRMAN. The point of order is made to the entire amendment.

Mr. DENISON. I was listening very carefully. I understood the gentleman to say that the point of order was made separately to the two provisos. Possibly afterwards he made it to the entire amendment.

Mr. SANDERS of Indiana. Mr. Chairman, if there is any question about it I make the point of order to the entire amendment.

Mr. DENISON. Mr. Chairman, I do not think there is any doubt but that the point of order is well taken against the provisos, but the point of order is not well taken against the amendment proper. Whether the two provisos will invalidate the entire amendment I am not sure.

Mr. BEGG. Mr. Chairman, will the gentleman yield?

Mr. DENISON. Yes.

Mr. BEGG. To end the argument and expedite time I am willing to withdraw the amendment and reoffer it without the two provisos. I concede the argument on the last proviso. I question the other.

The CHAIRMAN. The better method of procedure would be to have the point of order sustained to the existing amendment and then the gentleman can offer another amendment.

Mr. DENISON. I was about to state that the limitation was put on the bill in the House, and that these two provisos were inserted in the bill in the Senate, but that is how they came to be in the last year's bill. I think the point of order is well taken against the proviso.

The CHAIRMAN. The Chair thinks the point of order is well taken, and the point of order is sustained.

Mr. BEGG. Mr. Chairman, I reoffer the amendment without the proviso.

The CHAIRMAN. The gentleman from Ohio offers an amendment, which the Clerk will report, being that part of this amendment down to the first proviso. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. BEGG: Page 38, after line 15, insert: "*Provided*, That no part of any sum in this act appropriated shall be expended in the pay or allowances of any commissioned officer of the Navy detailed for duty as professor or instructor at the United States Naval Academy to perform the duties which were performed by civilian professors or instructors on January 1, 1922, whenever the number of civilian professors or instructors employed in such duties shall be less than 80."

Mr. BEGG. Mr. Chairman, all I want to say is this, and it will not take but a minute: The military teachers that can be permitted to teach in Annapolis must first have served the minimum of 12 years on outside service. Now, the only training they get for teaching purposes is that training they receive at Annapolis. Now, the absence from teaching work for 12 years disqualifies any man, and we all know that from our experience, to be a first-rate instructor in academic subjects, and the only interest I have is to maintain the high order of instruction that has always been maintained at the Annapolis Academy.

Mr. STENGLE. Will the gentleman yield?

Mr. BEGG. I will.

Mr. STENGLE. Why fix the number of civilians at 80?

Mr. BEGG. Because it was fixed last year as a proper proportion of civil instructors on academic subjects. This does not interfere at all with that branch of instruction that applies to the military or navigation.

Mr. TABER. Does the gentleman know the number of civilian instructors at present is only 77?

Mr. BEGG. If that is the case, I also know we need all the more to put our amendment in, because if Admiral Wilson, superintendent at Annapolis, is going to defy the direct order of this House, the only conclusion is we need a new superintendent at Annapolis. I know this to be a fact: The instructors of the military end of it who have been placed to instruct in academic subjects have gone before their class and have made the cold-blooded statement, "Boys, go ahead to the blackboard, put on the problems; if you can work it out, we will try to be a fair referee between you and the textbooks." Now, I have had that told me by no less than three boys in my own home. If that be true, it seems to me we ought to protect the academic

end. I have nothing but the highest praise for the navigation and the military end of both our academies, but I am not so sure though that the academic end is on a par with good institutions in civil life. But I do think that these naval men in this country who graduate at West Point and Annapolis should be superior, if possible, in every single line of training, and it is only in sympathy with that idea that I offered my amendment and in no way of criticism of the efficiency of it.

Mr. DENISON. Mr. Chairman, I rise to speak on the amendment. Gentlemen, perhaps I can give you a brief history of this proposition. In 1913 the Superintendent of the Naval Academy, Captain Gibson, came over and recommended to the committee that all the civilian professors be put out of the institution; he did not want them around. Congress put this same limitation in the appropriation act of 1913, which would prevent them from substituting naval officers for civilian professors in the academic branches at the academy. The limitation was carried in every appropriation bill from 1913 down to 1918, if I remember correctly, during the war. Then the committee, when we were appropriating for war purposes, left it out because all the naval officers were at sea fighting; they could not get any to detail to the academy to take the place of civilians, so the committee omitted the limitation from the bill. Two years ago Admiral Wilson came before the committee and made another recommendation—he was then superintendent of the academy—that a large part of the civilian professors be discharged and naval officers be put in their places. The Appropriations Committee apparently were willing to permit it, for they reported the bill with a greatly reduced amount for the pay for civilian professors.

When this item was reached during the consideration of the bill I offered an amendment similar to the one now pending, and we put back in the bill this limitation which had been carried so many years, and we also increased the appropriation so as to provide a sufficient amount to pay the civilian professors. So the House, by an overwhelming vote, put this limitation into the bill; but when it went to the Senate the Senate inserted the provision for 80 professors into the limitation which had been inserted in the House, so that the 80 part of the limitation was put in by the Senate. Now, I want to say also these other provisions in the limitation, which have gone out on the point of order, and I think properly so, were also put into the bill by the Senate.

Mr. BYRNES of South Carolina. Will the gentleman yield?

Mr. DENISON. I will.

Mr. BYRNES of South Carolina. Will the gentleman state the difference in the number of civilian instructors in 1913, when the limitation was first placed, and the number of civilian instructors after the war?

Mr. DENISON. The number of civilian professors at the academy has varied from time to time. There was a time back after the Civil War when a great part of the teachers at the academy were civilians, but the ratio changed; sometimes there were many more civilians than military instructors and at other times there were less.

Mr. BYRNES of South Carolina. In 1913 there were very few civilian instructors, and after the war we had the 80 limitation.

Mr. DENISON. I think there were about 126 civilian professors and instructors at the academy and possibly 140 or 150 naval officers when this question again came up two years ago. But of course in the meantime we had materially increased the number of cadets at the academy. Formerly there were but two from each district. That was before the World War. Two years ago, when this limitation was put back in the bill, there were five from each congressional district. So that the number of teachers of both classes had to be increased materially on account of the great increase in the number of cadets. That limitation was put into the bill, gentlemen of the committee, to prevent the superintendent of the academy from discharging civilian professors and appointing naval officers in their places to teach academic subjects. The civilian professors are confined, of course, to the teaching of English and mathematics and history and modern languages.

The naval instructors teach navigation, marine engineering, gunnery, and discipline and various other subjects that are of a military character, and that is proper. But I do think that trained civilians, professors and instructors, ought to be in charge of teaching all strictly academic subjects, and I am sure that everyone who has ever investigated this subject agrees to that proposition.

I did not intend to offer this amendment myself, because I felt that the members of the committee in charge of the bill agree with me on this question of policy, and I have understood that they had been given some positive assurances. They had

Admiral Wilson come before them, and the admiral has assured them, as I understand, that he would not carry out this policy of discharging the civilian professors any further. Now, with me it is a serious question whether or not it is wise for us, who, after all, are charged with the responsibility of seeing that the Naval Academy is conducted properly as a naval educational institution, to leave this limitation entirely out of the bill, and thereby allow to the superintendent the right to go ahead, if he chooses to do so, and discharge many of the able, trained, efficient civilian teachers and put in their places naval officers who do not have the first qualifications as teachers of academic subjects. I have grave doubts about it.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. DENISON. Mr. Chairman, may I have two minutes more?

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DENISON. It is a question whether we should leave that provision out of the bill, as I say, so as to give the superintendent the right to go ahead and discharge these civilian professors and to assign naval officers to teach academic subjects in their places. I am not in a position to decide it, but I have serious doubts. I will be glad to hear from the members of the committee. I see the gentleman from Alabama [Mr. OLIVER] is here. He is very much interested in this matter. He assisted me two years ago in putting this limitation in the bill. The matter was thoroughly discussed at that time, and the House decided by a considerable majority to put the limitation in the bill.

Mr. OLIVER of Alabama. I was in thorough sympathy with the position taken by the gentleman from Illinois at that time, and I am still in sympathy with that position.

Admiral Wilson at my request came before the committee, just before the committee completed its work on this bill, and stated to the committee that in view of the fact there would be fewer students at the academy next year than we have this year it would not be necessary to keep the large staff of civilian instructors now there, and the committee made an appropriation for less money for the civilian instructors on that account. He also stated that under no circumstances would he dismiss a civilian instructor and replace him with a naval officer to teach the same subject. In other words, he assured the committee that the only civilian instructors he would dismiss or excuse would be those not needed because of the smaller attendance. He further stated, I may add, that there would be fewer military instructors next year than he now has, and he gave the committee to understand that under no circumstances would any civilian instructor be excused and a military man put in his place to teach the same subject.

Mr. DENISON. Of course, the clear purpose and meaning of this amendment is not to prohibit or to prevent the superintendent from letting civilian professors go when they are not needed. It goes only this far, that it prohibits the superintendent from discharging civilian teachers and putting naval officers in their places.

I would like to ask the gentleman from Alabama another question. He has been with the Naval Committee for a long time, and he knows the Naval Academy and was a member of the Board of Visitors at the same time I was. Can he assure us that Congress can accept the statement of Admiral Wilson in good faith, that he will not discharge civilian instructors and appoint naval officers in their places, and further that any civilian instructors excused or discharged will be discharged in accordance with existing methods and practice?

Mr. OLIVER of Alabama. Absolutely, in my judgment.

The CHAIRMAN. The time of the gentleman from Illinois has again expired.

Mr. OLIVER of Alabama. Mr. Chairman, I ask that the gentleman be given two minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. OLIVER of Alabama. I feel that the superintendent will administer this appropriation strictly in the interest of wise economy and the efficient administration of the academy and, further, in absolute accord with the declared purposes and policies of Congress relative to civilian instructors.

Mr. DENISON. Well, with that assurance I will be content; but I want to state this, that if this House does rely on the statement of the superintendent of the academy, as presented by the gentleman from Alabama, if it does accept that policy and not put this limitation in the bill, and then if the superintendent does not observe that agreement in good faith, but

proceeds to discharge any of the civilian professors, most of whom are efficient and capable and high-class teachers and instructors, trained instructors—if he should do that, it is my intention to introduce a resolution and ask for an investigation of the academy and the entire administration of Admiral Wilson, with a view to securing a new management of the institution and providing by legislation a definite policy with reference to this subject of civilian professors and instructors.

Mr. NEWTON of Minnesota. Mr. Chairman, will the gentleman yield there?

Mr. DENISON. Yes.

Mr. NEWTON of Minnesota. It is my understanding that Admiral Wilson, for whom I have the highest regard and respect—and I have the utmost confidence in the statement of the gentleman from Alabama [Mr. OLIVER]—will quit some time this year. In that case, will this statement bind his successor in the same way that it will bind Admiral Wilson?

Mr. OLIVER of Alabama. Unquestionably. I think he would carry out any assurance given the committee by Admiral Wilson.

The CHAIRMAN. The time of the gentleman from Illinois has again expired.

Mr. DENISON. Mr. Chairman, may I have two minutes more?

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. HILL of Maryland. Mr. Chairman, will the gentleman yield?

Mr. DENISON. Yes.

Mr. HILL of Maryland. Mr. Chairman, I am very much interested in the Naval Academy, having been on the Board of Visitors last year on behalf of the House, and I would like to ask the gentleman from Alabama [Mr. OLIVER] if Admiral Wilson, when he came before your committee, advocated the removal of the graduate school from Annapolis as part of his program for the reduction of civilian professors?

Mr. OLIVER of Alabama. I was not present when the admiral first came before the committee, but he did not in his last appearance before the committee, because at such last time he was asked only as to the matter now being discussed.

Mr. DENISON. I now yield to the gentleman from Indiana [Mr. SANDERS.]

Mr. SANDERS of Indiana. I would like to suggest this to my friend from Illinois with reference to the present superintendent, Admiral Wilson: I think the gentleman will find that Admiral Wilson is in perfect good faith trying to carry out any legislation passed here, and also that he has a record as superintendent which has not been equaled—it may have been equaled—but the admiral has a record as superintendent which has not been excelled. I think Admiral Wilson is one of the best superintendents who has ever been at the academy.

Mr. DENISON. I want to say to the gentleman from Indiana that I believe Admiral Wilson is a splendid naval officer; he is one of our most efficient and most deserving naval commanders; but you can not run an educational institution like you would command a battleship; the very best naval officer may not be at all qualified to superintend an educational institution; and when we are trying to educate the future officers of our Navy we ought to provide trained and experienced civilian instructors and professors to instruct them in academic subjects.

Mr. LOZIER. Will the gentleman yield?

Mr. DENISON. Yes.

Mr. LOZIER. Is it not the function of this body to definitely determine by legislation the policy of the Government with reference to the conduct of that institution and not leave it to a bureaucratic system or body to determine at their will how it shall be run?

Mr. DENISON. I think the gentleman is right. I really think there ought to be definite legislation on this subject.

Mr. BYRNES of South Carolina. Will the gentleman yield?

Mr. DENISON. Yes.

Mr. BYRNES of South Carolina. Does the gentleman think he can by law run an educational institution in all of its details? Does not the gentleman think we must leave it to the discretion of the officer who is placed in charge of the Naval Academy—give him some power and discretion and rely upon the statements he makes to the committee?

Mr. DENISON. The gentleman from South Carolina knows that Congress has for years had to put this same limitation into appropriation bills in order to save the academy and protect it from the arbitrary ideas of some of the superintendents with reference to the use of civilian professors. The gentleman knows that I am sure.

Mr. BYRNES of South Carolina. The gentleman from South Carolina does not agree with that at all but does agree it has been done.

Mr. DENISON. When it has been done for several years, after very thorough and careful investigation and discussion, does not the gentleman think we have the right to assume that Congress knew what it was doing and was doing it for a good purpose?

Mr. STENGLE. Will the gentleman yield to me?

Mr. DENISON. Yes.

Mr. STENGLE. If we insert this particular amendment in the bill, will we reflect upon Admiral Wilson at all? On the contrary, will we not be simply safeguarding the institution rather than reflecting upon an individual?

Mr. DENISON. I do not think, of course, that the superintendent or anyone else ought to take it as a reflection. Certainly it is not intended as such.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BEGG. Mr. Chairman, I ask unanimous consent to modify my amendment by inserting the words "in academic subjects" right after the word "instructor," in line 3.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent to modify his amendment. The Clerk will report the amendment as sought to be modified.

The Clerk read as follows:

Amendment offered by Mr. BEGG: Page 38, after line 15, insert a new paragraph to read as follows:

"No part of any sum in this act appropriated shall be expended in the pay or allowances of any commissioned officer of the Navy detailed for duty as professor or instructor in academic subjects at the United States Naval Academy to perform the duties which were performed by civilian professors or instructors on January 1, 1922, whenever the number of civilian professors or instructors employed in such duties shall be less than 80."

The CHAIRMAN. Is there objection to the modification of the amendment? [After a pause.] The Chair hears none.

Mr. BEGG. Mr. Chairman, may I have one minute in order to explain why I have done that? The question was raised that if my amendment were adopted they could not get rid of an athletic or football coach if he happened to be a civilian. I have inserted the words "in academic subjects" so that they can hire and discharge athletic and football coaches as they please.

Mr. FRENCH. Mr. Chairman, I am opposed to the proposition of inserting this limitation in the bill. Two years ago I was one of the Members of the House who supported the amendment advocated by the gentleman from Illinois [Mr. DENISON]. The amendment was similar to the one that has just been offered. Two years ago a different situation entirely confronted the House of Representatives. Generally speaking, I am opposed to a legislative body assuming to perform the functions that ought to be performed by a board of regents charged with the administrative duties of an educational institution. Two years ago, however, a condition confronted the country and the Congress that does not confront us now. The Limitation of Armaments Conference had just been concluded. The Appropriations Committee did not have an opportunity to report this bill until late in the session. As I recall, it was late in April when the House passed the bill.

I remembered then that colleges and universities oftentimes begin, shortly after the commencement of the second semester, to look out for faculty members for the approaching year, and I was one who felt it was not fair to the members of the faculty at the academy to take the chance of securing positions in colleges and universities throughout the country at a time when those colleges and universities had, in large part, filled their better positions.

There is another thing that confronts the House at this time that did not confront it then. At that time we were not reducing the number of midshipmen at the academy. The number was running at approximately 2,400. This year, for the first time, we are considering the appropriation of an amount for the academy to carry on that institution with an enrollment of something like 500 or 400 less than are at the academy at this time. I submit, gentlemen, we can not know for sure whether there are to be 80 civilian professors or 70, or 60, or any other particular number.

Mr. DENISON. Will the gentleman yield?

Mr. FRENCH. I yield.

Mr. DENISON. I submit this does not stop them from cutting the number of civilians down to 50 if they do not need them. It only prevents them from letting them go and substituting naval officers in their places; that is all.

Mr. FRENCH. Let me say that we had regard to the practical situation we were confronting with the language that had been incorporated in the bill in Congresses heretofore. The gentleman from Alabama [Mr. OLIVER] has stated very accurately the position of Admiral Wilson before our committee—that he did not propose to have a civilian removed to provide a place for an official. With that assurance, and having in mind the reduction that would be necessary at the academy in civilian professors and instructors and also among the officials of the Navy who were serving in a similar capacity, we did not feel it would be right or wise to attempt to put limitations into the bill, but we felt we rather could afford to leave it to the honor of those in charge of the academy, and I have no doubt myself that that honor will be respected.

Mr. OLIVER of Alabama. In other words, we were very clear in explaining to the admiral the views of Congress on this subject, and he assured us that those views would be reflected and absolutely followed in this matter, and the committee then was unanimous in leaving this language out of the bill.

Mr. FRENCH. Yes; and I will say further there was some nervousness on the part of the members of the faculty touching dismissals without giving them notice for a period of six months. This came up after the hearings had been concluded. Delegations from the faculty came over to see me about the matter, and I wrote a letter to Admiral Wilson calling his attention to that apprehension. In reply I received a letter from the superintendent under date of February 27, in which he said:

It has been my practice and my intention to so continue, never to sever the connection of any civilian instructor from the Naval Academy except for cause, without giving him six months' notice that his services will no longer be required. During those six months he is under pay.

Mr. BEGG. Will the gentleman yield?

Mr. FRENCH. Yes.

Mr. BEGG. I will say to the gentleman that I am not interested in the man at all that is going to be retired for any cause. That is not the idea. I am only interested in maintaining the ratio between the academic and the military. Admiral Wilson is the superintendent to-day. He has no guaranty that he will live. Suppose he were to die in a month or in six months and a new man should come in. The new man would have no instructions whatever regarding the ratio, and suppose he were a believer, as evidently Admiral Wilson was at one time, or his predecessor, in the view that the institution ought to be manned by military officers. Is this Congress invading the province of the administration of the institution when it specifically sets forth its ideas and beliefs as to the kind of men that ought to be instructors in the academic course?

Mr. FRENCH. I think the department itself, which, after all, has the administrative charge of this institution, would regard itself bound by the representations made by the head of the academy and concurred in by officers of the department.

The CHAIRMAN. The time of the gentleman from Idaho has expired.

Mr. FRENCH. I ask for two minutes more.

The CHAIRMAN. Without objection it is so ordered. There was no objection.

Mr. DENISON. Will the gentleman yield for a question there?

Mr. FRENCH. Yes.

Mr. DENISON. I want to ask the gentleman from Idaho this question. A great many of these professors have contracts which call for employment for a period of five years. That was formerly the policy of the institution and was only abolished after Admiral Wilson became superintendent. Under regulations established during the former administration the professors were given a written contract for five years. Some of those who are interested in the institution have been afraid that those professors would be discharged contrary to the terms of those contracts. Did the gentleman from Idaho discuss that with the admiral and does he have any doubt at all about what his policy will be along that line? These contracts have been construed and have been held to be perfectly valid and binding.

Mr. FRENCH. It is my judgment that Admiral Wilson proposes to deal in absolute good faith with all the members of the faculty, and I can not conceive of him violating any contract in the administration of the academy.

Mr. BYRNES of South Carolina. I want to say to the gentleman that I have no idea whether Admiral Wilson ever said it or not that he would ever violate any contract he had with a civilian professor. I am satisfied he would not.

Mr. FRENCH. I do not believe he would; and I think that was the understanding of members of the committee.

I want to say in conclusion that, personally, I have perfect sympathy with the maintenance at the academy of approximately the percentage of civilian professors and instructors maintained at the academy at this time, but I do not think it is the province of a legislative body to attempt to guide in minute detail the percentage of civilian and official faculty members any more than I think it is the province of a legislature to say, for instance, how many members shall be in the medical department of a State university who are giving part of their time to the practice of medicine and surgery and how many shall be there who are giving all their time to the classroom and to the laboratory. I believe the civilian professors and instructors are necessary at the academy if highest efficiency in various branches is to be maintained, and I have no thought that the general plan that is now followed will be broken down.

The CHAIRMAN. The time of the gentleman has expired. The question is on the amendment offered by the gentleman from Ohio [Mr. BEGG].

The question was taken; and on a division (demanded by Mr. BEGG) there were—ayes 13, noes 47.

So the amendment was rejected.

The Clerk read as follows:

For expenses of the Board of Visitors to the Naval Academy, \$3,000.

Mr. HILL of Maryland. Mr. Chairman, I move to strike out the last word. The Board of Visitors to the Naval Academy consists of a certain number of Members of the House of Representatives, appointed by the Speaker of the House; a certain number of Senators of the United States, appointed by the President of the Senate; and a certain number of important and experienced business men, appointed, I think, by the President of the United States. This Board of Visitors meets in Annapolis, usually in the spring, and goes very carefully into all of the activities of the Naval Academy, more or less in the attitude of a board of inspection. I had the honor to be one of your representatives on the board last year. I was an inspector last year. This year there are new groups on the board. It is a wise practice that the personnel of the board differs from year to year in order that a fresh point of view may be brought to the work of the academy by the Senate and the House. Last year at a session of the board the question was brought before the board of the wisdom or unwisdom of removing from the present Naval Academy to some other place the graduate school, which is a school, as its name implies, for officers of the Navy who return for special work in special branches for the good of the service. I do not find anything in this bill relating to the removal from Annapolis of the graduate school, but I do know that the Board of Visitors last year was strongly opposed to the removal of the graduate school on the ground that the removal of that school would be enormously extravagant and expensive to the Government, and also entirely unwise in that it would deprive the graduate students of the benefit of the existing system of tuition and the existing educational plant at the Naval Academy. However, in spite of the views of the Board of Visitors, I understand that certain officials of the Naval Academy have persisted in their attempt to have the graduate school removed.

I rise for the purpose of asking a full statement from the chairman of the subcommittee, the gentleman from Idaho [Mr. FRENCH], in charge of this bill, as to whether or not this bill contemplates or in any way authorizes or in any way encourages the removal of the graduate school from the present Naval Academy to some other place? The graduate school should not be removed from Annapolis. I am advised by certain responsible officers of the Navy Department here in Washington that the department is against the removal of the graduate school from Annapolis. It should not be removed.

I am not influenced in this opinion by the fact that I was born in Annapolis, or that the Naval Academy was founded by Secretary of the Navy George Bancroft, a cousin of my father, who was once an instructor at the Naval Academy immediately after he left college. I love old Annapolis, but that does not influence me. The Board of Visitors has opposed the removal of the graduate school, such removal would cost from \$500,000 to \$3,000,000, would injure the work of the graduate school, and be entirely detrimental to the work of the graduate school. I hope that the chairman of the subcommittee [Mr. FRENCH] can assure us that the graduate school will not be removed from Annapolis, and I understand he can so assure us, otherwise I should offer an amendment. I know how alert he is to the real interests of the Navy. We must keep up the standard of the Naval Academy. [Applause.]

Mr. FRENCH. Mr. Chairman, it does not. The gentleman from Maryland [Mr. HILL] has stated clearly and succinctly the

situation touching this graduate school. It was not brought to the attention of the committee that there was in the minds of the officers of the department the removal of the school. However, following our hearings I noticed in the press that the matter was being considered. One item carried the story that it was possible that it would be removed to the city of Chicago to be handled in connection, I think, with the University of Chicago. The observation made there came as a surprise to me, and I immediately took up the matter with the chief of the Bureau of Navigation, Admiral Long. Admiral Long told me that the matter had been brought officially to the attention of the department, and that it had been referred to a board of three members, as I recall, the chairman of which is Admiral Shoemaker. At the time he told me that he did not know what the board would report, but it was giving the matter consideration. I heard that it would cost \$500,000 to make the change.

Then I saw in a newspaper a few days later that some one stated it would cost \$3,000,000 to make the change. Personally, I do not know what it would cost, but I have been assured by Admiral Long that upon the completion of this report of the board he will submit the matter to the chairman of the Naval Subcommittee.

Mr. HILL of Maryland. Mr. Chairman, I am very glad to hear that statement from the chairman of the Naval Subcommittee, and he has the matter in charge under his observation.

Mr. CONNALLY of Texas. Mr. Chairman, I ask unanimous consent that Members may have the right to extend their remarks in the RECORD upon the enlistment amendment which I offered this morning.

The CHAIRMAN. The gentleman from Texas asks unanimous consent that all Members have the right to extend their remarks in the RECORD upon the matter of enlistment and recruiting in the Navy. Is there objection?

Mr. SANDERS of Indiana. Mr. Chairman, reserving the right to object, I think that ought to be limited to those who spoke upon the subject.

Mr. CONNALLY of Texas. I do not want to extend my remarks, but some gentlemen here could not get the time to speak and desire to have opportunity to extend their remarks.

Mr. MADDEN. I think nobody ought to do it except those who spoke upon it.

Mr. CONNALLY of Texas. Some gentlemen who had no opportunity to speak want to extend their remarks in the RECORD.

Mr. MADDEN. That can not be done in committee. That would have to be done in the House.

Mr. CONNALLY of Texas. It has been done in the committee by unanimous consent.

Mr. SANDERS of Indiana. If the gentleman will modify his request and limit it to those who spoke, I shall not object.

Mr. TILSON. Mr. Chairman, I should object to that. Each gentleman who wants to get permission to extend his remarks on any subject may do so.

Mr. CONNALLY of Texas. Then I ask unanimous consent that the gentleman from Missouri, Mr. FULBRIGHT, may have leave to extend his remarks in the RECORD upon that subject.

The CHAIRMAN. The gentleman from Texas asks unanimous consent that the gentleman from Missouri, Mr. FULBRIGHT, have leave to extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. LOZIER. Mr. Chairman, I ask unanimous consent to extend and revise my remarks upon the recent amendment.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HILL of Maryland. Mr. Chairman, I make the same request.

Mr. OLIVER of Alabama. Mr. Chairman, I ask unanimous consent that I may be permitted to extend any remarks I may have made upon this bill.

The CHAIRMAN. Is there objection to the request of the gentleman from Maryland and the gentleman from Alabama that they may extend their remarks in the RECORD?

There was no objection.

Mr. SNYDER. Mr. Chairman, I ask unanimous consent to address the committee for half a minute out of order?

The CHAIRMAN. Is there objection?

There was no objection.

Mr. SNYDER. Mr. Chairman, the Committee on World War Veterans requests me to announce to the House that on Tuesday morning next hearings will be given to Members of the House who desire to appear before that committee; that we will adopt the five minute rule, that those who want to make a statement will be heard for five minutes and be granted leave to extend their remarks further in the RECORD;

and that those who do not want to appear in person will be granted the right to extend their remarks.

Mr. HASTINGS. Upon what question?

Mr. SNYDER. On the World War Veterans' Committee.

Mr. HASTINGS. On what bill?

Mr. SNYDER. On the question of the modification of the act that is now before the committee.

Mr. DENISON. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

The Clerk read as follows:

Maintenance and repairs, Naval Academy: For necessary repairs of public buildings, wharves, and walls inclosing the grounds of the Naval Academy, improvements, repairs, and fixtures; for books, periodicals, maps, models, and drawings; purchase and repair of fire engines; fire apparatus and plants, machinery; purchase and maintenance of all horses and horse-drawn vehicles for use at the academy, including the maintenance, operation, and repair of three horse-drawn passenger-carrying vehicles to be used only for official purposes; seeds and plants; tools, and repairs of the same; stationery; furniture for Government buildings and offices at the academy, including furniture for midshipmen's rooms; coal and other fuels; candles, oil, and gas; attendance on light and power plants; cleaning and clearing up station and care of buildings; attendance on fires, lights, fire engines, fire apparatus, and plants, and telephone, telegraph, and clock systems; incidental labor; advertising, water tax, postage, telephones, telegrams, tolls, and ferrriage; flags and awnings; packing boxes, fuel for heating and lighting bandmen's quarters; pay of inspectors and draftsman; music and astronomical instruments; and for pay of employees on leave, \$1,050,000.

For commutation of rent for bandmen, at \$15 per month each, \$13,500.

Mr. FRENCH. Mr. Chairman, I offer the amendment which I send to the Clerk's desk.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 41, after line 22, insert a new paragraph, as follows:

"Any money that may not be required under any of the foregoing appropriations for the objects for which provided as the result of decommissioning, or placing in reduced commissions, or in reserve, any capital ship or vessel of other types not required to be kept in full commission as the result of such action respecting any capital ship, may be applied, in the discretion of the Secretary of the Navy, to the repair, exclusive of changes and alterations, of vessels and/or to supplement the appropriation 'Maintenance, Bureau of Yards and Docks.' Prior to the obligation of such sums as may be diverted in pursuance of this authority the Secretary of the Navy shall certify to the Secretary of the Treasury the sum or sums to be diverted and the appropriation to be debited and credited."

Mr. FRENCH. Mr. Chairman, the purpose of this amendment would be apparent if Members had an opportunity to look at the language closely. It provides that any savings that may be effected or that could be effected as a result of decommissioning or placing in reduced commission or in reserve certain ships could be used in the discretion of the Secretary of the Navy to supplement appropriations for maintenance under the Bureau of Yards and Docks. It seems that it is a desirable amendment, because it would encourage, it would seem, the department to focus the attention of officers charged with the responsibility of the different craft upon the alternative proposition as to whether or not a certain type of ship should be repaired, and to what extent it should be repaired, and, if not, whether or not the money could be wisely and more advantageously expended in the way indicated.

Mr. VINSON of Georgia. Will the gentleman yield?

Mr. FRENCH. I will.

Mr. VINSON of Georgia. Will this amendment have the effect of increasing the amount that can be expended on the repair of any one ship during a year?

Mr. FRENCH. It is not intended to have that effect and I do not think it does.

Mr. VINSON of Georgia. Under the law to-day only \$300,000 could be used to repair any ship during a year. Now, would it be permissible to use a greater amount than that in the repair of a ship?

Mr. FRENCH. I am sure the amendment does not affect that at all.

Mr. OLIVER of Alabama. May I offer to the gentleman from Idaho a little suggestion as to the change in verbiage?

Mr. FRENCH. The gentleman from Alabama has suggested a change in the language. I have looked over the proposed

modifications and can see no objection to the modification of my amendment in the manner indicated. The effect would be to broaden to some extent the power sought to be conferred by my amendment. The suggestion is agreeable to me and I offer the new language as a substitute for the original amendment.

The CHAIRMAN. The gentleman from Idaho offers a substitute, which the Clerk will report.

The Clerk read as follows:

Page 41, after line 22, insert a new paragraph, as follows:

"Any money that may not be required under any of the foregoing appropriations for the objects for which provided as the result of decommissioning, or placing in reduced commission, or in reserve, any capital ship or other type of vessel may be applied, in the discretion of the Secretary of the Navy, to the repair, exclusive of changes and alterations, of vessels and/or to supplement the appropriation, 'Maintenance, Bureau of Yards and Docks.' Prior to the obligation of such sums as may be diverted in pursuance of this authority the Secretary of the Navy shall certify to the Secretary of the Treasury the sum or sums to be diverted and the appropriation to be debited and credited."

Mr. BLANTON. Mr. Chairman, I make the point of order that is legislation unauthorized by law and not germane.

Mr. FRENCH. We have already had debate.

Mr. TILSON. Debate has been had on the original amendment.

Mr. BLANTON. This amendment when offered becomes subject to the point of order.

Mr. TILSON. The other amendment was not withdrawn. This was offered as a substitute for the other. This one might be out of order, but the other was not.

Mr. BLANTON. This stands on its own feet and is to be controlled by the rules.

The CHAIRMAN. The Chair did not hear the contention of the gentleman from Connecticut.

Mr. TILSON. That even though this substitute were ruled out on a point of order, it would not affect the original amendment, which has been already the subject of debate.

The CHAIRMAN. The question in the Chairman's mind is this, that on the original amendment no point of order was made.

Mr. BLANTON. It was withdrawn.

The CHAIRMAN. No point of order was made to it, and if it is germane to the original amendment it is in order even though a point was made against it. The point of order is overruled, and the question is on the substitute.

The question was taken, and the substitute was agreed to.

The CHAIRMAN. The question is on the amendment as amended.

The question was taken, and the amendment as amended was agreed to.

The Clerk read as follows:

In all, \$16,482,639, and the money herein specifically appropriated for pay of the Marine Corps shall be disbursed and accounted for in accordance with existing law as pay of the Marine Corps, and for that purpose shall constitute one fund.

Mr. VINSON of Georgia. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Georgia offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. VINSON of Georgia: Page 43, after line 18, insert a new paragraph as follows:

"No officer of the Navy or Marine Corps shall, unless the President otherwise directs, be entitled to any pay or allowances while on leave of absence for a period in excess of that for which he is entitled to full pay."

Mr. VINSON of Georgia. Mr. Chairman and members of the committee, just a brief statement in regard to the amendment that I have proposed. Under the law an officer of the Navy or Marine Corps who is on leave is entitled to draw full pay for 30 days, which may be accumulated for four years. After that he is entitled to half pay for a period of a year.

We all know that the distinguished marine officer, Gen. Smedley Butler, by Executive order, has been granted leave of absence and has been employed by the city of Philadelphia. I understand that it is the earnest desire of General Butler, and I know it is the desire of his distinguished father, that this amendment should prevail.

Mr. FRENCH. Mr. Chairman, I concur in everything that has been said by the gentleman from Georgia [Mr. VINSON]. The Subcommittee on Appropriations in charge of the naval bill had its attention directed to this matter by Gen. Smedley

Butler shortly after he was granted leave of absence. It was under the assumption that he could turn back into the Treasury his pay as an officer of marines that he accepted the position of law enforcement officer in Philadelphia.

After he had assumed his office it was discussed in the papers that no matter what his wish might be he could not accomplish that thing under the law as it now exists. General Butler met it just as General Butler would be expected to meet it. In other words, he called upon Congress to make a provision in the law so that he could be relieved from receiving any pay from the Government while occupying his present position in Philadelphia. He wired me, urging an amendment to the law, and the amendment offered by the gentleman from Georgia meets the situation fully.

I pay tribute to Gen. Smedley Butler upon his remarkable record as an officer, and I pay tribute to him upon the immediate and prompt way in which he met this proposition. I hope the amendment will prevail.

Mr. HILL of Maryland. Mr. Chairman, will the gentleman yield there for a question?

Mr. FRENCH. Yes.

Mr. HILL of Maryland. I would just like to ask the chairman of the subcommittee on what legal authority General Butler is performing his functions in a civil capacity in Philadelphia while he is still in the Marine Corps?

Mr. BLANTON. It is a case of necessity.

Mr. FRENCH. The general law provides that leave of absence may be granted to officers in excess of the 30 days per year upon half pay.

Mr. HILL of Maryland. I would like to ask the gentleman a further question. Is there any limitation as to the time in which a marine officer or naval officer may be permitted to do special work under authority of this kind?

Mr. FRENCH. I do not know of any law limiting it.

Mr. VINSON of Georgia. It is discretionary with the President. In this instance the President has granted a leave of absence to General Butler for the period of a year.

The CHAIRMAN. The time of the gentleman from Idaho has expired.

Mr. BLANTON. Mr. Chairman, I ask that half a minute more be given to the gentleman from Idaho.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BLANTON. Mr. Chairman, will the gentleman from Idaho yield?

Mr. FRENCH. Yes.

Mr. BLANTON. I want to say to the gentleman from Maryland [Mr. HILL] that when the wet crooks of Philadelphia quit violating the law there Gen. Smedley Butler will come back to Quantico and again take charge of the marines.

Mr. HILL of Maryland. That is what I had in mind. I do not expect that the condition referred to by the gentleman from Texas will ever exist, and I do not expect Gen. Smedley Butler will ever return.

The CHAIRMAN. The time of the gentleman from Idaho has again expired.

Mr. HILL of Maryland. Mr. Chairman, I move to strike out the last word.

Mr. WEFALD. Regular order, Mr. Chairman.

The CHAIRMAN. The regular order is demanded. The regular order is the amendment of the gentleman from Georgia [Mr. VINSON]. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For forage and stabling of public animals and the authorized number of officers' horses, \$60,000.

Mr. FRENCH. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Idaho moves to strike out the last word.

Mr. FRENCH. Mr. Chairman, through many amendments covering a good many years the language touching the Marine Corps has become very cumbersome. As a result, the committee shaping the bill called upon the Comptroller General to draft language that would be brief and would cover the different points that had been covered by some pages in the law. The language that we now have is the language written by the Comptroller General. However, with a view to the orderly keeping of the records in the Marine Corps it would seem that two lines—lines 16 and 17 on page 44—should be transferred to page 45, following line 16; and I ask unanimous consent that

the paragraph embracing lines 16 and 17 be inserted in the bill on page 45, following line 16.

The CHAIRMAN. The gentleman from Idaho asks unanimous consent to insert the language in lines 16 and 17 on page 44 at the place designated on page 45. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For repairs and improvements to barracks, quarters, and other public buildings at posts and stations; for the renting, leasing, and improvement of buildings in the District of Columbia with the approval of the Public Buildings Commission and at such other places as the public exigencies require, and the erection of temporary buildings upon the approval of the Secretary of the Navy at a total cost of not to exceed \$10,000 during the year, \$375,000.

Mr. BLACK of New York. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BLACK of New York: Page 45, line 16, after the semicolon, insert "for repair and improvement of building No. 13, New York Navy Yard, for use of Marine Corps, \$60,000."

Mr. FRENCH. Mr. Chairman, I make the point of order that the amendment is not germane.

Mr. BLACK of New York. Mr. Chairman, may I be heard on the point of order?

The CHAIRMAN. The Chair will be glad to hear the gentleman.

Mr. BLACK of New York. Mr. Chairman, the amendment I have now offered provides for repairs and improvements to a public building at the New York Navy Yard, which also happens to be a Marine Corps post. I think it is quite within the language at the head of the paragraph. Not only that, but the committee in its hearings on this bill, at this stage of the hearings, considered marine activities—

Mr. MADDEN. Mr. Chairman, I make the point of order that the gentleman is not discussing the point of order.

Mr. BLACK of New York. I think that the action of the committee in its method of considering this bill, in its time allotment and in its order of consideration, has a bearing on the germaneness of my proposition. I wish to point out that at the very time the committee was considering this portion of the bill it heard my proposition for the Marine Corps.

Now, it simply goes toward the alteration and improvement of an existing building at a marine post for marine services.

Mr. FRENCH. Will the gentleman yield?

Mr. BLACK of New York. Yes.

Mr. FRENCH. Does not the gentleman recognize that this is a naval establishment and not a marine post?

Mr. BLACK of New York. It has a distinct double character, and it was designated as a marine post for the third naval district. This application comes from the Marine Corps, and the committee heard the Marine Corps on this application.

Mr. FRENCH. Mr. Chairman, I submit there is no law defining it as a marine post.

The CHAIRMAN. The whole question, as it appears to the Chair, hinges on that particular point. This part of the bill, beginning on page 44, deals with general expenses of the Marine Corps.

Mr. FRENCH. That is my understanding, and upon that theory I have made the point of order. I think the burden is upon the gentleman from New York to furnish the law and not an order or detail issued by the department designating this building for any particular use.

Mr. VINSON of Georgia. Will the gentleman yield?

Mr. FRENCH. Yes.

Mr. VINSON of Georgia. I am satisfied that if the gentleman knew the merits of this he would not be so insistent in making his point of order. This is a very meritorious amendment which the gentleman offers.

Mr. FRENCH. Does the gentleman believe the point of order is sound?

Mr. VINSON of Georgia. Well, that is for the Chair to rule upon, not for me.

The CHAIRMAN. The Chair is trying to get information in order to rule upon it, and the merits of it can not be considered.

Mr. BLACK of New York. There is no question about its being a marine post; the marines are all there; all the marines for the third district have been transferred there. There is no question about that.

Mr. MADDEN. Sometimes marines are detailed for duty on battleships, but that does not make the battleship a marine post.

Mr. FRENCH. Marines are detailed at many navy yards, but that does not make any particular place a marine post. It has just been remarked to me that there are even some marines in Honduras at this time and there are marines elsewhere, but that does not make these particular places marine posts.

Mr. BLACK of New York. Without reflecting on the chairman of the subcommittee, I rather think I would get more favorable consideration for my amendment if it concerned Honduras, but it does not; it concerns Brooklyn, the Brooklyn Navy Yard and the entire Marine Corps. It is a marine post and not a battleship; it is not Honduras; it is the navy yard at Brooklyn and a marine garrison.

The CHAIRMAN. Let the Chair ask the gentleman from New York a question. Is building No. 13 now used by the Navy or by the Marine Corps?

Mr. BLACK of New York. It is a building now used by the Navy.

The CHAIRMAN. That being true the Chair sustains the point of order. The Clerk will read.

The Clerk read as follows:

For miscellaneous supplies, material, equipment, personal and other service, and for other incidental expenses for the Marine Corps not otherwise provided for; purchase, repair, and exchange of typewriters and calculating machines; purchase and repair of furniture and fixtures; purchase and repair of motor-propelled and horse-drawn passenger-carrying and other vehicles; veterinary services and medicines for public animals and the authorized number of officers' horses; purchase of mounts and horse equipment for all officers below the grade of major required to be mounted; shoeing for public animals and the authorized number of officers' horses; books, newspapers, and periodicals; printing and binding; packing and crating of officers' allowance of baggage; funeral expenses of officers and enlisted men and accepted applicants for enlistment and retired officers on active duty and retired enlisted men of the Marine Corps, including the transportation of their bodies, arms, and wearing apparel from the place of demise to the homes of the deceased in the United States; construction, operation, and maintenance of laundries; and for all emergencies and extraordinary expenses, \$1,876,800: *Provided*, That there may be expended out of this appropriation for the purchase of motor-propelled passenger-carrying vehicles not more than \$33,000, as follows: One vehicle to cost not more than \$2,500, 4 vehicles to cost not more than \$1,500 each, 10 vehicles to cost not more than \$1,200 each, and 25 vehicles to cost not more than \$500 each;

In all, \$8,851,800, to be accounted for as one fund.

Mr. BLANTON. Mr. Chairman, I move to strike out the last word. I would like to ask the chairman of the subcommittee as to the necessity for all these automobiles.

Mr. HARDY. The gentleman from Texas should have seen the list that was brought in and how much the list has been cut down.

Mr. BLANTON. The bill provides \$33,000 more than they already have for extra ones.

Mr. FRENCH. I would reply to the gentleman from Texas by saying that no appropriations have been made for the purchase of automobiles for the Marine Corps or for the Navy, either, since the war. At the end of the war we had a good many automobiles that could be detailed to different branches of the service. Now, however, we have gotten to the point where the upkeep—

Mr. BLANTON. I know how easy it is to explain away a proposition, but I would like some definite information. How many have they now?

Mr. FRENCH. They have 96 of all kinds.

Mr. BLANTON. They have 96 automobiles there now, and this is to give them \$33,000 more?

Mr. FRENCH. This would give them \$33,000 for replacement. We had an estimate from the Bureau of the Budget in the amount of \$56,200. It has gotten to a point where the upkeep is enormous and where, as to many machines, a private citizen would no longer endeavor to make repairs.

Mr. BLANTON. And I think this is just growing and growing all the time. Unless the committee stops it we are going to have to organize a bunch of men here, outside of the committee, to stop it, and we are going to do it, I believe, if the committee does not do it.

Mr. FRENCH. If the gentleman believes that these departments should be maintained as a business house would maintain a similar establishment, then from the standpoint of efficiency and economy it is oftentimes necessary to have automobiles of certain types.

Mr. BLACK of Texas. Will the gentleman yield?

Mr. FRENCH. Yes.

Mr. BLACK of Texas. I notice under the appropriations for the purchase of passenger vehicles for the Navy that the maximum amount of \$1,500 was fixed. Now, why should we go ahead and spend \$2,500 for the purchase of passenger-carrying automobiles for the Marine Corps?

Mr. FRENCH. That is a car which would probably be detailed to the commandant of marines.

Mr. BLACK of Texas. A Packard, too, I suppose.

Mr. FRENCH. The department had asked for two at a cost of \$4,500 each. We felt we could grant this one at a cost not to exceed \$2,500, and of the others only four of them may be purchased at a cost of \$1,500, while 10 may be purchased at a cost of \$1,200, and then 25, of a different type, at \$500.

Mr. HILL of Maryland. Will the gentleman yield for a question?

Mr. FRENCH. I yield.

Mr. HILL of Maryland. I was very much interested in what the gentleman from Texas [Mr. BLANTON] said on the subject of economy. I agree with him and I vote with him very often, and I would like to ask the chairman of the committee, in view of the fact that one of these automobiles is probably for General Butler, and he will be in Philadelphia for the next year, could not the amount of \$33,000 be reduced by the price of one automobile, which will not be necessary for General Butler?

Mr. FRENCH. We anticipated the gentleman and have omitted at least 10 automobiles.

Mr. HILL of Maryland. Then I understand from the chairman of the committee that none of these automobiles is for General Butler during his absence?

Mr. FRENCH. Not as long as he is absent.

Mr. HILL of Maryland. Then I withdraw my objection.

Mr. BLACK of Texas. Mr. Chairman, I offer an amendment. On line 16, page 46, after the word "than," I move to strike out the figures "33,000" and insert the figures "32,000," and in lines 16 and 17, strike out the language "One vehicle to cost not more than \$2,500," and in the same line strike out the word "four" and insert the word "five."

The CHAIRMAN. The gentleman from Texas [Mr. BLACK] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BLACK of Texas: Page 46, line 16, strike out "33,000" and insert "32,000," and in the same line strike out the words "one vehicle to cost not more than \$2,500," and in line 17 strike out the word "four" and insert in lieu thereof the word "five."

Mr. BLACK of Texas. Mr. Chairman, I do not wish to make any lengthy speech on this matter, but when we appropriated for the passenger-carrying vehicles for the Navy we restricted the maximum amount that could be spent to \$1,500. I do not think any argument is needed at all to say that we ought to put the same limitation as to the Marine Corps. Of course the Government of the United States can spend \$2,500 for an automobile. It can spend \$5,000 for an automobile, but I think the time has come when the Congress of the United States ought to use economy, even in small items, and I hope the amendment will be agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. BLACK].

The question was taken; and on a division (demanded by Mr. BLACK of Texas) there were—ayes 25, noes 40.

So the amendment was rejected.

The Clerk read as follows:

#### INCREASE OF THE NAVY.

The Secretary of the Navy may use the unexpended balances on the date of the approval of this act under appropriations heretofore made on account of "Increase of the Navy," together with the sum of \$7,500,000, which is hereby appropriated for the prosecution of work on vessels under construction on such date, the construction of which may be proceeded with under the terms of the treaty providing for the limitation of naval armament; for continuing the conversion of two battle cruisers into aircraft carriers, including their complete equipment of aircraft and aircraft accessories, in accordance with the terms of such treaty; for the procurement of gyro compass equipments, and for the installation of fire-control instruments on destroyers not already supplied; and for the completion of armor, armament, ammunition, and torpedoes for the supply and complement of vessels which may be proceeded with as hereinbefore mentioned: *Provided*, That in addition to the funds hereinbefore made available for "Increase of the Navy," the Secretary of the Treasury is authorized and directed to make transfers during the fiscal year 1925 from the naval supply account fund to the appropriation "Increase of the Navy" of sums aggregating \$22,500,000.

Mr. BLANTON. Mr. Chairman, I make the point of order against the paragraph that it is seeking to authorize expenditures for new construction unauthorized by law and contains legislation not authorized by law.

The CHAIRMAN. Will the gentleman from Texas direct the Chair to the legislation he thinks is involved?

Mr. BLANTON. It is all through the paragraph, but I call attention especially to the language beginning with line 22, on page 46, and ending with line 18, on page 47.

Mr. FRENCH. Mr. Chairman, a brief statement probably will be sufficient to meet the situation. Every dollar that is provided for in that paragraph is to carry on work that is already on the way. There is no new construction provided for. We are laying down no new craft. We are carrying on toward completion or to completion ships that are already authorized and are being built.

Mr. BLANTON. I would like to ask the gentleman what substantive law authorizes the change of the two battle cruisers into aircraft carriers, and what substantive law authorizes the Secretary of the Navy to make these transfers aggregating \$22,500,000; and if there is substantive law, why do you put this in the bill?

Mr. FRENCH. The gentleman will recall that the limitation of armament treaty carries provisions that are law, under which our committee would be bound to function in considering the conversion of the two battle cruisers into aircraft carriers.

Mr. BLANTON. Oh, but that is not substantive law authorizing this.

Mr. FRENCH. I think the gentleman will find that the treaty has the same binding effect.

Mr. BLANTON. It provides a limitation, but it takes substantive law to authorize a matter of this kind, and the treaty itself does not provide for this. The gentleman is mistaken. I challenge him to produce the four-power pact and call our attention to the provision in it which authorizes it.

Mr. FRENCH. The gentleman will recall that the treaty itself provides that two of these cruisers may be converted into aircraft carriers.

The CHAIRMAN. Of course, the Chair does not want to shut off any argument, but the Chair is only in doubt about one proposition, and that is the proposition for continuing the conversion of two battle cruisers into aircraft carriers. Has that been heretofore authorized by law?

Mr. FRENCH. Mr. Chairman, it is not clear in my mind whether it has been authorized in law, apart from the treaty, but I think I can show the Chair in just a moment that it is one of the provisions of the treaty which has been ratified.

Mr. BEGG. Mr. Chairman, while the gentleman is finding that document I would like to submit that the Chair, of course, knows that a treaty can repeal law, and, that being true, then if the treaty provides that two battle cruisers may be converted, that is authority enough.

The CHAIRMAN. If there has been a treaty which has been duly ratified by the countries entering into it, our country being one of them, and it contains that provision, it has the force of law.

Mr. BLANTON. I deny that, and I ask the gentleman to produce it and show the Chair where there is any such authority. There are limitations in that treaty, but the limitations in the treaty do not constitute substantive law authorizing this exchange.

The CHAIRMAN. The Chair thinks there is perhaps a short way out of this without referring to it. The naval act of last year contained the same item:

For continuing the conversion of two battle cruisers into aircraft carriers, including their complete equipment of aircraft and aircraft accessories.

Therefore it is a work already in progress. The Chair can not find in this paragraph any authorization for the appropriation for any new work: The opening language is— which is hereby appropriated for the prosecution of work on vessels under construction.

Then there is the item for continuing the conversion of two battle cruisers, which the Chair has already said is a work in progress.

Mr. BEGG. It further says in the law of last year:

In accordance with the terms of such treaty.

That is a part of the naval appropriation act of last year.

The CHAIRMAN. There is no question in the Chair's mind that this is proper. The point of order is overruled.

Mr. FRENCH. Mr. Chairman, I offer the following amendment, which I send to the desk.



The Clerk read as follows:

Amendment offered by Mr. FRENCH: Page 47, before the matter appearing in line 8, insert the following: "For the settlement of contracts on account of vessels already delivered to the Navy Department, for reimbursement to contractors and subcontractors of carrying charges heretofore approved by the Secretary of the Navy, to cover additional expenses resulting from the deferring of deliveries or payments under contracts and subcontracts, for materials for vessels, the construction of which may be continued under the terms of such treaty."

Mr. BLANTON. Mr. Chairman, I make the point of order that it is unauthorized and is legislation on an appropriation bill.

Mr. FRENCH. Mr. Chairman, the first part of the amendment that I have offered is authorized. I think probably the second part is not, but I think if the gentleman would withhold his point of order he would regard the amendment as desirable. My thought in offering the amendment is that it would effect economies rather than expenditures. This language was carried in the appropriation act of last year. It provides for the settlement of contracts on account of vessels already delivered to the Navy Department in the first instance. The second part of it provides for adjudication on account of ships that were held up as a result of the Limitation of Armaments Conference agreement. It was hoped by the subcommittee that this work could be completed by the end of the present fiscal year. The department feels that probably most or all of the work of adjudicating these contracts will be completed by that time, but the representation was made to us by the Secretary of the Navy that he did not think it would be desirable that we require these settlements to be made by a given time. If they shall not be made prior to the end of this fiscal year, the Government will not attempt to escape any liability but the items will be carried over during an indefinite period and will be cared for by some subsequent deficiency appropriation act. I have no doubt that that would probably entail additional expense that would either be regarded in lieu of interest or interest itself, and that the total expenditure would be greater than if we permit the provision to go into the bill now and permit the items to be adjudicated possibly in July or August or September or at some other time prior to the convening of the regular session of the Congress.

Mr. BLANTON. Mr. Chairman, if the gentleman is sure he will effect economy, I shall not insist upon the point of order. My effort is to save these millions of dollars that are continually being turned over to the Navy Department, and of which we hear very little thereafter.

The CHAIRMAN. The point of order is withdrawn. The question is on 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 by Mr. BYRNES of South Carolina: Page 47, at the end of the French amendment just adopted, add: "Provided, that the President is requested to enter into negotiations with the Governments of Great Britain, France, Italy, and Japan, with a view of reaching an understanding or agreement relative to limiting the construction of all types and sizes of subsurface and surface craft of 10,000 tons standard displacement or less, and of aircraft."

Mr. BYRNES of South Carolina. Mr. Chairman, I desire to say only a few words with reference to this amendment. I discussed the subject during general debate. The facts are that whereas in 1916 the appropriations for the Navy amounted to approximately \$150,000,000, the appropriations carried in this bill amount to approximately \$300,000,000, and whereas the Army appropriation act for 1916 carried \$101,000,000, this year the Army bill will carry approximately \$250,000,000.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. BYRNES of South Carolina. Yes.

Mr. BLANTON. I am in favor of the gentleman's amendment, but will he not accept an amendment adding officers and personnel? Why should not they be limited? They are the ones who spend the money, after all, in these times.

Mr. BYRNES of South Carolina. It would be impracticable to include men in any such agreement. One navy will use civilian employees to perform duties that are performed by enlisted men in some other navy. Discussion of the proposal at the previous conference proved it could not be done. I think that the language of this amendment, which is the same language carried in a previous bill, is sufficient. My firm belief is that instead of decreasing appropriations, unless something is done we will be forced to continue to appropriate a

sum equal to that carried in this bill, if not greater. Our representatives at the conference endeavored to secure an agreement as to auxiliary craft.

They failed to do so. The treaty now applies only to ships of 10,000 tons or over and to aircraft. As to a ship with a tonnage of less than 10,000 tons there is no agreement, and as a result of that situation Great Britain has 49 cruisers and Japan approximately 25 and we have 10. The people of this country, I believe, were under the impression when we said we had an agreement based on a 5-5-3 ratio, that it meant naval strength and not solely capital ships. If I am correct in interpreting the views of the American people they will never be content to have a navy inferior to any other power on the face of the earth. [Applause.] And because that is true today the administration is asking the Committee on Naval Affairs to report a bill authorizing the construction of eight additional cruisers, which will cost approximately \$88,000,000.

When we contemplate the expenditure of \$88,000,000 for the construction of cruisers the time has come when we should say to the other naval powers of the world, "we do not believe in this naval competition in auxiliary craft of less than 10,000 tons, and before we embark upon a program of construction to compete with the navies of Great Britain and Japan in the construction of cruisers and submarines we want to meet you around the conference table and there arrive at an agreement limiting the number of cruisers and submarines and aircraft." If we do not do that we will soon find ourselves engaged in this costly and dangerous competition. The taxpayers of this Nation and of other nations who will be called upon to make these enormous appropriations in order to keep the pace in this naval competition will gladly respond to an appeal to stop it now.

Mr. FRENCH. Will the gentleman yield?

Mr. BYRNES of South Carolina. I will.

Mr. FRENCH. The gentleman would not want the amendment that he has offered to be compelling upon the administration if in the sound judgment of the President and the Secretary of State they did not deem there was a reasonable prospect of an agreement resulting from such a conference?

Mr. BYRNES of South Carolina. No; we can not compel the President by this request. It is an expression of the opinion of the representatives of the people.

Mr. FRENCH. Then let me ask this—

Mr. BYRNES of South Carolina. The reason I am offering this amendment at this place and in the form it is offered is that I feared the point of order would be made, and if made I had another amendment which I desired to offer as a limitation to this paragraph. As no point of order was made, I want to ask unanimous consent to modify the amendment by striking out the word "provided," preceding the amendment, and make the amendment a separate paragraph.

Mr. FRENCH. Would the gentleman agree to this language following the last word of the gentleman's amendment, "whenver there appears to be reasonable prospect of agreement to any further limitation in competitive armaments"?

Mr. BYRNES of South Carolina. I do not think it necessary, but I see no objection, because the President is not going to comply with the request of the Congress unless he wants to do so.

Mr. MOORE of Virginia. That makes the provision bigger than in the last bill.

Mr. BYRNES of South Carolina. I think so; but I know my friend from Virginia realizes this is merely a request, an expression of the views of the Congress that a conference should be called.

Mr. MADDEN. We can all agree to this.

Mr. BYRNES of South Carolina. The amendment requests the President to do that which the Congress thinks should be done.

Mr. MADDEN. But he ought not to be embarrassed by being forced to do it.

Mr. BYRNES of South Carolina. I have no serious objection to the amendment. I believe the President ought to make an effort to secure such an agreement at the very earliest possible moment for this reason. It will not do to say it can not be done.

If we had taken that position three years ago we never would have called a conference which resulted in the limitation of capital ships. There is more reason for hope now when it has been demonstrated that nations can agree to limit armament. When the taxpayers of the Nation realize the conditions in the world and that we are entering into another form of naval competition they will not refuse the request of the President of the United States to meet at this time in order to arrive at such an agreement as is desired by all people.

Mr. MADDEN. Mr. Chairman, will the gentleman yield to me?

Mr. BYRNES of South Carolina. I do.

Mr. MADDEN. I just want to make a suggestion. I think if the reparations problem should be adjusted through the commission that is now at work, the atmosphere in every country in Europe will be more or less clarified. There will be more of a desire on the part of every European nation to meet the situation that is provided for in this request on the President, and I believe that then there will be some hope that such a conference as is proposed here would have some influence.

Mr. BYRNES of South Carolina. I think so; and I think it is true that this Congress certainly owes it to itself, when it appropriates \$300,000,000 of the money of the people, to put itself on record as saying, "While making this appropriation, we earnestly hope that the powers of the earth will agree to a further restriction of naval armament. While conscious of our superior wealth we do not want to use it in the construction of additional implements of warfare."

Mr. CONNALLY of Texas. Mr. Chairman, will the gentleman yield?

Mr. BYRNES of South Carolina. Yes.

Mr. CONNALLY of Texas. I would like to ask if that last suggestion of the gentleman from Idaho, adding the words "whenever there appears to be a reasonable prospect of agreement in a further limitation of competitive armament," will give the idea that we do not expect it of foreign governments, and that will tend to make a bad impression. We must assume that there is a reasonable prospect.

Mr. BYRNES of South Carolina. The gentleman's amendment is "when, in the opinion of the President of the United States, there is a prospect."

Mr. CONNALLY of Texas. By using that language would it not be casting some doubt upon the action of European countries?

Mr. FRENCH. No. It is merely a courteous expression of the thought of Congress and a proof that we are in harmony with the President when he thinks an opportunity for action shall arrive.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Idaho [Mr. FRENCH] to the amendment of the gentleman from South Carolina [Mr. BYRNES].

The Clerk read as follows:

Amendment offered by Mr. FRENCH to the amendment offered by Mr. BYRNES of South Carolina: Add "whenever there appears to be a reasonable prospect of agreement in a further limitation of competitive armaments."

Mr. FRENCH. The reason I offer the amendment has been indicated by the statement I made a moment ago. There is no doubt in my mind that the greatest achievement of the administration of President Harding and President Coolidge and the administration of Mr. Hughes as Secretary of State is the consummation of the treaty that resulted from the Limitation of Armament Conference. The greatest evidence of the purpose of the administration to pursue the policy suggested by the gentleman from South Carolina in his amendment lies in the fact that the conference was held, with the happy results that flowed from it.

Gentlemen know why the conference two years ago found itself unable to arrive at an understanding touching certain types of ships mentioned in the amendment offered by my friend from South Carolina [Mr. BYRNES]. Europe was unstable. France was apprehensive, and I recall the stirring address of Premier Briand indicating the fears of the Government for which he spoke.

One year ago we passed a provision containing the language that is now before us. The administration has been in heartiest accord. Conditions within Europe, however, have not been such as to permit of a successful conference. To-day, however, an economic conference is in progress that involves the settlement of matters of grave concern, and it may be that from this conference there will eventuate such an understanding as will open the way at once for a new conference to deal with limitation of construction of types of ships where no limit as to numbers exists to-day.

But this is not alone my own prayer; it is the prayer of right-thinking people everywhere.

President Coolidge, in his address in New York City on Lincoln's birthday anniversary last month, in speaking on this subject, said:

We do not believe in great armaments. Especially are we opposed to anything like competitive armaments. While the present time does not appear propitious for a further effort at limitation, should a Euro-

pean settlement be accomplished, something might be hoped for in that direction. The United States stands ready to join with the other great powers whenever there appears to be a reasonable prospect of agreement in a further limitation of competitive armaments.

So, then, the amendment that has been proposed will express not alone the voice of the Congress of the United States but it will underscore and affirm the declared policy of the President. The United States, rich in material wealth, strong in man power, dedicated to the doctrine of justice to all mankind, and with no selfish purpose to serve, can well afford to take the lead in inviting the world powers as opportunity may appear to further conferences that will lessen the burdens of war and point the way to world peace.

The amendment that I have offered, I believe, will let it distinctly appear that teamwork in this great enterprise is going forward upon the part of the President and the Congress of a united Nation.

Mr. GARRETT of Tennessee. Mr. Chairman, may we have the amendment reported as it would read?

The CHAIRMAN. Without objection, the amendment of the gentleman from South Carolina will be reported as it would read as amended by the amendment of the gentleman from Idaho [Mr. FRENCH].

Mr. BYRNES of South Carolina. Mr. Chairman, I ask leave to amend my amendment by striking out the word "Provided," so that it will appear as a separate paragraph.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent to strike out the word "Provided" in his amendment. Is there objection?

Mr. BLACK of Texas. Reserving the right to object, Mr. Chairman, I have an amendment to offer to the text as a separate paragraph. I would have no objection but for that fact.

Mr. BYRNES of South Carolina. Then I withdraw my request for the time being.

The CHAIRMAN. The Clerk will report the amendment of the gentleman from South Carolina, with the amendment of the gentleman from Idaho, as they will read.

The Clerk read as follows:

Amendment offered by Mr. BYRNES of South Carolina: Page 47, at the end of the French amendment, add a new paragraph to read as follows:

"Provided, That the President is requested to enter into negotiations with the Governments of Great Britain, France, Italy, and Japan with a view to reaching an understanding or agreement relative to limiting the construction of all types and sizes of subsurface and surface craft of 10,000 tons standard displacement or less, and of aircraft."

At the end of the Byrnes amendment add the following:

"Whenever there appears to be a reasonable prospect of agreement in a further limitation of competitive armaments."

So that when amended it will read as follows:

Provided, That the President is requested to enter into negotiations with the Governments of Great Britain, France, Italy, and Japan with a view of reaching an understanding or agreement relative to limiting the construction of all types and sizes of subsurface and surface craft of 10,000 tons standard displacement or less, and of aircraft, whenever there appears to be a reasonable prospect of agreement in a further limitation of competitive armaments.

Mr. MOORE of Virginia. Mr. Chairman, the most important question for our Government and other governments—and that is the view of people generally, I believe—is the possibility of doing something to prevent war and avoid the hideous destruction and loss which war causes and less the financial burden of preparation for war; and I venture to say, without any disrespect at all and not hypercritically, that the administration has done extremely little in that direction, and Congress has manifested a strange reluctance to act.

In 1921, when the naval appropriation bill was here, the gentleman from Texas [Mr. CONNALLY] endeavored and I endeavored to amend the bill so as to request the President to bring about a conference of the great naval powers with the United States. The leader of the majority expressed the opinion that the request would be disrespectful to the President, and a point of order made against my proposition was sustained and Mr. CONNALLY's proposition was voted down. The bill went to the Senate. Senator BORAH, then and perhaps now a powerful figure in that body, renewed the suggestion in an amendment which he offered to the same bill, and it was adopted; and when the bill came back to the House the leader and his associates, who had scoffed at the attempt of Mr. CONNALLY and myself, urged unanimous support of the Borah amendment.

Whether we would have gotten the conference without the positive pronouncement by Congress no one can say certainly, but the fact is that a conference pretty quickly accomplished something, although, as gentlemen have said here, not a great deal to boast of, since it applies only to ships of a certain character.

None can doubt that there is continuing danger, not only of the maintenance and multiplication of smaller vessels, submarines, aircraft, and other weapons of naval warfare and of increasing expenditures, and that there is little or no hope of a better condition without further cooperation by international conference of the nations interested.

With this knowledge we should certainly do no less than adopt the provision carried in the last naval appropriation bill, and reiterated in the amendment as first offered by my friend from South Carolina [Mr. BYRNES]. Its terms are not more drastic than those of the Borah amendment; it renews the statement carried in the last naval appropriation bill, and it should not be whittled away in the manner proposed by the gentleman from Idaho [Mr. FRENCH].

If I had my way I would go much further and at least favor the passage of a joint resolution not only requesting but advising the administration to bring about an international conference for the purpose of endeavoring to limit not only naval equipment and naval expenditures but limiting land forces and armaments as well. [Applause.]

But we do next to nothing of that kind. We use our time very largely in talking about matters that are of comparative unimportance, certainly of unimportance compared with the great matter of international peace.

It does not require much political understanding; it does not require any unusual philosophic outlook; it does not require scientific teaching or eloquent preaching for us to perceive the danger of future awful wars following that which has occurred unless this powerful Nation, more powerful and influential than all others, takes the action which I respectfully submit we ought to take, but which the present administration and this Congress have not taken. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. GREEN of Iowa. Mr. Chairman, while the gentleman who has last spoken has stated with substantial correctness what occurred in 1921, when the proposition for disarmament first came before this House the record should not be made up upon the chance remark of the gentleman who happened at that time to be the Republican floor leader. The real fact is, as everyone knows, that later when the matter came back from the Senate information was conveyed to the House that the proposition was entirely pleasing to President Harding. More than that, the final success of the conference was due to the untiring efforts of President Harding and his special counselor on that occasion, Secretary Hughes. An extremely liberal proposition that was made on behalf of this Government at that time by which the foreign governments for the moment were taken completely by surprise, although they finally acceded, but it is largely because of the fact that they could not possibly complain that the agreement was not perfectly fair to them.

It was, as the gentleman from Idaho [Mr. FRENCH] has stated, one of the greatest achievements of any administration in the history of this country.

I am in entire accord with this amendment, but I think the strictures of the gentleman from Virginia in his statement, to the effect that no effort has been put forward on the part of the present administration up to this time to carry the present treaty for disarmament further, are based upon a wrong foundation. It is only recently, if at all, that the time has arrived when it is possible to make any changes in the results of the Washington conference. At that particular time it was impossible to get any more, and I am not sure that there is any hope at this time of getting any further restriction of the treaty and further restriction of armament, but I would not for that reason in any way delay this proposition, and I hope the administration will not fail to press the proposition for further restriction for the reasons so cogently stated by the gentleman from South Carolina [Mr. BYRNES].

Mr. BLANTON. Will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. BLANTON. Suppose it had not pleased the President, as it did not please the then majority leader, what would have happened?

Mr. GREEN of Iowa. Fortunately we had a President too great to overlook any chance to bring about disarmament.

Mr. TINCHER. Will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. TINCHER. I do not know just what the RECORD discloses as to what the majority leader said, but is it not true that in the debates at the time the amendment was offered it was suggested that it was not becoming Congress to put that in as the President had announced that he contemplated the calling of a conference of that kind, and that it was a matter of bad taste to put an amendment in at that time? And then when the bill came back was there not a letter read into the RECORD from President Harding telling us to go ahead and that he was going to call the conference?

Mr. GREEN of Iowa. Yes; there was a statement from the President to that effect.

Mr. TINCHER. I do not think it was the offering of an amendment by gentlemen on the other side of the aisle that caused the President to call the conference.

Mr. GREEN of Iowa. Not at all. What I want to see is some practical results at this time, and I believe that right now there is an opportunity for a further extension of that treaty in the way of a further restriction of armament. Japan has experienced a great disaster and wants to economize in every possible way. The ministry which at present controls the Government of England is far different in respect to its ideas of naval construction than any that has heretofore controlled that Government. The time is now as favorable as it ever could be for a further restriction.

Mr. BLACK of Texas. Will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. BLACK of Texas. Bearing out what the gentleman has just said, I notice that the Prime Minister of Great Britain has withdrawn the Singapore project, to cost \$50,000,000, a naval station in the Pacific, showing that the present labor ministry of Great Britain takes the view that the time has arrived when we should have a real limitation of armament.

Mr. GREEN of Iowa. Yes; it shows there is a desire to curtail naval expenditures on the part of England.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GREEN of Iowa. Mr. Chairman, I ask unanimous consent to proceed for three minutes more.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent to proceed for three additional minutes. Is there objection?

There was no objection.

Mr. GREEN of Iowa. I am glad to say that there is a government in England that is not afraid of the United States Navy in this sense—it is not afraid it will ever be used unjustly against England, and it has no occasion to fear that.

But, Mr. Chairman, when I originally asked for recognition, I wanted to call attention very briefly to one matter that has not been mentioned in connection with this bill. This paragraph applies to increase of the Navy. There has been a most extraordinary decrease in the Navy of the United States brought about, possibly, by mishap, but I fear, much of it, by mismanagement in the last few years. Certain it is that in the last six years we have lost far more vessels than the English Navy has lost, although they have a great many more in commission. We have lost three or four large cruisers which in some way have drifted upon the rocks and have been lost. We lost a collier and nobody knows for what reason. It started on a voyage and has never been heard of since. Recently, we lost seven fine destroyers through recklessness, as it appeared to me, although I would hardly undertake to pass judgment upon it, having only seen the newspaper reports of evidence; but the findings of the court-martial practically exonerated anyone from serious fault by reason of these destroyers having been run upon the shore.

At the beginning of our Navy, following the custom of England, any captain, even in the old sailing days when they were more or less at the mercy of the wind and waves, who would let his ship drift upon the rocks was certain to be court-martialed and was in danger of being dismissed from the service. Any captain that took a battleship down the tortuous and shallow channel that leads to the Norfolk Navy Yard and for any reason happened to let that vessel graze the bottom was sure to be court-martialed and was liable to receive a number of demerit marks. That is the history of the old Navy. For some reason, we seem to be reaching a different period, when seven fine destroyers can be thrown upon the rocks by reason of reckless speed and careless calculation of the distance from shore.

Mr. NEWTON of Minnesota. Will the gentleman yield?

Mr. GREEN of Iowa. Yes.

Mr. NEWTON of Minnesota. The gentleman has stated that these officers were not reduced or disciplined. Captain Watson, the commander of that squadron, was given demerits of some-

thing like 150 points and Commander Hunter and several others were likewise disciplined, but to a lesser extent. This means that Captain Watson can never hope to be an admiral.

Mr. GREEN of Iowa. I would not call that "disciplined."

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

Mr. GREEN of Iowa. Yes.

Mr. LOZIER. Is it not a fact that the newspapers have stated that the report and the findings of the court-martial have been disapproved? I have read that in the newspapers and I would like to inquire whether that is a fact or not.

Mr. GREEN of Iowa. Such was the statement made in the papers, but my understanding was that the disapproval was because the judgment of the court-martial was too lenient. I did not say that no demerits were imposed. Demerit marks are trifling incidents compared to the loss of several fine vessels by inexcusable recklessness. For anything of that kind in the old days the offender would have been dismissed from the Navy.

Mr. STEPHENS. Mr. Chairman, I move to strike out the last word.

Mr. CONNALLY of Texas. Mr. Chairman, I rise in opposition to the French amendment to the amendment.

The CHAIRMAN. The gentleman from Texas is recognized.

Mr. CONNALLY of Texas. Mr. Chairman, I do not desire to take up much of the time of the House except to refer to one or two suggestions made by the gentleman from Iowa [Mr. GREEN] with reference to the history of this amendment.

If the gentleman from Iowa [Mr. GREEN] will bear with me a moment he will find that this amendment was offered in the House on April 26, 1921, on the naval appropriation bill by the gentleman from Virginia [Mr. MOORE] and myself. It appears in the RECORD for that day. What occurred? The Republican leader, Mr. Mondell, made a point of order against it. The point of order was overruled, and the Republican leader in charge of the bill, Mr. Kelley of Michigan, and the gentleman from Illinois [Mr. MADDEN] made speeches against it, and it was voted down in this House. The bill then went to the Senate and Senator BORAH was able to secure the adoption of his amendment providing for the calling of a conference. When the bill was then brought back to the House on the conference report gentlemen of the Republican side raised no opposition to it and it was adopted. Now, that is the history of the amendment. Does the gentleman dispute that?

Mr. GREEN of Iowa. All I wanted to say was that the gentleman at least should not hold me responsible for that because I supported the proposition from first to last.

Mr. CONNALLY of Texas. Yes; I am very glad to have the support of the gentleman from Iowa, and I appreciated his support at that time, but his side of the House, which was then in control, voted this amendment down when presented here. After it went to the Senate and after word went out to the country and sentiment was crystallized, and after Senator BORAH had made a number of speeches in the Senate calling it to the attention of the country, gentlemen on the Republican side joined then in the request.

Mr. MADDEN. Will the gentleman yield?

Mr. CONNALLY of Texas. I yield.

Mr. MADDEN. The President, after all, called the conference.

Mr. CONNALLY of Texas. Certainly.

Mr. MADDEN. And did the job.

Mr. CONNALLY of Texas. And he deserves credit for it. I am not seeking to detract in any way from President Harding with relation to the calling of this conference. He had the authority under the Constitution to call it without request of Congress, but he did not do so until Congress acted, and I object to gentlemen now seeking to detract from the efforts of some of us on this side who were sincerely endeavoring to bring about some movement for the limitation of armament before the President acted and before Congress was willing to act.

Mr. GREEN of Iowa. Nothing was further from my intention than anything of that kind.

Mr. MADDEN. The gentleman from Texas is always patriotic.

Mr. CONNALLY of Texas. Thank you. The gentleman from Illinois [Mr. MADDEN] made a very fervid speech on that occasion.

Mr. MADDEN. Sometimes that happens.

Mr. CONNALLY of Texas. And charged the gentleman from Texas, in offering that amendment, with undertaking to insult the President of the United States. What is the fact? However much credit President Harding deserves on account of the

disarmament conference, looking at it now with our hindsight rather than with our foresight, we all see that while it accomplished some good it did not limit the building of cruisers and auxiliary craft and airplanes. The purpose of the amendment of the gentleman from South Carolina [Mr. BYRNES] is to now invite the nations of the world to another conference and let them go into that conference under our invitation and enter into agreements that will not only limit the building of capital ships but will limit the building of all branches of naval armament, so that the United States, in its strength, in its power, may say to all the world that while we are proud of our eminence, while we are proud of our strength, while we are proud of our man power, and while we are proud of our material resources, we want to lead the world in the dedication of those resources, not to the destructive policies of war, but to the constructive policies of peace and industry and happiness; to direct those resources and powers to making more things that will contribute to the happiness and peace of mankind, rather than to the construction of machines for the destruction of human life and the visitation upon the people of the world of hunger and misery and despair. [Applause.]

Mr. FRENCH. Mr. Chairman, I wonder if we can not bring this amendment to a vote. We have a session to-night at 8 o'clock.

Mr. STEPHENS. I want to address the committee for about two minutes.

Mr. FRENCH. Mr. Chairman, I ask unanimous consent that all debate upon this section and all amendments thereto close in two minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. STEPHENS. Mr. Chairman, I want to state that my memory of this limiting of armament was inaugurated in the Naval Affairs Committee. I remember that we had hearings in the Naval Affairs Committee in the latter part of 1920 or perhaps the first part of 1921, and we had before this committee General Tasker Bliss, Admiral Sims, General Pershing, an ex-ambassador to England, and some great English newspaperman. Hearings were held along the line of what plan would be best to pursue in respect to disarmament toward limiting armament. Those hearings were public and they are to be found in the Naval Affairs Committee. That is the first that I remember of ever hearing the idea discussed or investigated. The opinions of all the men to whom I refer will be found in that report. I believe that was before President Harding was inaugurated.

Mr. GARRETT of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. STEPHENS. Yes.

Mr. GARRETT of Tennessee. Does the gentleman say that back in 1920 was the first time that he ever heard of this?

Mr. STEPHENS. I think it was in 1920 when I first heard of its coming up for public discussion.

Mr. GARRETT of Tennessee. Does the gentleman recall having read what was known as the Hensley amendment, adopted to the naval bill I think in 1913?

Mr. STEPHENS. Oh, I was speaking of what occurred since the war, the discussion of limiting armament since the war.

Mr. GARRETT of Tennessee. Oh, the gentleman's recollection goes no further back than that?

The CHAIRMAN. The time of the gentleman from Ohio has expired. All time has expired. The question is on the amendment to the amendment offered by the gentleman from Idaho [Mr. FRENCH].

The question was taken; and on a division (demanded by Mr. GARRETT of Tennessee) there were—ayes 44, noes 64.

So the amendment to the amendment was rejected.

Mr. BLANTON. Mr. Chairman, I offer a perfecting amendment after the word "aircraft" to insert "and officers and enlisted personnel."

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BLANTON to the amendment offered by Mr. BYRNES of South Carolina: At the end of the amendment after the word "aircraft" strike out the period, insert a comma and the words "and officers and enlisted personnel."

Mr. BLANTON. I ask unanimous consent that the Clerk may be permitted to report it in the form it would read if the amendment were agreed to.

The CHAIRMAN. Without objection, the Clerk will report the amendment as it would read if the amendment were adopted.

The Clerk read as follows:

The President is requested to enter into negotiations with the Governments of Great Britain, France, Italy, and Japan, with a view of reaching an understanding or agreement relative to limiting the construction of all types and sizes of subsurface and surface craft of 10,000 tons standard displacement or less, and of aircraft, and officers and enlisted personnel.

Mr. GARRETT of Tennessee. Mr. Chairman, I make the point of order that the amendment to the amendment is not germane. The amendment proposed by the gentleman from South Carolina has to do with physical property, and not with personnel.

Mr. GREEN of Iowa. It has to do with naval construction.

Mr. TEMPLE. Mr. Chairman, I call attention to the fact that the amendment as it stands refers to limiting the construction of officers and of enlisted personnel. The gentleman who offered the amendment should have read it before he proposed his amendment.

Mr. BLANTON. I think it will work out all right if it is adopted. I desire to be heard upon the point of order.

The CHAIRMAN. The Chair wishes that the gentleman would reduce his amendment to writing.

Mr. BLANTON. I want only to add those words. It will not take more than a moment for the Clerk to add them.

The CHAIRMAN. The Chair has not yet been able to get a copy of the gentleman's amendment because it is not in writing.

Mr. BLANTON. I hope the Chair will not insist upon stopping the proceedings to put it in writing. I merely want to add those five words.

The CHAIRMAN. The Chair will hear the gentleman from Texas upon the point of order.

Mr. BLANTON. Mr. Chairman, in the first place this point of order is not well taken with respect to the amendment being legislation, for the reason that the amendment offered by the gentleman from South Carolina [Mr. BYRNES], which my amendment seeks to amend, is itself legislation. That is, the amendment of the gentleman from South Carolina [Mr. BYRNES] is legislation, and therefore mine would not be subject to the point of order on that ground.

As to whether it is germane, all naval ships are effective only when they are manned. Whenever you commission an officer you construct him. I say to the distinguished doctor from Pennsylvania that if I were a doctor I believe I would understand that without any trouble. You can not commission a man without constructing him. [Laughter.]

He is not an officer until you construct him an officer. [Laughter.] That may be laughable, but it is true.

The CHAIRMAN. The Chair is ready to rule. The amendment reads:

That the President is requested to enter into negotiations with the Governments of Great Britain, France, Italy, and Japan with a view of reaching an understanding or agreement relative to limiting the construction of all types and sizes of subsurface and surface craft of 10,000 tons standard displacement or less, and of aircraft.

Now, the gentleman from Texas offers as an amendment to that the words "and officers and enlisted personnel." Manifestly that is not germane, and the Chair sustains the point of order.

Mr. BLANTON. Mr. Chairman, I offer another amendment. After the word "aircraft" insert the following: "And in limiting the force of officers and enlisted men."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment to the amendment of the gentleman from South Carolina [Mr. BYRNES]: At the end of the amendment, after the word "aircraft," insert "and in limiting the force of the officers and enlisted men."

Mr. NEWTON of Minnesota. May we have the amendment reported with the amendment?

Mr. TILSON. I make the point of order it is clearly not germane.

The CHAIRMAN. The Chair sustains the point of order. The question is on the amendment offered by the gentleman from South Carolina.

The question was taken, and the amendment was agreed to.

Mr. BLACK of Texas. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. BLACK of Texas: Page 46, line 25, after the word "of," strike out the figures "\$7,500,000" and insert in lieu thereof the figures "\$4,000,000"; and on page 47, line 2, after the

word "date," insert the following language: "except three fleet submarines, V-1, V-2, V-3, now under construction, which construction is hereby suspended until further order of Congress."

Mr. BLACK of Texas. Mr. Chairman, under the naval program of 1916 and as permitted by the limitation of armament treaty the following vessels are now under construction. I do not wish to take any unnecessary time of the committee, but I think this is a very important proposition. There are now under construction the following vessels: Battleship, 1; aircraft carriers, 2; scout cruisers, 6; submarines, 13; fleet submarines, 3; gunboat, 1; destroyer tenders, 2; submarine tender, 1; repair ship, 1. Now, the purpose of the amendment which I have offered is to suspend the construction of three fleet submarines. Now, why so? The reason for it is that the committee itself under the provisions in the bill appropriate \$600,000 for the engineering department to make an investigation to see whether or not we can construct fleet submarines that will operate. Now, does it not seem illogical, does it not seem unbusinesslike for Congress to appropriate \$600,000 to be spent by the Engineering Department of the Navy to find out if we can construct a fleet submarine that will really operate, and in the same bill nearly \$4,000,000 to proceed with the construction of three that are now in process of construction? Now, I read from page 591 of the hearings showing that the amount carried in this appropriation bill for the construction of three submarines, V-1, V-2, V-3, in 1925 is \$3,489,000, or in round numbers \$3,500,000, and for that reason I have offered the amendment to reduce the appropriation nearly \$4,000,000. Now, I do not want, gentlemen of the committee, any better testimony to sustain this proposition than the report of the committee itself, and with the indulgence of the committee I will read from that report. It says—

The CHAIRMAN. The time of the gentleman has expired.

Mr. BLACK of Texas. I ask for three additional minutes.

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

Mr. BLACK of Texas. The report of the committee says:

The Navy has but three fleet submarines, designated the T-1, T-2, and T-3, and these three have been placed out of commission. One was authorized in 1914 and two were authorized in 1915. The T-1 was commissioned January 30, 1920, the T-2, January 7, 1922, and the T-3, December 7, 1920. The contract price of the T-1 was \$1,350,000, and of the T-2 and T-3, \$1,494,000 each. As to these three vessels the Chief of Naval Operations in his last annual report states:

"The performance of the three fleet submarines, T-1, T-2, and T-3, was of such an inferior character as to make it inadvisable to retain them in commission longer. These vessels were also sent to Hampton Roads and decommissioned."

In this connection the attention of the House is invited to the last annual report of the Chief of Naval Operations. It is a revelation as to the difficulties the Navy has experienced and is experiencing with this type of craft. The committee does not believe nor has it any reason to assume that our submarines, generally speaking, are inferior or less effective than those of foreign navies, but that is no reason why this Government should go on, it may not be improper to say, experimenting by building whole units, costing \$6,000,000 and upward apiece, when perhaps an expenditure of a tenth of the cost of one boat in experimentation with submarine motive power would result in the development of a thoroughly dependable and efficient type of submarine propulsion.

Now, gentlemen of the committee, in conclusion the report of the committee goes on and makes mention of the fact that the bill itself authorizes \$600,000 to conduct this experimentation, and therefore I say that it would be the logical thing and the businesslike thing to do to put the amendment in the bill authorizing the suspension of the construction of these three fleet submarines until the experimentation is complete. Why, the committee itself says that the sensible thing to do is not to go ahead and build these \$6,000,000 units, but that the sensible thing to do is to spend one-tenth of the amount and conduct an experiment that would show this House how to build them. I think the logical thing to do is to suspend operations. [Applause.]

Mr. FRENCH. Let me take the time merely to say that the observations of the gentleman could well have been followed if they had been made several years ago. These ships, however, are on the ways. One of them is 63.1, another is 53.8, and another 42.1 per cent completed. The committee felt that as to these three, which are 500 or 1,000 tons less than those that were contemplated and reported by the Budget this year, we ought to proceed.

Mr. BLACK of Texas. Mr. Chairman, will the gentleman yield for a question?

Mr. FRENCH. Yes.

Mr. BLACK of Texas. According to the gentleman's statement the average completion of these vessels is around 50 per cent, and if they are to cost, as the report says, \$6,000,000 apiece, does the gentleman think that we ought to go ahead and spend that \$9,000,000 until we have conducted the experimentation for which the committee is making an appropriation in this bill?

Mr. OLIVER of Alabama. Mr. Chairman, will the gentleman yield for just a moment?

Mr. BLACK of Texas. Yes.

Mr. OLIVER of Alabama. The three submarines to which the gentleman refers are, as he said, less in tonnage than those the committee was asked to appropriate for and for which we declined to appropriate. The committee was assured as to those now under construction that the mistakes made on the three submarines that have been decommissioned had been corrected as to that type, and that it was the opinion of the naval experts that the engines they would install on these smaller submarines would prove satisfactory. The larger type of submarines which we declined to appropriate for were intended to secure wider radius of action and greater depth of submergence.

Mr. BLACK of Texas. If these are complete successes, as the gentleman says, why are they not provided for in this report?

Mr. OLIVER of Alabama. An engine that will function well for the size of submarines now under construction may not function at all in the larger types asked for. They were to have a submersive depth far greater and radius of action far more extensive and so we thought it best to test out an engine that would prove effective for that purpose. That is why we provided the test money for this new design of fleet submarines, and withheld appropriations for construction until advised by the naval experts that they had developed an engine that would unquestionably meet all requirements.

The CHAIRMAN. The time of the gentleman from Idaho has expired.

Mr. HOWARD of Nebraska rose.

The CHAIRMAN. For what purpose does the gentleman from Nebraska rise?

Mr. HOWARD of Nebraska. For the purpose of suggesting that there does not seem to be a sufficient number here to legally transact the business of the House.

The CHAIRMAN. Does the gentleman from Nebraska make the point of no quorum?

Mr. HOWARD of Nebraska. He does.

The CHAIRMAN. The Chair will count.

Mr. HOWARD of Nebraska. Mr. Chairman, I withdraw the point.

The CHAIRMAN. The point of no quorum is withdrawn. The question is on agreeing to the amendment offered by the gentleman from Texas [Mr. BLACK].

The question was taken, and the amendment was rejected.

Mr. BLACK of New York. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 46, line 25, strike out "\$7,500,000" and insert in lieu thereof "\$10,350,000." On page 47, line 4, after the semicolon insert "toward the three submarines authorized by the naval act of August 29, 1916, in addition to those under construction at the date of the approval of this act."

Mr. BLANTON. Mr. Chairman, I make a point of order on the ground that it is legislation and new construction, not authorized.

Mr. BLACK of New York. Mr. Chairman, can I be heard on the amendment?

The CHAIRMAN. The Chair will be glad to hear the gentleman.

Mr. BLACK of New York. Mr. Chairman, the amendment provides for initial construction on three fleet submarines that were authorized by the naval appropriation act of August 29, 1916. The fleet submarines designed to be procured by this amendment are permissible under the disarmament treaty arrangement. Moreover, they have been suggested by the Budget Bureau.

The CHAIRMAN. The gentleman has offered this amendment, and a point of order has been made against it on the ground that it is legislation. The Chair would like to hear from the gentleman from Texas [Mr. BLANTON] on the point of order.

Mr. BLANTON. I would like to know what authorized the construction of three new submarines at \$3,000,000.

The CHAIRMAN. This amendment reads as follows:

Toward the construction of three submarines authorized by the naval act of August 29, 1916.

Now, if three submarines are authorized—

Mr. BLANTON. I submit that they were not authorized.

The CHAIRMAN. Of course, the burden of proof on that proposition is on the gentleman offering the amendment.

Mr. OLIVER of Alabama. They were authorized in 1916, but no work has been commenced on them and no appropriation made for that purpose.

The CHAIRMAN. Does that authority still exist?

Mr. OLIVER of Alabama. That authority still exists.

Mr. BLANTON. If the gentleman from Alabama states that, I accept it.

The CHAIRMAN. The point of order is overruled. The gentleman from New York [Mr. BLACK] is recognized.

Mr. BLACK of New York. Mr. Chairman, this amendment is designed to fill a serious gap in our naval force, to begin the initial construction work on three submarines authorized, as I have already stated.

Mr. HUDSON. Mr. Chairman, will the gentleman yield?

Mr. BLACK of New York. Yes.

Mr. HUDSON. Would not the gentleman prefer to have that \$3,000,000 go to pay increased salaries to postal employees?

Mr. BLACK of New York. I will say to the gentleman that the probabilities are under the present arrangement that we may have a few Japanese postal employees if we do not have the submarines.

Mr. HARDY. Will the gentleman yield?

Mr. BLACK of New York. Yes.

Mr. HARDY. Would not the gentleman prefer to wait until we can build a submarine of that class which is going to be a success?

Mr. BLACK of New York. I feel quite confident, from the reports we have from the Navy Department, that we can make such a submarine. I feel confident of that because the Budget Bureau has recommended this, and I feel confident of that because the President of the United States stood up there at that desk and suggested it. All the experts of the Navy Department have said that this is all right.

Now, we will always have trouble with submarine construction; we will never get the last word in submarines. They have been having trouble with submarines ever since 300 years ago, when King James I went under the Thames River in a rowboat. That was the first submarine.

Now, the Assistant Secretary of the Navy, Mr. Roosevelt—a capable and distinguished citizen of my State—has gone into this very thoroughly, and he made an earnest, masterful, and forceful plea before this subcommittee for this appropriation. He knew what he was talking about, and he was backed up by the men in the Navy Department to whom we look for expert advice.

A moment ago there was the suggestion—which was adopted—that we have some more treaty arrangements. I think the most dangerous thing we can do in this country is to have our diplomats get together with these foreign diplomats. We were lucky at the last disarmament conference to escape with the White House in our possession, and I do not believe we will accomplish anything by any further arrangement. So I suggest we go ahead along this line. I do not suggest this out of spiritual fervor, but I suggest this as an absolutely practical matter.

We are living in a temporal world. We are living here under force and under the sanction of force, and we shall have to meet nations along that line no matter how much we try to avoid it, because all the other nations believe in force. The Japanese left Washington having agreed to a 5-5-3 ratio, and then what did they do? They commenced to build submarines and they commenced to build cruisers. Did they wait for experiments? No. They started in on a building program whereby they will have, in the course of time, 23 fleet submarines, but no better than the fleet submarines I suggest in my amendment.

Now, we have in this country about 5,000 miles of seacoast to protect; we have about 22,000 miles of inland waterways to protect, and I want the gentlemen from the central part of this country to realize that we ourselves sent a submarine squadron up the Mississippi River. I also want the gentlemen to realize that not only have the Japanese embarked on the program I have suggested—

Mr. LARSEN of Georgia. Will the gentleman yield?

Mr. BLACK of New York. Yes.

Mr. LARSEN of Georgia. Does the gentleman think that if we can get three more submarines and spend \$3,500,000 in getting them that we will have our defense completed?

Mr. BLACK of New York. By no means. You will never have your defense completed until you are equal to or better than any other power in the world.

Mr. LARSEN of Georgia. Why does not the gentleman offer such an amendment at this time?

Mr. BLACK of New York. Because I have learned to-day, by having two points of order sustained against me, that I must get legislation for my propositions. [Applause.] Now, gentlemen, I leave it to your good judgment. It is not necessary to have any pyrotechnics on this proposition. It is a plain business proposition. The other nations are building ships; we can build just as good here without waiting for experiments, so why should we not go along with the President, the Bureau of the Budget, and our naval experts and adopt this amendment?

The CHAIRMAN. The time of the gentleman has expired.

Mr. WATKINS. Mr. Chairman—

The CHAIRMAN. For what purpose does the gentleman rise?

Mr. WATKINS. I rise to support this amendment.

The CHAIRMAN. The gentleman from Oregon is recognized.

Mr. WATKINS. Mr. Chairman, I want to take just a moment or two to tell this House about a condition existing on the Pacific coast which I think the House ought to know about. A strip of land probably 30 miles wide from the northern boundary of Washington to the southern boundary of Oregon on the Pacific coast is the only place in America where we can get airplane material. That material is now being purchased under the guise of commercial contracts by foreign people, ostensibly for commercial purposes, but, in fact, for war purposes. The next war will be on water and in the air, and we need to do something to remedy that situation. One of the things we can do is to build some submarines, and the other is to stop the destruction of this most valuable timber and thereby prevent other nations securing it.

Now, we have renounced the right to fortify naval bases in our island possessions beyond Hawaii, while Britain is left free to build a great base at Singapore and another at Kowloon, opposite Hongkong, and has a chain of naval stations all the way from Gibraltar, and all of Japan's outlying bases were fortified before the treaty was signed, while we, I assert, are asleep.

I maintain, Mr. Chairman, in view of the fact that we are inferior to Japan in the number of submarines and in view of the fact that the next war is going to be on the Pacific, and that it is going to be between the white and the yellow races, that the sooner we begin to build submarines and things of that kind that will play a most important rôle in the next war, the sooner will we begin to prepare for the crisis that is dawning on us; and I urge the House to support this amendment and authorize the construction of a few submarines.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. BLACK].

The question was taken, and the amendment was rejected.

Mr. BYRNES of South Carolina. Mr. Chairman, I ask unanimous consent that the amendment which I offered and which was adopted be modified so as to eliminate the words "Provided, That" and have the amendment appear as a separate paragraph.

The CHAIRMAN. The gentleman from South Carolina asks unanimous consent that the amendment offered by himself and already adopted have the words "Provided, That" stricken from the first part of it and that it appear as a separate paragraph. Is there objection?

There was no objection.

The Clerk read as follows:

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 between the starting and completion thereof, or of the movements of any such employee while engaged upon such work; nor shall any part of the appropriations made in this act be available to pay any premiums or bonus or cash reward to any employee in addition to his regular wages, except for suggestions resulting in improvements or economy in the operation of any Government plant; and that no part of the moneys appropriated in each or any section of this act shall be used or expended for the purchase or acquirement of any article or articles that, at the time of the proposed acquirement, can be manufactured or produced in each or any of the Government navy yards of the United States, when time and facilities permit, for a sum less than it can be purchased or acquired otherwise.

Mr. BLANTON. Mr. Chairman, I make a point of order against the paragraph for the reason that it is legislation unauthorized on an appropriation bill. It is not a limitation, and I want to be heard just a moment.

The CHAIRMAN. The Chair will hear the gentleman.

Mr. BLANTON. Mr. Chairman, I trust that the latest precedents of the House and of the Committee of the Whole House on the state of the Union are of such grave importance and seriousness to all of us that the Chair will be willing to follow them, even though this might require him to decide against a question of which he himself might be in favor.

There is a recent precedent that is absolutely controlling on this point of order, I take it, because it is the last precedent on the question. It is the last decision of a Chairman of the Committee of the Whole House on the state of the Union where this particular and specific amendment was involved, and not only that but it is also a precedent established by the Committee of the Whole House on the state of the Union by a vote of at least 3 to 1, and it is the last decision of the Committee of the Whole House on the state of the Union on that subject. Therefore, I take it, it will be absolutely controlling with the Chair, and I want to state that that decision was rendered by one of the best parliamentarians in this House, and I refer to the distinguished gentleman from Connecticut [Mr. TILSON]. [Applause.] Well, he is, and everybody knows it.

When the last Army bill was before this House the gentleman from Iowa [Mr. HULL] offered this particular amendment to that bill, in practically the same language. As a matter of fact, except as to the last paragraph of the amendment that is now in this bill, in the paragraph to which I make the point of order, practically four-fifths of the paragraph is in the exact language and the exact words, punctuation and all, and I made the point of order, and I want to call the attention of the Chair to what the distinguished gentleman from Connecticut [Mr. TILSON] decided:

The CHAIRMAN. The Chair is ready to rule. It is my belief that nothing is ever finally settled until it is settled right. The amendment now offered by the gentleman from Iowa [Mr. HULL] has been ruled upon a number of times during my experience in this House and has been decided both ways. The greater number, however, and all of the later decisions have been one way, holding that it is a limitation.

Now, right in that connection I want the Chair to remember that he goes on to show that those decisions were based upon a wrong decision in the beginning, and many of the various Chairmen when passing upon this question would assert that they believed themselves it was subject to a point of order but that they would be forced to follow the precedent that had been set, and that they would have no right to turn aside and disregard a precedent that controlled them, and therefore the decisions, except the original one, were absolutely worthless under those conditions; but note further what the gentleman from Connecticut [Mr. TILSON] held in such decision:

The present occupant of the chair quite probably was one of those who, guided entirely by a recent precedent, held it to be a limitation. However that may have been, he now believes, in the light of a more thorough consideration, that such rulings were fundamentally wrong, that it is not a limitation of an appropriation, but a positive restriction upon executive authority, and to the extent of such restriction a change of existing law.

In a decision of Mr. Speaker Cannon, to which I referred a few days ago, when a somewhat similar question was pending before the Chair, the effect of the language was held to be decisive, and this became the point upon which the decision in that case turned.

And then Chairman TILSON cites Hinds' Precedents, section 3935. But let me read his decision further:

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. This is clearly and admittedly the effect and purpose of the language. It is not the province of the Chair to say whether 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 determine 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.

Now, notice, Mr. Chairman, that this is the last precedent on this particular point of a Chairman of this Committee of the Whole House on the state of the Union. It is not a haphazard decision of some Member not versed in parliamentary procedure who happened to be called to the chair. It is a decision by one of our distinguished Members of long service, who has many times occupied that distinguished position in which the Chair now finds himself and who has made close, diligent, and careful study of the rules of this House.

He is a parliamentarian, I say, of great ability and great capacity. Notice, then, what happened. I quote from the Record:

Mr. HULL. I respectfully appeal from the decision of the Chair.

And in deciding the appeal the gentleman from Oregon [Mr. HAWLEY] took the chair.

The CHAIRMAN. The question is, Shall the decision of the Chair stand as the judgment of the committee.

Subsequently the point of no quorum was made. It developed that there were over 100 Members present, a quorum, and then the committee divided and the tellers reported that there were, ayes, 66, for sustaining the Chair; and noes, 26. It was thus a 3 to 1 decision, about, by the Committee of the Whole House on the state of the Union. It therefore is not merely the precedent of a Chairman's decision that I am asking the present occupant of the Chair to follow. It is also the solemn decision of this committee of the membership of the House of Representatives by a 3 to 1 decision. It is the last precedent that has been set. I would say to my colleagues that it is more important to have definite, dependable rules, which we can depend upon here, than to agree upon something because of expediency.

I want to cite to the Chair quite an exhaustive discussion of this same subject by the gentleman from Connecticut [Mr. TILSON], and a decision following that made by the gentleman from New York, our former colleague, Mr. Hicks.

I quote from the Record of January 8, 1923, as follows:

Mr. TILSON. Mr. Chairman, I profess to know nothing about the merits of this paragraph. I have purposely refrained from a consideration of the merits of the paragraph because I wish to discuss it entirely from the parliamentary standpoint, and hope that it may be decided upon this alone and without reference to the merits of the proposition. It is perfectly clear to my mind, and I believe it will be to the Chair, that the latter part of the paragraph in question is legislation and clearly subject to a point of order; but in deciding the point of order I think that the whole paragraph should be considered, so that the ruling may be made broadly upon the whole paragraph and not upon the last clause only. Therefore I shall address my remarks entirely to the first part of the paragraph.

It is one of those cases where the Chair may decide either way and find himself in distinguished company, because there is a very long line of decisions, many of them not very well considered but some of them extremely well considered, and they are not all on one side by any means. I believe that by discerning and distinguishing clearly between those cases in which the ruling was necessary in order to decide the question before the House and those upon which the ruling was merely obiter the Chair will come to the conclusion, as I have, that this is not strictly a limitation but is legislation couched in the form of a limitation. I believe that legislating upon an appropriation bill is a bad way to legislate and that it ought to be discouraged in every proper way. I believe further that legislation under the guise of a limitation is distinctly bad, and therefore that there should always be strict construction of a limitation in order to be sure that it is only a limitation and not legislation, though couched in the form of a limitation.

The decisions are quite uniform that where it is simply a limitation, where it simply refers to qualifications that must be possessed by the recipient or beneficiary of the appropriation, the point of order will not lie. It is also clear on the other side that where the language requires additional duties on the part of an official it is legislation and is subject to a point of order. Between these two there is a rather broad twilight zone, a sort of "no man's land," in which there is room for considerable latitude in decisions. I think that this "no man's land" ought to be captured and organized, as far as possible, on the side of strict construction, so far as limitations are concerned, and I think that in this case the Chair will find ground for deciding it on this side.

I refer the Chair in the first place to volume 4, Hinds' Precedents, section 3973. The syllabus of that section is as follows:

"While a limitation may provide that no part of an appropriation shall be used except in a certain way, yet the restriction of Executive discretion may not go to the extent of an imposition of new duties."

The bill on which this ruling was made brought about two very important decisions. The first one was upon an amendment offered by

Mr. John A. Sullivan, of Massachusetts, to the paragraph in the sundry civil bill relating to the Panama Canal. This is the proviso:

"Provided, That no part of this appropriation shall be expended for materials and supplies to be used in the construction of the canal or in connection therewith except as the result of bids advertised in the manner now established by the Isthmian Canal Commission under existing law."

Mr. Tawney, of Minnesota, made the point of order against the amendment, and after the debate the Chairman, who was JAMES E. WATSON, now Senator WATSON, held as follows:

"The Chair is of opinion that the amendment is only a limitation on the appropriation and not a change of existing law. Every limitation is, in effect, finally a limitation on the discretion of an officer. It is not permitted that this be affirmatively done, but it may be negatively done, and this amendment, while not drawn in the usual form, and therefore because of its language making it a somewhat closer question, is yet in substance but a limitation, in the opinion of the Chair, on the appropriation, and therefore the Chair overrules the point of order."

On the following day, after the Committee of the Whole had ordered the bill reported back to the House, it was under consideration in the House when again Mr. Sullivan, of Massachusetts, offered a motion to recommit with instructions containing this proviso, which is to be found in section 3935 of Hinds' Precedents, volume 4:

"Provided, That no part of this appropriation shall be expended for materials and supplies which are manufactured or produced in the United States unless said articles are sold to the Isthmian Canal Commission at export prices whenever such export prices are lower than the price charged consumers in the United States."

Mr. Tawney again made the point of order that the proposed instructions constituted legislation. Debate arising, Mr. Marlin E. Olmstead, of Pennsylvania, well known to the older Members of this House as one of the best parliamentarians we have ever had, readily distinguished these instructions, as they appeared in the motion to recommit in the form of instructions to the committee, from the amendment proposed the day before in the Committee of the Whole. Mr. Olmstead distinguishes the two in the following language:

"While the amendment which he offered yesterday was merely a limitation upon the appropriation itself, this amendment, if I correctly heard it as read by the Clerk, imposes upon the Isthmian Canal Commission, or those who purchased these supplies, an additional duty. The amendment yesterday which the gentleman offered provided that no part of the appropriation should be expended except as the result of bids advertised in the manner now established by the Isthmian Canal Commission under existing law—that is to say, it imposed upon them no duties except those already existing under present law."

At the conclusion of the debate Mr. Speaker Cannon, then in the chair, made a ruling. I shall read only a part of Mr. Cannon's ruling:

"It is conceded that under the law as it is at this time these supplies may be bought anywhere, without regard to where they may be produced, whether in the United States or elsewhere in the world. Now, this is an appropriation for supplies and equipment for construction and engineering and administration departments of the Isthmus of Panama, \$9,000,000.

"The merits of the proposition are not involved in the point of order. What is the object of the motion and of the instruction? If it does not change the existing law, then it is not necessary. If it does change the existing law, then it is subject to the point of order. Much has been said about limitation, and the doctrine of limitation is sustained upon the proposition under the rule that, as Congress has the power to withhold every appropriation, it may withhold the appropriation upon limitations. Now, that is correct. But there is another rule, another phase of that question. If the limitation, whether it be affirmative or negative, operates to change the law or to enact new law in effect, then it is subject to the rule that prohibits legislation upon a general appropriation bill; and the Chair, in view of the fact that the amendment would impose upon the officials new duties as to purchasing canal supplies, has no difficulty in arriving at the conclusion that the instructions are subject to the point of order for the reasons stated."

Mr. John Sharp Williams, of Mississippi, having appealed from the decision of the Chair, the appeal was, on motion of Mr. Tawney, laid on the table—yeas 156, nays 69.

It seems to me, Mr. Chairman, that the reasoning of Mr. Speaker Cannon applies with full force to the question now before the Chair. So far as the principle involved is concerned the case then under consideration was more nearly on all fours with the present case than is usually to be found in precedents.

What are the provisions of this proposed paragraph? First:

"That none of the money appropriated by this act for the payment of jurors' fees in any of the courts shall be available or used



for that purpose unless the actual cost of the trial jury in each case first be ascertained and fixed by the court, and taxed as part of the costs and judgment rendered therefor against the defendant in a criminal case against whom a verdict of guilty has been rendered."

This is the first part of the paragraph only. Mr. Chairman, I believe that the Chair can not find otherwise than that in the form of a limitation this language imposes new duties upon the court. It certainly makes it impossible for this sum to be disbursed, or any part of it, until the court has performed certain new duties. It would be safe to assume that these duties are new because the court is here required to perform them. If it be otherwise, this paragraph would be futile and the committee would not bring it in here, because I am sure this great committee would not propose to do a futile thing. Reading further in the paragraph:

"Nor shall any money be available or used for that purpose until execution has been issued and a return of nulla bona thereon has been made by the proper officer. Neither shall any of the money appropriated by this act for the payment of jurors' fees be disbursed or used to pay any jurors' fees whatsoever unless the actual cost of the trial jury be ascertained and fixed by the court and taxed as costs and judgment rendered therefor against the defendant where either the United States or the District of Columbia is plaintiff and the defendant is unsuccessful in the suit."

Mr. Chairman, what is the effect of this language and of the entire proposed paragraph? It is very clear that the House has a perfect right to limit an appropriation to any particular class. Also that it may require any qualifications on the part of the beneficiary as a prerequisite to receiving it. If the paragraph provided that each person who receives any portion of this appropriation shall be able to turn a back handsping and to read the Koran backward and forward, we have, if we so desire, the right to make such a foolish requirement. This paragraph, however, does not confine itself to the qualifications of jurors or to limiting the payment of money to only those jurors having such qualifications. In effect the court is here required to do a considerable number of important things that at the present time it is not required to do. It is evident that it is not now required to do them, because if it were there would be no excuse for bringing in this provision. Therefore it seems to me, Mr. Chairman, that in construing this matter the Chair should take into consideration, as Mr. Speaker Cannon says, "what is the effect" of the proposed language. Considering it from this standpoint, it seems to me that the Chair will be constrained to come to the conclusion that the effect of this language and the inevitable effect will be to impose additional duties upon officials, and therefore "in effect" it changes existing law.

Mr. BLANTON. I agree with the gentleman from Connecticut. This paragraph does change existing law, and is therefore out of order, and it does not come within the Holman rule.

The CHAIRMAN. The Chair, realizing the importance of this ruling due to the precedent it may establish, has given no little thought to it. The Chair at the outset thanks the gentleman from Connecticut [Mr. TILSON] for his able argument and clear presentation of the case. The Chair is cognizant of a conflict of rulings in cases somewhat akin to this one, and realizes that in considering questions of limitations as in determining germaneness there is considerable latitude between what is clearly permissible and what is as clearly repugnant to the rule. The Chair feels that in traversing this twilight zone he is justified in leaning toward the side of conservatism in regard to admission of legislation on appropriation bills. In the last few years there has been a very perceptible increase in the amount of legislative provisions incorporated in bills reported by the Appropriations Committee. The growth of this practice, in the opinion of the Chair, is unwise and is not warranted by the rules or procedure of the House. The Chair is therefore constrained to take the view that we should restrict rather than enlarge the power of the Appropriations Committee in placing legislation upon appropriation bills. [Applause.] Approaching the point of order, the Chair will cite a number of precedents that bear on the subject of limitations, quoting from volume 4 of Hinds' Precedents:

"No. 3931. Legislation may not be proposed under the form of a limitation.

"No. 3976. The language of limitation prescribing the conditions under which the appropriation may be used may not be such as, when fairly construed, would change existing law.

"No. 3812. The enactment of positive law where none exists is construed as a 'provision changing existing law,' such as is forbidden in an appropriation bill.

"No. 3967. A limitation is negative in its nature and may not include positive enactments establishing the rules for executive officers.

"No. 3854. A proposition to establish affirmative directions for an executive officer constitutes legislation and is not in order on a general appropriation bill. Also a ruling of Chairman Towner, April 15, 1920.

"Chairman CRISP, March 11, 1916: Limitations must not impose new duties upon an executive officer.

"No. 3984. Where a proposition might be construed by the executive officer as a modification of a statute, it may not be held as such a limitation of appropriation as is permissible on a general appropriation bill.

"Chairman SAUNDERS, of Virginia, February 18, 1918: Limitations must not be coupled with legislation not directly instrumental as affecting a reduction."

In section 3935, page 629, of Hinds' Precedents, volume 4, is a ruling by Speaker Cannon, which has been referred to and which the Chair feels covers the point under consideration. The language is clear and specific, and in view of Mr. Cannon's approaching retirement from Congress after a long and distinguished career, the Chair is glad to refer to it in this instance:

"The merits of the proposition are not involved in the point of order. What is the object of the motion and of the instruction? If it does not change existing law, then it is not necessary. If it does change existing law, then it is subject to the point of order. Much has been said about limitation; and the doctrine of limitation is sustained upon the proposition under the rule that, as Congress has the power to withhold every appropriation, it may withhold the appropriation upon limitation. Now, that is correct. But there is another rule, another phase of that question. If the limitation, whether it be affirmative or negative, operates to change the law or to enact new law in effect, then it is subject to the rule that prohibits legislation upon a general appropriation bill; and the Chair, in view of the fact that the amendment would impose upon officials new duties as to purchasing canal supplies, has no difficulty in arriving at the conclusion that the instructions are subject to the point of order for the reasons stated."

The use of the word "unless" in several places in the proviso seems to the Chair to imply—yes, to assert—that certain things must be done before the appropriation becomes available. This is a direction to officers and imposes new duties upon them, which is repugnant to the rule. It also involves a change of law under the guise of a limitation, which is repugnant to the rule. The Chair feels that too much latitude has been given to the use of limitations and that the practice of resorting to this method of securing, in an indirect way, legislation on appropriation bills has been abused and extended beyond the intention of the rule. The Chair therefore sustains the point of order.

Mr. BLANTON. Mr. Chairman, the foregoing decisions and precedents are absolutely controlling in favor of my point of order, it seems to me. What could be more controlling? If this point of order is not sustained, then no value whatever is to be attached to precedents most recently established by decisions of the Chair and decisions of the Committee of the Whole House on the state of the Union.

I realize full well that unless this provision can be stricken from the bill by point of order it will be impossible to strike it out by amendment, for this is a provision that is demanded by the union employees in our navy yards to prevent any supervision by the Government over them while they are at work. And any Member who votes against them will be "marked for slaughter," as I have been in the past. And I can hardly blame my colleagues for seeking the path of least resistance.

The former Assistant Secretary of the Navy testified that since Congress has been placing this ridiculous provision in our Army and Navy bills each year, preventing the Government from exercising supervision over its thousands of employees in its navy yards and arsenals, it has been impossible to secure more than 67 per cent of efficiency from the employees.

Let me ask my colleagues whether, if this were their private business enterprise, how long would they last if they were prevented from exercising any supervision over their employees? I submit the question.

The CHAIRMAN. The Chair is ready to rule. The Chair regrets very much that he has to rule on this proposition. As the Chair understands it, the rule is that where a matter of this kind has been decided by a Speaker of the House it sets a ruling precedent. Where it has been decided by a Chairman of the Committee of the Whole it does not set such a precedent, and this decision need not be followed by succeeding chairmen of the committee. This point has never been passed upon by a Speaker of this House. Therefore, we have no guide here. I hope some one in the near future acting as Speaker of the House will determine this matter. Thus far we must be guided simply by the ideas of the one who happens to be acting as presiding officer of the Committee of the Whole. Let me trace the history of this amendment for just a moment. The first time the present occupant of the chair can find that this amendment was ever passed upon was during the Sixty-third Congress,

in the third session, when the gentleman from Tennessee [Mr. GARRETT] was in the chair.

An amendment was offered exactly like this, a stop-watch provision, and a point of order was made against it. Mr. Mann, of Illinois, an able parliamentarian, was one of those who argued for the amendment, that it was not legislation upon an appropriation bill, and among other things made the following comment. Mr. Buchanan, of Illinois, was discussing the matter and Mr. Mann interjected with this remark:

Will my colleague yield? He has probably seen the amendment before. I have only heard it read. But as I heard the amendment read, if I got it rightly, it does not require anybody to do anything.

Mr. BUCHANAN of Illinois. No.

Mr. MANN. But only requires that the appropriation shall not be made if something is done?

Mr. BUCHANAN of Illinois. That is it.

Mr. MANN. It does not require positive action. It is not a change of law. It only says that the appropriation shall not be available if they do something, which they now have the privilege of not doing.

Mr. Hay had made the point of order, and soon afterwards he withdrew his point of order after this discussion, and the matter proceeded to a vote upon the amendment. The Chairman of the committee did not have to rule upon it.

Afterwards, in the Sixty-fifth Congress, second session, the gentleman from Tennessee, Mr. GARRETT, was again in the chair, and the same amendment came up. On that occasion the Chair ruled after the point of order had been made:

The Chair will rule. The Chair is necessarily bound by the precedents, and the precedent just quoted is binding. The Chair overrules the point of order.

Again, in the Sixty-fifth Congress, in the third session, the gentleman from Virginia, Mr. Saunders, a very able parliamentarian and a man whom all who served with regarded very highly, was required to rule upon this same amendment. The point of order was made by the gentleman from New Jersey, Mr. Parker. Mr. Saunders, without discussing it at all, said:

The point of order is overruled.

Again, in the Sixty-sixth Congress, at the second session, the same amendment was before the House. The gentleman from Illinois, Mr. Mann, was in the chair. The point of order was made by the gentleman from Texas [Mr. BLACK]. Mr. Mann said:

The Chair overrules the point of order.

Again, in the Sixty-seventh Congress, at the second session, the gentleman from Ohio [Mr. LONGWORTH] was in the chair, and this same amendment was before the House. The point of order was made against it. Mr. LONGWORTH said:

The Chair is ready to rule. Whatever the opinion of the Chair may have been if this were being brought up for the first time, he feels bound by the precedents and practices in ruling upon this and similar amendments. The Chair overrules the point of order.

On another occasion in the Sixty-sixth Congress, at the third session, the gentleman from Connecticut [Mr. TILSON] was in the chair. This amendment was before the House. The point of order was made, and this is what the Chairman said:

Regardless of what the present occupant of the chair may think of the wisdom of this amendment, it is his duty as Chairman of the Committee of the Whole House on the state of the Union, to rule in accordance with the rules of the House, and the best precedents made in accordance with the rules of this House. This identical amendment has been offered numerous times and ruled upon by numerous able Chairmen who have filled the chair before, and on all occasions uniformly, so far as the present occupant of the chair now recalls, it has been held that it is a limitation on the appropriations made in the act. Therefore, the Chair overrules the point of order.

Following that, as suggested by the gentleman from Texas [Mr. BLANTON], the gentleman from Connecticut being again in the chair on January 18, 1923, held as the gentleman has suggested.

The Chair has the greatest admiration and respect for the opinion of the gentleman from Connecticut [Mr. TILSON]. The Chair knows of no man in this House who stands higher in his estimation than does the gentleman from Connecticut, and in saying what the Chair has to say about this, he does not want to be understood by the committee as reflecting in any way upon the ability or opinion of the gentleman from Connecticut. It is simply a question where Chairmen look at things from a different standpoint. The present occupant of

the chair looks at it from the standpoint that this amendment is a proper amendment and a proper limitation. Here is an amendment that provides that no part of this money can be used for the purpose of paying the salaries of officers who make time studies in arsenals and navy yards. Suppose the amendment had read that no part of the funds appropriated by this act shall be used in making time studies?

Does anyone contend that would not be a proper limitation? Congress has the right to say whether it shall be used for that purpose or not. Now go a step further and say that no part shall be used for paying the time of the men who make such time studies. The Chair thinks that is a limitation. Following this long line of authorities by able Chairmen, without any attempt to reflect upon anyone who has ruled differently, the Chair overrules the point of order.

Mr. BLANTON. Mr. Chairman, in view of the fact that the committee itself sustained the gentleman from Connecticut by a vote of 3 to 1, I respectfully appeal from the decision of the Chair.

The CHAIRMAN. The gentleman from Texas appeals from the decision of the Chair.

Mr. BEGG. Mr. Chairman, I move to lay that appeal on the table.

Mr. BLANTON. I make a point of order that can not be done in the committee.

The CHAIRMAN. That is correct. The Chair does not care to pass on this appeal.

Mr. GARRETT of Tennessee. Mr. Chairman, I do not think there will be any complaint on that score.

The CHAIRMAN. The question is, Shall the decision of the Chair stand as the decision of the committee?

The committee divided; and there were—ayes 79; noes 1.

So the decision of the Chair was sustained.

Mr. HOWARD of Nebraska. Mr. Chairman, I desire to offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. HOWARD of Nebraska: Page 48, line 24, after the word "otherwise," insert: "Provided further, That no part of the money appropriated by this act shall be expended for the maintenance or operation of any gunboat on patrol duty on any river in China."

Mr. HOWARD of Nebraska. I do not care to discuss it.

Mr. FRENCH. Mr. Chairman, I make the point of order against the amendment that it is not germane. [Cries of "Vote!"]

The CHAIRMAN. Does the gentleman from Idaho withdraw the point of order?

Mr. FRENCH. I withdraw the point of order.

The question was taken, and the amendment was rejected.

Mr. BLANTON. Mr. Chairman, I ask leave to revise and extend my remarks made on the point of order.

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

Mr. FRENCH. Mr. Chairman, I ask that all debate on the paragraph do close within five minutes.

The CHAIRMAN. The gentleman from Idaho asks unanimous consent that all debate on this paragraph and all amendments thereto close in five minutes.

Mr. TAYLOR of West Virginia. Mr. Chairman, reserving the right to object, if I can get a couple of minutes of that time.

Mr. FRENCH. In seven minutes.

The CHAIRMAN. The gentleman from Idaho modifies the request that all debate on this amendment close in seven minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. HULL of Iowa. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 48, line 19, at the end of the line insert "repairs." Line 21, after the word "proposed" insert "repairs, purchase or." Line 23, after the word "permit" strike out the balance of the line and insert in lieu thereof the words "at the actual expenditure of."

Mr. HULL of Iowa. Mr. Chairman and gentlemen of the committee, this amendment is simply to clarify the language in the paragraph. We are all very anxious to do away with war. There is one way, and most people believe it would be a most effective way, to lessen the probability of war and that is to do away with profiteering in war times, and I submit to this committee that you can not do away with the profiteering in war times if you can not do away with profiteering in peacetime preparedness. This Congress can at any time stop the



## EXTENSION OF REMARKS.

Mr. MINAHAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record by inserting an address delivered by Hon. Joseph P. Tumulty, at Orange, N. J., on March 17, 1924, on Woodrow Wilson and the League of Nations.

The SPEAKER pro tempore. The gentleman from New Jersey asks unanimous consent to extend his remarks in the Record by inserting an address by Hon. Joseph P. Tumulty on Woodrow Wilson and the League of Nations. Is there objection?

Mr. BEGG. Reserving the right to object, Mr. Speaker, what is the speech about?

Mr. MINAHAN. It is a speech delivered by Mr. Tumulty at Orange, N. J., on March 17, on Woodrow Wilson and the League of Nations.

Mr. BEGG. I object.

The SPEAKER pro tempore. Objection is heard.

Mr. KVALE. Mr. Speaker, I ask unanimous consent that all Members may have the privilege of extending their remarks on the adjusted compensation bill.

Mr. BEGG. I object.

The SPEAKER pro tempore. Objection is heard.

Mr. TAGUE. Mr. Speaker, I ask unanimous consent to extend my remarks on the pending bill—the naval appropriation bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. CONNALLY of Texas. Mr. Speaker, I make the same request.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. HOWARD of Nebraska. Mr. Speaker, reserving the right to object, let me ask the gentleman if he will not kindly incorporate with that request a request for unanimous consent that we may also have an opportunity to extend our remarks in the Record on the subject of adjusted compensation?

Mr. BEGG. I did not make any request.

Mr. BLANTON. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. BEGG] be granted leave to extend his remarks in the Record on the adjusted compensation bill.

Mr. BEGG. I object.

The SPEAKER pro tempore. Objection is heard.

## RECESS.

Mr. BEGG. Mr. Speaker, I move that the House stand in recess until 8 o'clock p. m., on the order of the House itself, upon the motion made by the gentleman from Ohio [Mr. LONGWORTH] as of yesterday.

The SPEAKER pro tempore. Without objection, the Chair designates the gentleman from Iowa [Mr. DOWELL] as Speaker pro tempore, to preside at this evening's session.

There was no objection.

The SPEAKER pro tempore. Does the gentleman from Ohio ask unanimous consent that the House stand in recess until 8 o'clock p. m.?

Mr. BEGG. Yes.

The SPEAKER pro tempore. The gentleman from Ohio [Mr. BEGG] asks unanimous consent that the House stand in recess until 8 o'clock p. m.

Mr. BLANTON. Mr. Speaker, I make the point of order that that is the automatic order.

Mr. BEGG. There is no hour.

The SPEAKER pro tempore. It does not so appear in the Record. Is there objection to the request of the gentleman from Ohio that the House stand in recess until 8 o'clock p. m.?

There was no objection.

Accordingly (at 6 o'clock and 16 minutes p. m.) the House stood in recess until 8 o'clock p. m.

## EVENING SESSION.

The recess having expired at 8 o'clock p. m., the House was called to order by the Speaker pro tempore, Mr. DOWELL.

## THE PRIVATE CALENDAR.

Mr. EDMONDS. Mr. Speaker, I believe to-night was set aside for the consideration of unobjected-to bills on the Private Calendar. I ask unanimous consent that they be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the first bill on the Private Calendar.

## ISAAC JACK, A SENECA INDIAN.

The first bill on the Private Calendar was the bill (H. R. 1629) authorizing the removal of the restrictions from 40 acres of the allotment of Isaac Jack, a Seneca Indian, and for other purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.*, That the restrictions upon the northeast quarter of the southeast quarter of section 21, township 25 north, range 24 east of the Indian meridian, in Oklahoma, which is land heretofore allotted to Isaac Jack, Seneca allottee No. 264, are hereby removed, and the Secretary of the Interior is hereby authorized and directed to cause to be issued to said Isaac Jack a patent in fee simple for said described land.

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

## COMPENSATION TO THREE COMANCHE INDIANS OF THE KIOWA RESERVATION.

The next business on the Private Calendar was the bill (H. R. 2881) to compensate three Comanche Indians of the Kiowa Reservation.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to pay, out of the Apache, Kiowa, and Comanche 4 per cent fund, into the individual bank accounts of Nehio or Len Parker, Comanche allottee No. 721, \$2,150; Arrushe, Comanche allottee No. 1081, \$2,300; and Neho, Comanche allottee No. 2322, \$1,550; for lands erroneously allotted to them in the Chickasaw Nation, Okla., and for which they are unable to obtain title.

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

## LUKE RATIGAN.

The next bill on the Private Calendar was the bill (H. R. 1475) for the relief of Luke Ratigan.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BLANTON. Mr. Speaker, I ask that it be reported.

The SPEAKER pro tempore. The Clerk will read the bill.

The Clerk read the bill, as follows:

## FOR THE RELIEF OF LUKE RATIGAN.

Whereas Luke Ratigan, of San Francisco, Calif., was employed in the United States Revenue Cutter Service as fireman for a period of over 25 years; and

Whereas the said Luke Ratigan, while in the discharge of his duty in said service and in the saving of human life, received physical injuries which compelled him to relinquish the position of a petty officer, to which he had just been promoted, and continue in the United States Revenue Cutter Service at the lower rating; and

Whereas by act of Congress approved January 28, 1915, the Revenue Cutter Service and the Life Saving Service were combined as the Coast Guard: Therefore

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to place the name of Luke Ratigan on the retired list of the Coast Guard as an oiler, first class, retired, at the rate of pay he would be entitled to receive had he held the rating of oiler, first class, when retired.

With the following committee amendment:

Strike out the preamble on page 1.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BLANTON. Reserving the right to object, may I ask my colleague from Texas, who is on this committee, why it is not sufficient for this man to get his rights in another way?

Mr. LEA of California. If the gentleman will permit—

Mr. BLANTON. Would the gentleman mind making a short statement about this case?

Mr. LEA of California. Luke Ratigan was for 27 years in the service of the Coast Guard. He received a physical injury in line of duty from which he never recovered. He remained on the rolls—



Mr. BLANTON. Mr. Speaker, reserving the right to object, I have noticed in every appropriation bill that we have passed thus far an increase in authorization for automobiles. It is getting so that almost every employee of the Government demands of Congress an automobile in connection with his service. I do not think that ought to be continued. It is a question of policy. If we allow this bill for these two automobiles we would have to allow one to every field agent who serves the Government. If these disbursing agents find out that we are going to pay them for going beyond the law, what is to keep other disbursing agents from doing likewise and furnishing machines when the law does not authorize it? I feel constrained to object.

Mr. THOMAS of Oklahoma. Mr. Speaker, will the gentleman withhold his objection for a moment?

Mr. BLANTON. Certainly.

Mr. THOMAS of Oklahoma. Mr. Speaker, the two items in this bill are based on a technicality. The Bureau of Mines during the war was authorized to investigate the production of helium gas.

The bureau assigned two of its members to this investigation. In making the investigation down about Fort Worth, Tex., it became necessary to use some automobiles. These two men were unable to procure Ford trucks or trucks of any character and they did employ some Ford automobile passenger cars and I think a Hudson passenger car. They went ahead and made the investigations and spent some money in buying gasoline and repairs for these cars. Later on when the items were to be checked up by the comptroller it was found that they had actually used passenger cars instead of freight cars or trucks, and the comptroller held that he could not pay the expenses of these passenger-carrying vehicles, because the law allowed him to O. K. bills for only freight-carrying cars. It is a technicality. They did the work, but they used these passenger cars. The comptroller is holding these two men responsible for this account. It is a matter of bookkeeping. They did not buy any cars. These items are simply for gasoline and repairs, and, as I stated before, it is a mere technicality. I trust the gentleman from Texas will not insist upon his objection.

Mr. BLANTON. What is the significance of this trip which was begun September 9, set forth on page 5 of the report, from Haskell, N. Y., and on down through Pennsylvania and Ohio, and winding up at Wellston, Ohio, on October 9, then on through West Virginia, back to Ohio and Indiana, and so on, down to St. Louis on November 5?

Mr. THOMAS of Oklahoma. These men were assigned to this work by the Bureau of Mines.

Mr. BLANTON. And they knew they were not entitled to automobiles. They were getting salaries, they were getting field allowances, they were getting subsistence allowances. They were not entitled to automobiles.

Mr. THOMAS of Oklahoma. They were investigating the production of helium gas and exploring gas fields to see whether or not the gas in those fields would make helium gas.

And replying further to the gentleman from Texas, I will say this, that if this was a Ford truck or any other truck there would be no question about it, but by using passenger-carrying vehicles because they could not get trucks, it caused the comptroller to hold up this claim.

Mr. BLANTON. I want to say to our distinguished friend from Oklahoma who did not know that peyote was made from the cactus—

Mr. THOMAS of Oklahoma. I knew that; but the gentleman from Texas, living in a peyote field, did not know it. [Laughter.]

Mr. BLANTON. No; it was just the reverse. I want to say to him that I happen to know more about Petrolia, Tex., than he does. There is a boulevard running from Fort Worth, Tex., to Petrolia where these men were then operating and there were jitney cars running back and forth almost every hour and they could have used them if they had wanted to do so.

Mr. UNDERHILL. Do these jitneys take freight?

Mr. BLANTON. They take anything that will go in a jitney.

Mr. UNDERHILL. I never saw one that would.

Mr. BLANTON. Well, the gentleman has not had much experience with jitneys in Massachusetts. He usually rides in a limousine.

Mr. UNDERHILL. Oh, no.

Mr. BLANTON. Mr. Speaker, it is just one continual encroachment upon the Government after another. I hate to object to these matters. I know the attitude it places me in. I can see about five or six Members here who have no bills on the calendar. There are but five or six who have not bills on the calendar. Every other man has a bill on this calendar; and he can not object to any of them, because he knows if he

did everybody else would object to his, and therefore it puts the work of objecting on the four or five here to make these objections. I realize that, and that it inculcates a somewhat unfriendly feeling from authors of bills when I object. But these bills ought to stop. My colleague from Texas [Mr. BLACK] this afternoon tried to stop the granting of some of the automobiles but could not do it. I hate to object, but I do object. The SPEAKER pro tempore. Objection is heard.

ELIZABETH THORNTON, FOSTER MOTHER OF EDWARD SHORT.

The next business on the Private Calendar was the bill (H. R. 3386) authorizing the Secretary of the Treasury to pay war-risk insurance to Elizabeth Thornton, foster mother of Edward Short.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. WINGO. Mr. Speaker, reserving the right to object, I would like to know about the merits of this bill.

Mr. BULWINKLE. I would be glad to tell the gentleman. Elizabeth Thornton and her husband live in Chicago. Years ago they adopted into their family a foundling boy. They cared for him and they educated him. The war came on and the boy enlisted. He took out Government insurance, and, not having any next of kin, he made the insurance payable to himself. He was killed in France.

Mr. WINGO. It is just a question, then, of a foster parent where there had not been a legal adoption?

Mr. BULWINKLE. That is the only question. General Hines does not object.

Mr. WINGO. I do not object.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Elizabeth Thornton, foster mother of Edward Short, formerly a member of Company B, One hundred and thirty-second Regiment United States Infantry, the sum of \$10,000 in 240 installments, the first payment to commence as of the date of the death of the said Edward Short, as is provided in the war risk insurance act, and upon the death of the said Elizabeth Thornton all payments shall cease.

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

CANCELLATION OF ALLOTMENT OF LAND MADE TO MARY CRANE, ETC.

The next business on the Private Calendar was the bill (H. R. 3800) to cancel an allotment of land made to Mary Crane or Ho-tah-kah-win-kaw, a deceased Indian, embracing land within the Winnebago Indian Reservation, in Nebraska.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. WINGO. Mr. Speaker, reserving the right to object, what are the merits of this bill?

Mr. SNYDER. I will say to the gentleman that the merits are these: This is an old Indian woman who died a number of years ago. She had no heirs, and under the law, after a search for heirs, the property or interest can be turned back into the funds of the tribe. That is what this proposition does here.

Mr. WINGO. The effect of it would be practically to make the tribe the heir of this old woman?

Mr. SNYDER. Yes; and there is another bill following of the same identical nature.

Mr. HASTINGS. I desire to say that while this bill is being considered, the one following is of exactly the same nature.

Mr. WINGO. Then the legal effect of her leaving no heirs would be that the property goes to the tribe?

Mr. SNYDER. We passed a law which gave the right to do this after a search by the Secretary of the Interior, and the two bills following are exactly the same.

Mr. HOWARD of Nebraska. Mr. Speaker, this bill was presented by me, and I suppose it is taken for granted I know something about it. I never had any acquaintance with Ho-tah-kah-win-kaw during her lifetime, but I have conversed with members of my committee, and I rely upon their knowledge of the situation.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized to cancel the restricted fee patent issued to Mary Crane, or Ho-tah-kah-win-kaw, deceased Winnebago allottee No. 43 on



that he was struck by an automobile, but is there not reasonable ground to doubt that the death was due to the accident?

Mr. BOX. The committee found, and the gentlemen on the subcommittee especially considering the case found, that by a very clear preponderance of evidence the facts show that the deceased was in the best kind of health and worked 215 days in a year and was earning over \$200 a month, living and working out of doors.

He had had some years before some symptoms of tuberculosis; those symptoms had been arrested, and the man had continued for some years working, as has been stated. He received this injury, an injury in the chest, a broken leg, and other injuries. He was then confined in a hospital for some time, languished there, was shut in, became debilitated, and lost the fine health he had enjoyed before, and the man died. The tuberculosis developed some months after his injury and after he had been confined in the hospital in a debilitated condition.

Mr. BEGG. The gentleman has practically stated what is in the report, which I have gone over carefully, I think. Will the gentleman answer this question, or is he in a position to answer it? Was the attention of the Committee on Claims, or whoever introduced this bill, called to this particular thing by some lawyer, some claim attorney, or was it by the widow?

Mr. MOORE of Virginia. Let me answer that. The matter was brought to my attention soon after I came to Congress by the widow of this man. I had not known him, and I only know she is a very excellent woman—an old woman who lives in this neighborhood.

Mr. BEGG. Does the gentleman know whether any attorney is going to collect a fee out of this if it is granted?

Mr. MOORE of Virginia. I do not know who the attorney is, but I see the report limits the amount of any charge that an attorney may make.

Mr. BEGG. I would like to ask the gentleman who is responsible for this bill whether he would be willing to accept an amendment which has to do with the amount of money that an attorney may collect?

Mr. BOX. Will the gentleman read the amendment proposed in the bill?

Mr. BEGG. I have it right before me, and under that amendment a man can violate the provisions of a bill, pay the fine of \$1, and get off with it.

Mr. BOX. What amendment would the gentleman propose?

Mr. BEGG. An amendment striking out "exceeding \$1,000" and substituting "not less than \$300 nor more than \$2,000."

Mr. BOX. That amendment is acceptable.

Mr. CRAMTON. Before we get too far on that I would like to call attention to another amendment that is probably more important.

Mr. BLANTON. And I want to call attention to something that is even more important than that, which will dispose of the bill without amendment.

Mr. CRAMTON. What I have read of the report leads me to the conclusion that we ought not to consider anywhere near as large an amount of money under the conditions in this case. I do not know just what rules the Committee on Claims has in fixing the value of human life or the amount that the Government should pay.

Mr. UNDERHILL. Will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. UNDERHILL. I think it is just as well that the House should know in the beginning that the Committee on Claims has adopted the general proposition—and I do not think we deviated from it last session nor do we propose to deviate from it this session—of referring all claims for personal injuries to the Workmen's Compensation Commission which carries on the business of insuring Government employees. We take the table of rates, the actuary's table of rates, the rates laid down for injuries to Government employees, and apply them to private citizens or citizens in private life who are injured through the negligence of Government employees.

Mr. CRAMTON. As I understand the gentleman, the committee does not really refer the matter to the commission, but the committee takes the commission's table of rates and tries to figure them out itself, and I am afraid the committee does not know how to handle the table of rates.

Mr. UNDERHILL. There has not been a case that the committee has figured out; every case has been referred to the commission.

Mr. CRAMTON. Then I want to suggest it would be very interesting if the report of the commission could be carried in the committee's report.

Mr. BLANTON. I am going to object.

Mr. CRAMTON. Will the gentleman defer that for a moment, because I should like to bring this to the attention of the committee?

Mr. BLANTON. I think when I call the gentleman's attention to some facts about this bill, he will not want it to go through.

Mr. CRAMTON. Just a minute. This applies to the program of the committee generally. I have in my hand H. R. 3504, which we come to later on the calendar and in which I have not the slightest interest personally; but it proposes to give for a man \$3,000 who had been some 30 years in the Government service, an assistant engineer, who was killed without any fault on his part and in the line of duty, when he was in health and between 50 and 60 years of age, with a wife and several children, while in this case a man who was 60 years of age, who was a private citizen, was tubercular, and who was partly at fault, as the Judge Advocate General of the Army holds, is to receive \$5,000, according to the proposal of the committee; so it would seem to me something went wrong with that table of logarithms.

Mr. UNDERHILL. The table of rates of the Workmen's Compensation Commission allows \$5,000 for death, but when a Member of the House introduces a bill asking for \$3,000 it is not within the province of this committee to raise it \$2,000.

Mr. CRAMTON. Yes; I think it is in the province of the committee, when they are sitting as a court of equity, to do equity regardless of some underestimation of a Member of Congress as to the generosity of the committee.

Mr. BULWINKLE. Will the gentleman yield?

Mr. BLANTON. Mr. Speaker, I reserve the right to object, to make a statement. There are two big principles and policies involved in this bill. Until five years ago, when the distinguished gentleman from Pennsylvania [Mr. Edmonds] became chairman, and until our friend from Massachusetts [Mr. Underhill] became a member and brought new policies into the Committee on Claims, this Government did not pay losses by reason of torts committed by employees of this Government. There is not a lawyer in this House who will get up and contend that there is any law that makes the Government responsible for a tort.

Mr. BEGG. Will the gentleman yield?

Mr. BLANTON. In a moment. So this is merely a gratuity. There are cases galore in the records of the Congress where Government employees have caused the death of individuals under the most extreme circumstances of gross negligence and not a dollar of damages has been paid. I want to call attention to the three cases that came from San Antonio, well-known cases, that were pending before this House for years and pending from the district of my colleague from Texas [Mr. Wurzbach]; and Congress after Congress turned them down. I want to call attention to the cases from Houston, Tex., in the district of the gentleman from Texas [Mr. Garret], where a bunch of colored soldiers became drunk and ran rampant and went up and down the streets of Houston with bayonets and rifles and shot people down like they were dogs and stuck their bayonets into the stomachs of little girls and women and killed a number of them and wounded many. About 30 of them were convicted for those crimes, but not a dollar has been paid to any of those individual victims or to the relatives of the ones thus murdered, and not a bill is on this calendar to pay one of them.

Mr. UNDERHILL. Will the gentleman yield?

Mr. BLANTON. Yes.

Mr. UNDERHILL. Do you think that is right and is justice on the part of the Government and Congress?

Mr. BLANTON. No; but the Government ought to pay them all and ought not to wait until a man gets hurt here on the streets of Washington, in front of the Bureau of Engraving and Printing, when Adjutant General Crowder in his report says that the man hurt was guilty of contributory negligence, if you please, and then pay him. General Crowder says the man who ran over this party was guilty of no negligence at all, but that the man who was hurt was guilty of contributory negligence, and he holds that the Government is not responsible at all.

Mr. BOX. Will the gentleman yield?

Mr. BLANTON. Certainly.

Mr. BOX. Mr. Chairman, we do not arrive at justice between parties in cases like this in a court or in a deliberative assembly where we are trying to find out the right of cases by allowing an injustice that has occurred in other cases or may have occurred in other cases to defeat justice in this case. The facts in this case are that a hale, productive, vigorous, active man—it is true he was 60 years old—earning \$2,000 a year—



Mr. BLANTON. I am willing to pay them if you will pay them all.

Mr. BOX. This committee can not pay them all at one time. We are trying to do the right thing, case by case.

Mr. BLANTON. None of these cases are from my district.

Mr. BULWINKLE. How can we do what you suggest when there is no bill pending?

Mr. WINGO. Will the gentleman yield?

Mr. BLANTON. Certainly.

Mr. BOX. Mr. Chairman, if I may be allowed—

Mr. BLANTON. I will yield first to the gentleman from Arkansas.

Mr. WINGO. Let me suggest this to my friend from Texas: Assuming that what the gentleman says is true, and it is true, we ought to pay them all. The Government only a few years ago adopted what I think is a correct rule. The gentleman says there is not any law—

Mr. BLANTON. There is a moral law, of course.

Mr. WINGO. I want to suggest this, and I am trying to appeal to what I think the gentleman really has back of the objection he has made: There is a higher law than any mere statute, and I feel sure that the gentleman feels, as I have felt many times, that it is a disgrace for a great and powerful and wealthy Government to escape a liability that any citizen or corporation in the land would have to meet in the courts of the country for the same acts.

These people are dependent solely upon the conscience of Congress to meet the obligations of that moral law. I think the cases cited from Texas are an outrage, but because we have failed to do justice in those cases shall we deny justice in this case? And if the gentleman representing the districts in which these unfortunate victims or their relatives live will introduce bills asking for relief, I am sure that upon a proper showing of facts this House will grant relief.

Mr. UNDERHILL. Will the gentleman yield?

Mr. WINGO. But let us at least respond in this small measure to this old woman who has lost her husband and helpmate through no negligence of his own, but because, forsooth, a driver, who sounds no horn, running recklessly, as we know they do—

Mr. BOX. He did not know he had hit him until he had dragged his victim 50 feet.

Mr. WINGO. Oh, my God; can not a great Government meet its moral obligations when it knows the same facts would cause any jury in the land to make any private corporation respond in damages to the extent of more than any \$5,000? I beg the gentleman not to object.

Mr. BLANTON. Mr. Chairman, I agree with what the gentleman from Arkansas has said, but I want this House to consider this as a precedent for the cases I have mentioned and at least 20 others in other States that I had cognizance of when I was on this committee. I am going to help my colleagues from those districts to get these bills before this committee next week, and I want to see them here the next time we take up the private calendar.

Mr. UNDERHILL. If the gentleman will yield, I reported in the Claims Committee one of the bills the gentleman refers to with a favorable report.

Mr. BLANTON. Good; I withdraw my objection.

Mr. CRAMTON. Mr. Speaker, reserving the right to object, I know that an appeal such as just has been made by the gentleman from Arkansas [Mr. Wingo] is very affecting. It is always fine to think that we can pay liberally with other people's money, but I want to read you a little from the report, because I am not going to permit my feelings to be run away with here and establish precedents and put unnecessary burdens on the Treasury. The report of the Acting Secretary of War says:

In connection with the case of relief for Mrs. Fannie M. Higgins, the attached papers indicate very clearly that Mr. Higgins was partially responsible for the accident—

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

Mr. CRAMTON. Yes.

Mr. BOX. I want to ask the gentleman as a lawyer if he is going to conclude adversely to this claimant on conclusions reached by an official in the office, on a few official reports presented to him by men who must protect themselves from imputation of wrong, as against an array of facts not presented by any counsel for the claimant, but carefully examined and considered by the committee?

Mr. CRAMTON. The gentleman's question has not anything whatever to do with this case that I can see, with all due respect. In the first place the Acting Secretary of War has

nothing to defend himself against. He is not responsible, and if the Congress does not see fit to follow the recommendations of the departments charged with responsibility in matters pertaining to administration, we should certainly have a very clear showing of facts to justify our overruling the report. As I tried to call to the attention of gentlemen, the facts in this case are against the gentleman's contention. The finding of the court that was convened in the Army was to the effect that the deceased, who did not die for a number of months and then died of tuberculosis, was at fault, that the driver was not at fault.

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

Mr. CRAMTON. I am going to insist that I be permitted to make a connected statement.

Mr. BOX. I wanted to ask—

Mr. CRAMTON. Well, just wait until I have made a statement, and then the gentleman may not have to ask me so much. And I want to be courteous. The finding of the court was that the deceased was at fault and that the driver of the car was not at fault, but the officer who reviewed the finding, General Crowder, said:

The board has found these facts and has concluded that Private Roundtree was not at fault, and that Mr. Higgins was at fault but recommends that "if there are funds available Mr. Higgins be reimbursed for expenses incurred for medical attendance and for wages lost on account of accident, provided the said charges are reasonable." In the finding that Mr. Higgins was negligent in crossing the street in the manner he did, and having seen the approaching auto, took no further notice of it but proceeded across the street, this office concurs. In the finding that Private Roundtree was not negligent this office does not concur. The weather and existing circumstances at the time the accident occurred—that is, the darkness, rain obscuring the wind shield, and the light from the approaching street car blinding him—put upon Roundtree, an experienced driver, the burden of exercising extreme care, which, from all the facts stated in the papers, he did not do.

Further, the driver of the bread wagon, who was an impartial witness, does not corroborate the story of the claimant as to the degree of negligence on the part of the driver. He is about the only impartial witness there was.

The Adjutant General indorses the idea that there was negligence but suggests that there be some recompense. I have no objection to that. I think it is fair to make some recompense, but with this showing, that this man did have tuberculosis, that he died of tuberculosis—

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

Mr. CRAMTON. I object to such a large finding as the committee makes.

The SPEAKER pro tempore. The regular order is demanded. Is there objection?

Mr. BOX. I want an opportunity to make a statement.

Mr. BLANTON. I withdraw the demand for the regular order.

Mr. BOX. That is, when the gentleman from Michigan gets through.

Mr. CRAMTON. I want to suggest to the gentleman, if it is agreeable, that there be a reduction in the sum, but the amount of \$5,000 is out of proportion in view of the circumstances of the case.

Mr. BOX. Would the gentleman permit a statement as to the facts after they were found on thorough investigation of all of the facts?

Mr. CRAMTON. I have read the report.

Mr. BOX. The committee can not report all of the evidence, the gentleman understands. The gentleman also understands that the committee that investigates these cases tries to approach them without partiality, guided by as strong a desire to protect the Public Treasury as our colleagues and Members of the House are guided by. The facts in this case are that the deceased was a man earning \$2,000 a year, in fine health, contributing what he earned to the welfare of his aged wife, working 315 or 320 days of the year, putting in overtime. He had had tuberculosis in a very incipient stage, years before, it is true. That was wholly arrested and he was a strong, hale man. He was going to his work that morning before good light. He started across Fourteenth Street, going west. As he stepped into the street he looked to his left. Some distance down the street to his left he saw the light of an approaching automobile. He went on across the path of that automobile and reached a place of safety in the street, out of its path. The automobile proceeded on up its way behind him, just as they do up the street after the gentleman crosses, every time he crosses it. While he was standing by or between the street car tracks to take a street car, to carry him to his work, another vehicle

drove into a street nearby, perhaps the one that he had come out of and suddenly appeared near the driver of the automobile that had injured him.

Mr. EDMONDS rose.

Mr. BOX. If the gentleman will just wait a moment, I want to state the facts as we obtained them from a large number of affidavits after very careful inquiry. Then I shall be glad to yield, if I have the time. Then the automobile driven by Private Rountree, the morning being dark and foggy, he keeping no lookout, sounding no horn, suddenly turned to the left out of its path. The deceased had gotten out of the place of danger where he would have been if he had stopped in front of the approaching automobile. As he stood there ready to catch the car coming down his way, the man driving the machine who was coming up the street, keeping no lookout, driving fast, suddenly turned out of his course to the left and struck him and dragged him 40 or 50 feet, ran over him and broke his leg and mangled him.

And your committee is no more anxious to help this particular man than anybody else, just merely trying to do the right thing, and your committee has no doubt that the man was injured without any fault on his part, notwithstanding any conclusion that might have been reached up in the office, and that it caused that man's death. It is part of the history of tuberculosis that a man of good constitution by living out of doors, as the doctors say this man did, working outside, taking exercise and taking care of himself, the man had the promise of a long and productive life. I yield to the gentleman from Ohio [Mr. BEGG].

Mr. BEGG. Referring back to where he was waiting for the street car, is it not a fact now—I shall not object to the bill but I think it well enough to get it in the Record—is it not a fact that the man was not where he should be for the purpose of mounting the street car, and is it not a further fact that the driver of any automobile had the right to expect a clear passage and no obstruction other than one with a light on it?

Mr. BOX. I think it is plain that the deceased was at the point where the street car was to be taken.

Mr. BEGG. If the gentleman will permit, this report gives exactly the opposite; that he was on the opposite end of the street crossing from where the street car stopped.

Mr. BOX. The gentleman is in error.

Mr. BEGG. As I read the report the gentleman was not in what we call the safety zone.

Mr. BOX. Well, he had passed beyond the crossing of the street, and gotten to a place where passengers usually took the car—went there for that specific purpose—and the obstacle appearing here in the street, entering or crossing Fourteenth Street, caused the driver in that street, who was driving the car that killed Higgins, without keeping a lookout, on a dark, cloudy morning to strike him. He did not know he had struck the man until he felt the jolt and dragged him 40 or 50 feet.

The SPEAKER pro tempore. Is there objection?

Mr. CRAMTON. Mr. Speaker, reserving the right to object, I was trying to bring the matter to the attention of the gentleman from Virginia. The gentleman from Texas, of course, makes a very appealing statement, but I feel that the amount is entirely out of proportion in view of these circumstances as to contributory negligence.

Mr. BOX. I am going to ask the gentleman from Virginia [Mr. MOORE] to discuss the matter with the gentleman from Michigan.

Mr. CRAMTON. I think I ought to complete this statement. I am like the gentleman from Texas, and the appeal of the widow is as strong to me as to anyone. I had this bill marked after I had gone through the report, and I thought \$1,000 sufficient under the belief that the death was one of indirect result of the accident and because of contributory negligence. The gentleman has so far worked upon my feelings that I would be willing to compromise the matter with the gentleman by putting it as high as \$3,000, but that is the limit.

Mr. DEMPSEY. Let me suggest two things. The gentleman from Virginia [Mr. MOORE] and myself were talking over the law. Of course in a Federal court upon General Crowther's report the widow of the deceased would be entitled to recover a proportionate amount.

Mr. CRAMTON. Yes; and the same committee, if the gentleman will pardon me, where there was no question of contributory negligence, where a man was killed immediately in line of duty, a younger man, a man about whose health there was no question, recommended \$3,000, and in this case recommends—

Mr. DEMPSEY. Let us deal with the question we have here. I had a case of a man with the New York Central Railroad for the death of a coal driver who was killed by an automatic gate falling upon his head and crushing his skull. The New York

Central Railroad, and it came into my mind since this matter was under discussion, paid the widow \$6,000. Now, he only earned \$12 a week, and the husband here earned \$2,000 a year.

Mr. CRAMTON. The gentleman from New York can not get me off in a discussion of some other case; just one at a time. My understanding of this is that a precedent of this kind would be far reaching in its effect.

Mr. MOORE of Virginia. May I say to my friend that this is a case where this woman is in great need, because she frequently came into my office about the claim. Now, if the gentleman tells me he will object if there is not a reduction, I will be compelled to recede and accept the \$3,000.

Mr. CRAMTON. I dislike to be in that position—

Mr. MOORE of Virginia. I am sorry the gentleman finds himself in that position. I had the view in my mind the gentleman from New York [Mr. DEMPSEY] has just presented, that the rule of apportionment applies in general terms in this country now, not only in the Federal courts but in the State courts, and \$10,000 is the standard amount in death cases where they have no limitation at all, and here you have negligence upon both sides, according to your showing, and it seems to me it is fair to make the amount \$3,000, assuming there may be contributory negligence.

Mr. CRAMTON. I withdraw the objection.

The SPEAKER pro tempore. The Clerk will report the bill. The Clerk read as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Fannie M. Higgins the sum of \$10,000 for damages suffered by reason of her husband, John H. Higgins, being struck and fatally injured by a Government automobile which was driven by a regularly enlisted soldier of the United States Army:

With committee amendments, as follows:

Page 1, line 6, strike out "\$10,000" and insert in lieu thereof "\$5,000," and after the word "or," in line 8, insert the word "all." Page 1, line 10, after the word "Army," insert a colon and "Provided, That no part of the amount of any item appropriated in this bill in excess of 5 per cent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered or advances made in connection with said claim: *Provided further,* That it shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum which in the aggregate exceeds 5 per cent of the amount of any item appropriated in this bill on account of services rendered or advances made in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

Mr. CRAMTON. Mr. Speaker, I move an amendment to the committee amendment.

The SPEAKER pro tempore. The question is on agreeing to the first amendment.

Mr. CRAMTON. Mr. Speaker, I move to strike out "\$5,000" and insert "\$3,000."

The SPEAKER pro tempore. The Clerk first will report the amendment offered by the gentleman from Michigan.

The Clerk read as follows:

Amendment offered by Mr. CRAMTON: Page 1, line 6, strike out "\$5,000" and insert "\$3,000."

Mr. UNDERHILL. Mr. Speaker, I want to say a word regarding this amendment. I do not want to be understood as opposing the amendment. This Committee on Claims is as hard-bodded a committee as this House has seen. We have gone into the details of every claim that has been brought before us, and have tried to bring out some equitable and at the same time some scientific solution. In following out that plan of procedure we have in every instance called upon the Workmen's Compensation Board, maintained by the Government for the protection of workmen and for the purpose of seeing that justice is done to workmen employed by the Government, to tell us the amount in each case to which an injured civilian or a citizen would be entitled, provided that citizen were in the employ of the Government when injured.

Now, if an employee of the Government is killed through the fault of one of his fellow employees, or by carelessness has caused the injury or death of a fellow employee, the dependents of the injured or deceased would be given a certain specified amount by the United States Compensation Board. Now, we have taken the amount that the Federal Workmen's Compensation Board allows for the death of a workman. In some States it is \$7,000, in other States it is \$6,000; under the Federal Gov-

ernment it is \$5,000. We have held to that sum as the basis of all our reports.

Now, if this House wants to establish something that is unscientific, if it wants to establish a price for the lifeblood of one of our citizens at \$3,000, it will do so in this amendment. I am sorry for Mrs. Higgins and I am in sympathy with Judge Moore, but there is something more in this than Judge Moore or Mrs. Higgins or the \$5,000. It is the establishment of the precedent of what you are going to pay for the life of a breadwinner.

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

Mr. UNDERHILL. Yes.

Mr. RANKIN. I have been listening to this argument for some time. The gentleman from Michigan [Mr. CRAMTON] proposes to reduce this amount from \$5,000 to \$3,000. It is not the work of the committee; it is not the work of Congress. But it is one man, reducing this from \$5,000 to \$3,000. Now, the question of considering this bill and the question of fixing the amount are two different things. If this is a meritorious claim, if it is one for Congress to consider, it seems to me that it is not up to one man to exercise the power that he has here, of objecting to a bill, to club Congress into fixing that arbitrary amount that he would fix, in the face of what the committee recommends and what Congress itself does.

Mr. UNDERHILL. The gentleman from Michigan [Mr. CRAMTON] is well within his rights, as any other Member of this House is within his rights, in objecting to the consideration of any report which the committee may make. But what I want to impress upon Members of the House is this: You have a Committee on Claims. Have you any confidence in that committee? Have they shown you that they are worthy of confidence? You gentlemen do not see the hundreds of bills that are turned down, even when reports from the departments say they are at fault, but we find that they are not; we refuse to present the bill to the House.

The SPEAKER pro tempore. The time of the gentleman from Massachusetts has expired. The question is on agreeing to the amendment offered by the gentleman from Michigan.

The question was taken, and the Speaker pro tempore announced that the yeas appeared to have it.

Mr. CRAMTON. Mr. Speaker, I make the point of order that there is no quorum present. I made an agreement with the gentleman in charge of this bill, and that agreement will be kept. No one proposed any objection while the agreement was being made. I am simply performing my duty, and that agreement will be kept, and unanimous consent is not necessary if you get a quorum here.

Mr. BOX. I will say to the gentleman that Judge Moore, who made the agreement, and the members of the committee on this side have stuck to the agreement.

Mr. MOORE of Virginia. I will say to the gentleman, because I want to be understood by the House, that I stand by what I agreed to.

Mr. BOX. And the committee that conferred with Judge Moore understand the same thing.

Mr. CRAMTON. If we go back to this it, of course, comes up anew. We are proceeding under the regular rules. I withdraw the point of no quorum for the present, Mr. Speaker.

Mr. BEGG. I would like to have the attention of the members of the committee. The Private Calendar, as everybody knows, is a little different from any other calendar. I appreciate the fact that you are not obligated to accept an amendment offered as this amendment was offered, but when any gentleman makes the flat statement that he will object unless the amount is cut down, unless somebody interposes an objection and the man who introduced the bill and fathers it says he will accept it, we are either morally bound to do that or we shall have to adjourn. And I will say that before I will consent to calling the roll I will make a motion to adjourn.

The SPEAKER pro tempore. Does the gentleman from Michigan [Mr. CRAMTON] insist upon his point of order?

Mr. CRAMTON. Mr. Speaker, I will first ask a division upon the pending question.

The question was taken; and on a division (demanded by Mr. CRAMTON) there were—yeas 45, noes 22.

So the amendment was agreed to.

The SPEAKER pro tempore. The question is now upon the amendment as amended.

The question was taken, and the amendment as amended was agreed to.

Mr. ABERNETHY. Mr. Speaker, I do not like any such proceeding as this, and I think I will make the point of order of no quorum.

Mr. BOX. Mr. Speaker, a parliamentary inquiry.

Mr. ABERNETHY. Mr. Speaker, I demanded that the vote be taken by the yeas and noes, but the Chair did not put the question that way. I demand a division.

The question was taken; and on a division (demanded by Mr. ABERNETHY) there were—yeas 57, noes 3.

So the amendment as amended was agreed to.

Mr. BEGG. Mr. Speaker, I want to offer an amendment.

The SPEAKER pro tempore. There is another committee amendment.

Mr. BEGG. My amendment is an amendment to the committee amendment.

The SPEAKER pro tempore. The question now is on the next committee amendment, the word "all" in line 6.

The question was taken, and the committee amendment was agreed to.

The SPEAKER pro tempore. The question now is on the adoption of the committee amendment commencing in line 10, the proviso.

Mr. BEGG. Mr. Speaker, I offer an amendment to that proviso. On page 2, line 13, strike out the words "exceeding \$1,000" and insert "less than \$300 nor more than \$2,000."

Mr. EDMONDS. Mr. Speaker, I will accept that amendment.

The SPEAKER pro tempore. The gentleman from Ohio offers an amendment which the Clerk will report.

The Clerk read as follows:

Amendment to the committee amendment, offered by Mr. BEGG: Page 2, line 13, strike out the words "exceeding \$1,000" and insert in lieu thereof the words "less than \$300 nor more than \$2,000."

Mr. BLANTON. Mr. Speaker, I rise in opposition to the amendment.

The SPEAKER pro tempore. The gentleman from Texas is recognized.

Mr. BLANTON. Mr. Speaker, I want to ask the gentleman from Ohio what kind of fees they pay over in Ohio? Where a man gets \$3,000, does he pay a fee of \$2,000 to his attorney?

Mr. BEGG. I will just say to the gentleman from Texas—

Mr. BLANTON. That is going pretty steep.

Mr. BEGG (continuing). That there are instances in this city where attorneys have taken claims for individuals on a percentage basis as high as 25 and even 50 per cent.

Mr. BLANTON. The gentleman from Ohio does not want us to accept that kind of a proposition, does he?

Mr. BEGG. This amendment does not relate to fees, but is the fine in case an attorney violates the 5 per cent provision.

Mr. BLANTON. Oh, I see. I thought this related to the fee to be paid an attorney.

The SPEAKER pro tempore. The question is on the amendment offered by the gentleman from Ohio.

The question was taken, and the amendment was agreed to.

The SPEAKER pro tempore. The question now is on the committee amendment as amended.

The question was taken, and the committee amendment as amended was agreed to.

The SPEAKER pro tempore. The question now is on the engrossment and third reading of the bill.

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

The SPEAKER pro tempore. The Clerk will report the next bill.

#### RELIEF OF DR. O. H. TITTMANN.

The next business on the Private Calendar was the bill (H. R. 1917) for the relief of Dr. O. H. Tittmann, former Superintendent of the United States Coast and Geodetic Survey.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BEGG. I object.

Mr. NEWTON of Missouri. Will not the gentleman from Ohio reserve his objection, as I would like to make a statement concerning this bill.

Mr. BEGG. I will reserve it briefly so that we may go on, but I will say to the gentleman that I intend to object.

Mr. BLANTON. I also reserve the right to object.

Mr. BEGG. I will reserve my objection, if the gentleman from Missouri wants to make his statement.

Mr. NEWTON of Missouri. I would like to make a statement. I introduced this bill about three years ago. Old man Tittmann went into the Government service and was in the service 47 years. He started at the bottom of the Geodetic Survey and built it. During the time of his service he did a great many notable things for the Government. One thing he did was to save this Government from losing millions of dollars when it was discovered that money was being stolen on imports and

when there was great theft going on in Philadelphia. At that time he was selected as an expert on weights and measures, and he worked out a system by which the officials of the department saved this Government literally millions of dollars. When we had a dispute with Canada over the boundary line, they assigned old Doctor Tittmann to that boundary dispute, and officials of the department say nobody ever did better work for the Government than old man Tittmann, and he did settle the dispute between the two countries.

He went on for 47 years in the service of the Government, and in 1915 he was forced out by ill health. He is now in Pennsylvania with his wife, who has been with him all these years, on a 10-acre rented lot trying to make a living up there, while there are a great number of others who entered the service long after Tittmann entered it and have retired since that time and are getting \$300 a month. If he could have stayed in the service five years longer, he would have gotten \$300 a month as retirement pay. It looks like poor gratitude on the part of this Government, when a man has served the Government as long as Doctor Tittmann and yet when he comes down to this town he comes with his clothes threadbare, and the Government which he served so long has not enough gratitude to keep him out of the poorhouse.

Mr. BEGG. Will the gentleman yield?

Mr. NEWTON of Missouri. Yes.

Mr. BEGG. If the gentleman had a bill including all the employees who retired five years before the retirement act was passed, I probably would not object; but there are probably 1,000 others who are in that same situation.

Mr. NEWTON of Missouri. No; I do not agree with that at all.

Mr. BEGG. And if we pass this bill there will be 1,000 others in here making the same request, and unless there is a general provision to include them all, I shall object.

Mr. BLANTON. Will the gentleman from Missouri yield?

Mr. NEWTON of Missouri. Yes; I yield.

Mr. BLANTON. The gentleman from Missouri sat here with the distinguished gentleman from Illinois, Uncle Joe Cannon, who served in this House a longer period of time than Doctor Tittman served the Government. You are not proposing to pay Uncle Joe Cannon any pension for life.

Mr. NEWTON of Missouri. And Uncle Joe Cannon is not threatened with the poorhouse.

Mr. BLANTON. He might be.

Mr. NEWTON of Missouri. If he was, I would vote in favor of a pension for him; and if there is any other man who was in the Government service and who served the Government as long and as faithfully as this old man has done, I would vote for a pension for him.

Mr. BLANTON. Our regular Civil War pensions now aggregate nearly \$300,000,000, and what is the gentleman going to do when we get to taking care of the soldiers of the late war as they come on, to say nothing of putting civilians on the pension roll who never served the Government in any war at all?

Mr. NEWTON of Missouri. We have got men walking the streets to-day on \$100 a month.

Mr. BEGG. Mr. Speaker, I object.

EAST LAHAVE TRANSPORTATION CO. (LTD.), OWNER OF SCHOONER "CON REIN."

The next business on the Private Calendar was the bill (H. R. 2498) for the relief of the East LaHave Transportation Co. (Ltd.), owner; A. Picard & Co., owner of cargo; and George H. Corkum, Leopold S. Conrad, Wilson Zinck, Freeman Beck, Sidney Knickle, and Norman E. LeGay, crew, of the schooner *Con Rein*, sunk by United States submarine *K-4*.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.*, That the claim of the East LaHave Transportation Co. (Ltd.), owner of the schooner *Con Rein*, of the port of LaHave, in the Province of Nova Scotia, Canada; that the claim of A. Picard & Co., the owner and consignee of the cargo aboard the said schooner, and the claims of the several members of the crew of said schooner, namely, George Corkum, Leopold S. Conrad, Wilson Zinck, Freeman Beck, Sidney Knickle, and Norman E. LeGay, against the United States for damages alleged to have been caused by collision between said schooner and the submarine *K-4*, owned by the Government of the United States and operated by the United States Navy, which occurred near Block Island, R. I., on August 29, 1921, may be sued for by the said claimants in the United States District Court for the District of Massachusetts, sitting as a court of admiralty and acting under the rules governing such court, with jurisdiction to hear and determine such suit

and to enter judgments or decrees for the amounts of such damages and costs, if any, as may be found against the United States in favor of the said claimants, or any of them, or against said claimants in favor of the United States, upon the same principles and measures of liability as in like cases in admiralty between private parties and with the same rights of appeal: *Provided*, That such notice of the suit shall be given to the Attorney General of the United States as may be provided by order of said court, and it shall be the duty of the Attorney General to cause the United States attorney in such district to appear and defend for the United States: *Provided further*, That said suit shall be brought and commenced within four months of the date of the passage of this act.

SEC. 2. That the mode of service of process shall conform to the provision of the act of March 3, 1887, entitled "An act to provide for the bringing of suits against the United States."

With the following committee amendment:

On page 3, strike out section 2.

The SPEAKER pro tempore. The question is on the committee amendment.

The question was taken, and the amendment was agreed to. The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

WILLIAM H. FLAGG AND OTHERS.

The next business on the Private Calendar was the bill (H. R. 4012) to reimburse William H. Flagg and others for property destroyed by mail airplane No. 73, operated by the Post Office Department.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. CRAMTON. Reserving the right to object, which I do not expect to do, I notice there is no provision in this bill, as in the former one, as to attorney's fees, and I should take it from the figures set out in the bill that there are no attorney's fees contemplated. Can the gentleman state as to that?

Mr. BULWINKLE. I could not. In the Sixty-seventh Congress Mr. Norton introduced the bill, and you will note the committee amendment which I proposed in the subcommittee. At that time Mr. Crosser represented these claimants. Mr. Crosser is in the House now, and he told me that, of course being in the House, he could not collect one cent in the way of fees.

Mr. CRAMTON. I hoped that statement would be made and I was sure that was the situation.

Mr. BULWINKLE. Yes; that is what he told me.

Mr. CRAMTON. And I withdraw any objection.

Mr. UNDERHILL. Will the gentleman yield?

Mr. CRAMTON. I yield.

Mr. UNDERHILL. May I make a statement? I want the Members of the House to know what the committee is trying to do, and the committee, unless it is brought to their attention that an attorney is trying to exact a large fee or unless we have our suspicion that an attorney is going to get a large fee out of these things, we do not feel it necessary to include that provision.

Mr. CRAMTON. Mr. Speaker, with all due respect to the committee, I think the opposite ought to be the case, and unless the committee is sure that there is no danger of an exorbitant attorney's fee they should put in the restriction and guard the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

A bill (H. R. 4012) to reimburse William H. Flagg and others for property destroyed by mail airplane No. 73, operated by the Post Office Department.

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized to pay to William H. Flagg and E. B. Flagg, of the city of Cleveland, Ohio, out of any money in the Treasury of the United States not otherwise appropriated, the sum of \$6,038 for property losses sustained by them as a result of the destruction of their residence, furniture, and personal effects, caused by mail airplane No. 73, operated by the United States Post Office Department, striking the said Flagg's residence, and thereby wrecking and burning the same.

SEC. 2. That the Secretary of the Treasury be, and he is hereby, authorized to pay to Mary Torok and Elmer Torok, of the city of Cleveland, Ohio, out of any money in the Treasury of the United States not otherwise appropriated, the sum of \$2,175 for property losses sustained by them as a result of the destruction of their house, caused by mail airplane No. 73, operated by the United States Post Office

Department, striking the said Mary and Elmer Torok's house and thereby wrecking and burning the same.

**Sec. 3.** That the Secretary of the Treasury be, and he is hereby, authorized to pay to Perry J. Lotz, of the city of Cleveland, Ohio, out of any money in the Treasury of the United States not otherwise appropriated, the sum of \$1,297 for property losses sustained by him as a result of the destruction of his furniture and personal effects, caused by mail airplane No. 73, operated by the United States Post Office Department, striking the said Lotz's residence and thereby wrecking and burning the same.

With the following committee amendments:

In line 7, page 1, strike out the figures "\$6,038" and the words "for property losses" and insert in lieu thereof "\$2,500 in full settlement of all damages."

In line 2, page 2, strike out the period and substitute a colon and add the following: "Provided, That no insurance company shall be subrogated to the rights of the said William H. Flagg and E. B. Flagg."

In line 9, page 2, strike out the figures "\$2,175" and the words "for property losses" and insert in lieu thereof "\$460 in full settlement of all damages."

In line 14, page 2, strike out the period and substitute a colon and add the following: "Provided, That no insurance company shall be subrogated to the rights of the said Mary Torok and Elmer Torok."

Line 20, page 2, strike out the figures "\$1,297" and the words "for property losses" and insert in lieu thereof "\$432.24 in full settlement of all damages."

Page 3, line 1, strike out the period and substitute a colon and add the following: "Provided, That no insurance company shall be subrogated to the rights of the said Perry J. Lotz."

The committee amendments were severally reported and severally agreed to.

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

D. H. M'ADAM.

The next business on the Private Calendar was the bill (H. R. 1438) for the relief of D. H. MacAdam.

The Clerk reported the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BLANTON. Mr. Speaker, I reserve the right to object. I want to ask whether the Postmaster General approved this bill in toto?

Mr. EDMONDS. The Postmaster General, in the letter the gentleman will see on the second page of the report, calls attention to the fact that Mr. Peterson, the assistant postmaster, had served two terms, and when Mr. MacAdam took the office his embezzlement had covered the term of his predecessor and of Mr. MacAdam. Mr. Peterson was arrested, and he was charged with embezzlement. He was punished. They proceeded to collect all they could. His embezzlement was \$27,000, and it is now reduced to \$5,514.39.

Mr. BLANTON. Does the Postmaster General recommend that that amount be paid?

Mr. EDMONDS. I am sure that he did somewhere.

Mr. BLANTON. He has not done it in the two letters which I have read.

Mr. UNDERHILL. On page 3, the first paragraph of Mr. Bartlett's letter, the gentleman will find the following:

Under these circumstances, while the department has no doubt of the legal liability resting upon Mr. MacAdam, the facts are submitted for such action as the Congress may deem appropriate.

Then there are two other lines in the third paragraph—

In the present case, however, the department recognizes that there are some unusual conditions deserving of the consideration of Congress. During the time of Mr. Peterson's services as assistant postmaster the personnel of the office was made up largely of Chinese, Japanese, Hawaiians, and Portuguese, many of whom understood and spoke the English language to a very limited extent.

That made it possible for this Peterson to get away with this large sum of money, and he got away with it before Mr. MacAdam came to be postmaster; and after he became postmaster, after an inspection by two or three inspectors of the Post Office Department, the funds were found short.

Mr. BLANTON. I want to say to the gentleman from Pennsylvania [Mr. EDMONDS] and the gentleman from Massachusetts [Mr. UNDERHILL] that if they will just get a report from the Department of Justice and find out just how many embezzlements are going on all of the time over the United States in post offices, it would surprise them. There is hardly a Federal court meets nowadays that does not have some

of these cases on its docket, and we apparently have a system here, after the embezzlement takes place, of going through the Committee on Claims and reimbursing the losses that the Government has sustained.

Mr. EDMONDS. Of course, the postmaster is charged with this shortage. The assistant postmaster working under two different terms had been embezzling. The assistant postmaster was arrested and sent to jail. They collected everything they could. Is it fair that the present postmaster, who was an innocent victim, should have to pay the \$5,514?

Mr. BLANTON. If the gentleman were a cashier of a bank and had funds under his control, and his assistant was handling the funds, and the gentleman did not see that he handled them properly, he would be the man who would be held responsible.

Mr. EDMONDS. Very well; let that be so. Then in this case why should Mr. MacAdam be charged with this shortage because it was the postmaster before him that had charge of the matter? The United States sent their inspectors around. The inspectors passed on these amounts of the embezzlements and said that it was all right.

Mr. BLANTON. What has been done about collecting this money under the bond?

Mr. EDMONDS. Everything has been collected except \$5,514. Originally the sum was \$27,000.

Mr. BLANTON. We ought to take some steps to require better bonds.

Mr. EDMONDS. Possibly that may be true; but these are the facts in this case, and I do not believe it is fair that the postmaster, who is an innocent victim, should be charged with the shortage of embezzlement made by another man under another term.

Mr. BLANTON. I withdraw the objection.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to D. H. MacAdam, of Honolulu, Hawaii, the sum of \$8,749.39, being the extent of liability of D. H. MacAdam, as postmaster at Honolulu, Hawaii, to the Government of the United States, owing to the embezzlement of Federal funds by the assistant postmaster at Honolulu, Hawaii, prior to and during the term of office of D. H. MacAdam as postmaster at Honolulu, Hawaii.

With the following committee amendment:

Line 6, strike out the figures "\$8,749.39" and insert the figures "\$5,514.39."

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

HUBERT REYNOLDS.

The next business on the Private Calendar was the bill (H. R. 5541) for the relief of Hubert Reynolds.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BLANTON. Mr. Speaker, I object.

Mr. TIMBERLAKE. Mr. Speaker, will the gentleman withhold his objection?

Mr. BLANTON. If I do, it will be to the tune of \$69,300.

Mr. TIMBERLAKE. I hope the gentleman will remember that this bill was passed in the last Congress and to re-pass the bill at this time is a saving to the Government of the United States of \$11,318.80. That is all this bill is. It is a law now. The Congress authorized the Postmaster General to settle with the bondsmen on account of the robbery at the Greeley post office for \$69,300.

Mr. BLANTON. The gentleman will remember that I have made objection to this bill in three different sessions of Congress.

Mr. TIMBERLAKE. It is a law now.

Mr. EDMONDS. We passed it last year for \$69,300.

Mr. BLANTON. Over my protest.

Mr. EDMONDS. But we have been able to collect part of the money and we are amending it to correct the account and reducing it to \$57,983.20. It saves the Government \$11,000.

Mr. CRAMTON. This bill is in a class by itself. It is the only one that saves the Government anything.

Mr. EDMONDS. If the gentleman is working in the interest of economy, he ought to be in favor of this bill.

Mr. BLANTON. Mr. Speaker, I withdraw my objection.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the act entitled "An act for the relief of Hubert Reynolds," approved September 21, 1922, be, and the same is hereby, amended by substituting \$57,983.20 for the amount \$69,300, in line 5, in order that the Postmaster General may be authorized to credit the former postmaster at Greeley, Colo., for the actual value of certain war savings stamps instead of their maturity value as provided by the act.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

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

BERNICE HUTCHESON.

The next business on the Private Calendar was the bill (H. R. 3143) for the relief of Bernice Hutcheson.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

The Clerk read as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to E. H. Hutcheson, guardian for Bernice Hutcheson, the sum of \$2,318 for expenses incurred and permanent injury, the results of injuries sustained through being struck by a truck, the property of the War Department and driven recklessly by a soldier of the United States Army.

The committee amendments were read as follows:

Page 1, line 5, strike out the words "E. H. Hutcheson, guardian for."  
Page 1, line 6, insert after the figures "\$2,318," "in full settlement of all damages against the Government."

The question was taken, and the amendments were agreed to.

Mr. VINSON of Georgia. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

In line 6, strike out the figures "\$2,318" and insert in lieu thereof "\$2,587.50."

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

Mr. VINSON of Georgia. I yield with much pleasure.

Mr. BLANTON. Does the gentleman think it is fair to the House that let the bill go by under unanimous consent when any man here could have objected and stopped it because the committee had reported the bill—

Mr. VINSON of Georgia. I will make this statement, and if the gentleman thinks the amendment should not prevail I will withdraw it. I will leave it to the judgment of the Member.

Mr. BLANTON. I was willing to let the committee action go by and adopt it, but if I had known the gentleman was going to offer an amendment I would have objected.

Mr. VINSON of Georgia. I am inclined to think the gentleman would not have objected if he had studied the bill.

Mr. BLANTON. How was it the gentleman did not get that amount in the committee?

Mr. VINSON of Georgia. Because I did not ask for it then.

Now, Mr. Speaker, this amendment provides for the payment of hospital expenses. When this accident occurred in December, 1918, and this young lady was run over by a Government automobile in the city of Augusta and had her leg broken, which resulted in an injury by which her left limb is some 2 inches shorter than her right, she was sent to the hospital, and that hospital bill amounted to \$318. On the 27th day of December, 1918, she left the hospital but was compelled to return in about 15 days or two weeks and stayed in the hospital some two or three weeks longer, until her hospital bill amounted to \$587.50. Now, I am asking to have this young lady compensated for the total amount of the hospital expenses. The committee was perfectly willing to compensate her in the total amount of \$318, as I introduced the bill at that time, and when I reintroduced the bill at this session of Congress my secretary failed to include all the hospital expenses up to date, which amounted to \$518, and that is the reason I offer the amendment.

The SPEAKER pro tempore. The question is on the adoption of the amendment offered by the gentleman from Georgia.

The question was taken, and the amendment was agreed to.

The bill was ordered to be engrossed and read the third time, was read the third time, and passed.

LEBANON NATIONAL BANK, LEBANON, TENN.

The next business on the Private Calendar was the bill (H. R. 3748) for the relief of Lebanon National Bank.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. CRAMTON. Mr. Speaker, I object—

Mr. HULL of Tennessee. Will the gentleman withhold his objection?

Mr. CRAMTON. I will withhold the objection.

Mr. HULL of Tennessee. With the gentleman's permission, I want to call attention to this fact: This bill authorizes the Secretary of the Treasury to redeem certain coupons which were detached from Treasury certificates and United States bonds, I believe. They were lost out of a letter by inadvertence in the bank building. That fact is established by a number of affidavits of the bank officials that are on file before the Committee on Claims. This bill raises the question of whether Congress in any case will authorize the Treasury to redeem destroyed coupons which have been detached where the proof is absolutely clear and beyond controversy not only as to the fact of the destruction, but shows a complete detailed description of the bonds from which the coupons were detached.

Mr. CRAMTON. If the gentleman will permit, I do not agree with the gentleman that this case will determine our policy. This case relates to coupons, and the Treasury Department says this about this case:

Moreover, the Treasury Department is opposed to any bill, such as H. R. 3748, providing for relief on account of the loss, theft, or destruction of coupons detached from bonds or notes.

And why should we overrule them unless we have a pretty good reason? Here is what they say, and it appeals to me as a good reason that we let it stand where they left it.

They say:

Moreover, the Treasury Department is opposed to any bill, such as H. R. 3748, providing for relief on account of the loss, theft, or destruction of coupons detached from bonds or notes. The chief reason for this is that there are several million pieces of coupon obligations of the United States outstanding, interest coupons from which are normally collected through the usual banking channels and come to the Treasury through the Federal reserve banks. The coupons are handled throughout the course of collection and payment without regard to their serial numbers, and manifestly any other course of procedure would be impossible in view of the vast number of pieces involved. The Treasury is quite unable as a practical matter to place stops against the payment of interest coupons which have been reported lost, stolen, or destroyed, and a bond of indemnity would, therefore, give little or no protection to the United States against the payment of coupons alleged to have been lost, stolen, or destroyed, which subsequently turn up and are presented for payment.

I do not need to read all the details. The department says that as to the coupons your provision for giving bonds would give us no protection, and there is no clear showing of their destruction. It is admitted they are lost.

Mr. HULL of Tennessee. In that connection, if the gentleman will bear with me for a moment, we find that when the coupons come into the Treasury they are passed on by the Treasurer and checked up according to the serial number. In this case the bank gives a detailed description of the number and the date and every other particular about the coupons that were detached. The gentleman from Oklahoma [Mr. THOMAS], I think, carefully examined the stack of affidavits by the bank officials, who identified the coupons and stated precisely how they were burned.

Mr. CRAMTON. There are a number of bills here as to bonds where the situation is different, and my point of view is different, and the department's point of view is different. We have a long calendar, and I could not, in view of that report and the logic behind it, let the bill go by.

Mr. WINGO. Mr. Speaker, if the gentleman from Michigan will yield, I want to offer this suggestion: The coupon is the evidence of the debt. Where there is clear proof that the coupons were lost, where there is provision for the bonds, that is, for a bond to indemnify the Government, then the Government is protected. Now, the statement of the Treasury that they can not keep track of this flood of coupons coming in is not an accurate statement. I think that the Treasury itself will admit that it is reforming its methods along that line. It is incredible—it is almost unbelievable—that you can not organize the Bond and Redemption Division of the United States Treasury with as much efficiency as you can organize certain other business concerns that do have to be efficiently organized to protect themselves against things of that kind. Bonds are issued in series.

They are issued in number, and it would be the easiest thing under the sun to put in a system—and that system will be in operation inside of 12 months—whereby an efficient file clerk in the Treasury will be able to go as promptly to the canceled coupon or bond that is still on file as for the bank to go and in five minutes find a deposit slip or a group of deposit slips.

I happen to know of an instance that was brought to my attention recently, where they went back for years. So it is possible for the Government to put in an efficient filing system. If that be true, then ought we not to make a proper provision, because coupons are going to be lost and destroyed? Bonds also are going to be lost and destroyed. Of course we ought to be careful. But where there is a loss of that kind, and the claimant establishes that loss, and makes an indemnifying bond to the United States Government in double the amount, why is not that a safe precaution and a businesslike way of handling it?

Mr. BEGG. I will concede what the gentleman says as to the registered coupon bonds. Now, when you detach a coupon it has the same value as a \$2 bill or a \$5 bill in the way of exchange. That is, if you detached the coupon from a serial-number bond and started to the bank with it and lost it on the street and I found it, I can take it into my bank and cash it.

Mr. WINGO. The gentleman is not a lawyer. There is a clear distinction between the transfer—

Mr. BEGG. I know there is a technical difference, but I am talking about the practical result.

Mr. WINGO. The gentleman is not a lawyer, is he?

Mr. BEGG. No; I do not claim to be.

Mr. WINGO. I do not say that to the gentleman's discredit. But there is a clear distinction between a coupon of that kind and a \$1 bill. That is the illustration that the gentleman gave.

Mr. BEGG. Now, supposing I take that coupon; I can get it cashed.

Mr. UNDERHILL. You have to make out a slip.

Mr. WINGO. You can sell a mule that is stolen.

Mr. BEGG. No; that is not the point. It is not stolen. The evidence in this case does not show whether they burned these coupons or lost them, or somebody stole them and sold them, and they can not find them.

Mr. WINGO. We have a right to rely on this committee to find the facts that demonstrate that somebody met with the loss.

Mr. EDMONDS. These papers were shown to have been put in an envelope and were inadvertently thrown into the waste basket and swept out. I believe that is the circumstance that was brought out in the evidence on this bill. The cashier of the bank stated that they were inadvertently lost out of a letter and were swept up with the sweepings and taken away.

Mr. WINGO. Where the loss is absolutely proven there certainly ought to be a safe, sound way by which that loss can be made good, especially if people are willing to indemnify the Government in double amount.

Mr. BEGG. I want to ask this question: Morally and legally, wherein is the Government obliged to redeem the coupon or the \$5 bill that is burned?

Mr. WINGO. Because the bond on the coupon, whether registered or otherwise, is nothing but an evidence of debt. If the gentleman gives me a note and that note is burned, it does not cancel his moral or legal obligation. I can bring a suit and get a judgment in a court of law; and certainly there is no difference between the legal and moral obligation, because the debtor is obligated to pay.

Mr. CRAMTON. The report of the department makes it apparent that the department is not satisfied that the proof is clear and positive that the coupons were destroyed by fire, and hence their report that the department does not care to approve the bill, nor can it be stated that the department would interpose no objection to the passage of this bill or one substantially similar.

Mr. WINGO. Do they say they had the proof that was offered to this committee?

Mr. CRAMTON. Well, the committee does not make a clear showing of proof.

Mr. WINGO. Does the gentleman think that a finding by the department as to the sufficiency of either the merit of the proposition or the establishment of a fact is binding on Congress?

Mr. CRAMTON. I think it ought to be if it is within their province, unless we have facts before us which clearly demonstrate to the contrary, and that is not true here. Therefore I am obliged to object.

Mr. BLANTON. Will the gentleman yield?

Mr. CRAMTON. Certainly, although it seems too bad to take up the time which other bills require.

Mr. BLANTON. I will not insist.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. CRAMTON. I object.

The SPEAKER pro tempore. The Clerk will report the next bill.

#### RELIEF OF EDWARD T. WILLIAMS.

The next business on the Private Calendar was the bill (H. R. 5808) for the relief of Edward T. Williams.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

*Be it enacted, etc.,* That the Postmaster General be, and he is hereby, authorized and directed to credit the accounts of Edward T. Williams, acting postmaster at Niagara Falls, N. Y., in the total sum of \$87,932.77, due the United States on account of losses as the result of burglary on June 2, 1920, as follows: Postal funds, \$4,306.27; postage stamps, \$32,734.27; 8,044 war savings stamps at \$4.17 each, \$33,543.48; 20,225 thrift stamps at 25 cents each, \$5,056.25; and internal revenue stamps, \$12,292.50.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

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

The SPEAKER pro tempore. The Clerk will report the next bill.

#### RELIEF OF WILLIAM R. BRADLEY.

The next business on the Private Calendar was the bill (H. R. 1316) for the relief of William R. Bradley, former acting collector of internal revenue for South Carolina.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BLANTON. Mr. Speaker, I reserve the right to object.

Mr. FULMER. I would like to state to my friend from Texas that this bill only proposes to allow the Internal Revenue Department to adjust the accounts of Mr. Bradley, who was acting internal-revenue collector in South Carolina in 1921, for one package of stamps lost during the time that he served and of no value, according to the statement of Mr. Mellon.

Mr. BLANTON. Well, Mr. Speaker, this bill provides that the Postmaster General be, and he is hereby, authorized and directed to credit the accounts of Edward T. Williams—

Mr. FULMER. I am sure the gentleman has the wrong bill.

Mr. BLANTON. What happened to this Williams bill?

The SPEAKER pro tempore. That bill has been passed.

Mr. BLANTON. I have no objection to this bill.

The SPEAKER pro tempore. The Clerk will report the bill. The Clerk read as follows:

*Be it enacted, etc.,* That the Commissioner of Internal Revenue is hereby authorized and directed to credit the account of William R. Bradley, former acting collector of internal revenue for South Carolina, with the sum of \$100, this amount now being charged against him for the loss of one special stamp book of the value of \$100.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

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

Mr. BULWINKLE. Mr. Speaker, I ask that H. R. 3748, a bill for the relief of Lebanon National Bank, retain its place on the calendar.

The SPEAKER pro tempore. It will retain its place on the calendar. The Clerk will report the next bill.

#### RELIEF OF CLEVELAND STATE BANK, CLEVELAND, MISS.

The next business on the Private Calendar was the bill (S. 75) for the relief of the Cleveland State Bank, of Cleveland, Miss.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill.

Mr. BEGG. Mr. Speaker, unless I can get some information which will make me change my mind I will object.

Mr. THOMAS of Oklahoma. Mr. Speaker, this bill provides means for indemnifying the bank against the loss of a certificate of indebtedness. The Treasury Department admits that the certificate has never been presented for payment. In other words, it is still outstanding. The bill provides also for a proper bond to indemnify the Government against loss, and

I do not understand how any good reason could be interposed against allowing this special bill to be passed.

Mr. BEGG. The report shows that the department records do not show that certificate number so-and-so has been presented for redemption, consequently no interest thereon has been paid, and therefore it is thought that a bill for relief on account of the loss of this certificate should be passed. But that is not the point I am trying to find. The report says that the department has no evidence except certain papers on file and says these papers show that there are no claims that the certificate has been destroyed, but merely a claim that it has been lost. I would like to ask the gentleman from Oklahoma or the chairman of the committee or whoever has the information how long it has been since this claim was presented and the claim made that it was lost?

Mr. EDMONDS. The exact dates are not in the report, but these bonds matured November 7, 1918. The letter from the department states:

In view of the fact that a considerable time has elapsed since the maturity of the certificates and no claimant other than the Cleveland State Bank has appeared, the department will interpose no objection to the granting of the relief sought.

This is the usual form suggested by the Treasury Department, and we are protected by a bond for double the amount.

Mr. BEGG. Does the committee usually take up such claims for payment within three or four years?

Mr. EDMONDS. Oh, yes; we have done it in a shorter time than that, I think. Of course, we are protected by a bond for double the amount.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to redeem United States Treasury certificate of indebtedness No. 22223, in the denomination of \$1,000, payable to bearer, series IV-B, dated July 9, 1918, and maturing November 7, 1918, with interest at the rate of 4½ per cent per annum from July 9, 1918, to November 7, 1918, in favor of the Cleveland State Bank, Cleveland, Miss., or its assigns, without presentation of the said certificate, the certificate of indebtedness having been lost, stolen, or destroyed: *Provided*, That the said certificate of indebtedness shall not have been previously presented for payment and that no payment shall be made hereunder for any interest which shall have been previously paid: *And provided further*, That the said Cleveland State Bank, Cleveland, Miss., shall first file in the Treasury Department a bond in the penal sum of double the amount of the lost, stolen, or destroyed Treasury certificate of indebtedness, and the interest payable thereon, in such form and with such surety or sureties as may be acceptable to the Secretary of the Treasury to indemnify and save harmless the United States from any loss on account of the lost, stolen, or destroyed certificate of indebtedness herein described.

The SPEAKER pro tempore. The question is on the third reading of the bill.

The bill was ordered to be read a third time, was read the third time, and passed.

The SPEAKER pro tempore. The Clerk will report the next bill.

RELIEF OF THE OLD NATIONAL BANK OF MARTINSBURG, MARTINSBURG, W. VA.

The next business on the Private Calendar was the bill (S. 214) for the relief of the Old National Bank of Martinsburg, Martinsburg, W. Va.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BEGG. Reserving the right to object, I would like to ask the chairman of the committee or the gentleman responsible for it about the facts connected with this bill.

Mr. ALLEN. I trust the gentleman will not insist on his objection.

Mr. BEGG. I suspect the gentleman states the truth.

Mr. ALLEN. The report on this bill indicates very clearly that this bill ought to be passed.

Mr. BEGG. The report indicates that it is lost, strayed, or stolen.

Mr. ALLEN. The report also shows that the Treasury certificates were burned, and the evidence also shows that Secretary Mellon is perfectly willing that this bill should pass.

Mr. BEGG. Will the gentleman permit a question there?

Mr. ALLEN. Yes.

Mr. BEGG. I did not read in this report any absolute evidence that these things were burned.

Mr. ALLEN. Then the gentleman did not read the report.

Mr. BEGG. I beg the gentleman's pardon, I did read it. On the contrary, I want to ask the gentleman if these certificates were burned, why the ludicrous language which he has put in his bill when he says they are to be paid provided the said certificates of indebtedness shall not have been previously paid. I want to ask the gentleman how could these certificates have been previously paid or presented for payment if he knows they were burned?

Mr. ALLEN. I did not draw the bill, I will give the gentleman to understand.

Mr. BEGG. Well, whoever drew the bill.

Mr. BULWINKLE. This is a Treasury Department bill.

Mr. BEGG. It does not make any difference to me who drew the bill; the gentleman says there is conclusive evidence in the report that they were burned. If they were, why this language?

Mr. ALLEN. There is an affidavit to that effect, and I say that if the gentleman has not seen it he has not read the report.

Mr. CRAMTON. Mr. Speaker, I might observe, in order to get down to the real evidence, the man who made the affidavit simply says that he took up the waste from the basket at the desk of the cashier and without making an examination of the contents thereof destroyed said contents by burning. That is a long way from saying these certificates were burned, but I think I ought to say that so far as I am concerned I make a distinction between this case and the coupon case. In the coupon case the department says that without an undue amount of red tape and expense and trouble they can not guard the interests of the Treasury even with an indemnity bond, but in this case they say that the indemnity bond will protect them if these certificates later show up, so I do not object personally, although I am bound to point out that there is a lot of question about their being burned.

Mr. BEGG. Will the gentleman from Michigan yield? Would the gentleman want to do business or put his bonds in a bank that is filing them in a wastebasket?

Mr. CRAMTON. I do not know. That may be customary.

Mr. BEGG. I think I shall have to object.

Mr. BULWINKLE. Will the gentleman withhold his objection?

Mr. BEGG. I will withhold it if the gentleman thinks he can convince me I am wrong.

Mr. BULWINKLE. The committee went into this matter very carefully through the gentleman from Oklahoma [Mr. THOMAS], and he is quite ready to tell you fully about it.

Mr. THOMAS of Oklahoma. The evidence in this case showed that the bank official took out a bunch of these certificates and mailed some of them out to its correspondent and left the balance on the desk in the bank. Forgetting these bonds for some little time, the janitor came along and cleaned the desk and in cleaning the desk took the envelopes and papers and also these bonds. The evidence further showed that they made an effort, of course, to locate these bonds where they had been burned, but that was an impossibility, and no proof of that kind could be forthcoming. The evidence convinced the committee that these bonds had been destroyed. That being true and the bonds not having shown up at the Treasury Department, and a sufficient bond being filed to guarantee the Government against loss in the event they should hereafter show up, it occurred to the committee it would be proper to pass this bill.

Mr. BEGG. It was three years ago that this happened—in 1921?

Mr. ALLEN. Yes; that is right.

Mr. BEGG. Mr. Speaker, I withdraw my reservation.

The SPEAKER pro tempore. The objection is withdrawn, and the Clerk will report the bill.

The Clerk read the bill, as follows:

An act (S. 214) for the relief of The Old National Bank of Martinsburg, Martinsburg, W. Va.

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to redeem certificates of indebtedness of the United States of America Nos. 4980, 4981, 4982, and 4983, each of the denomination of \$500; 8175 and 8176, each of the denomination of \$1,000, and all of the issue of United States Treasury coupon certificates of indebtedness, series TM 2-1921, dated July 15, 1920, and maturing March 15, 1921, with interest from July 15, 1920, to March 15, 1921, in favor of The Old National Bank of Martinsburg, of Martinsburg, W. Va., without presentation of the certificates, the said certificates of indebtedness having been lost, stolen, or destroyed: *Provided*, That the said certificates of indebtedness shall not have been previously presented for payment and that no payment shall be made hereunder for any interest which shall have been previously paid: *Provided further*, That the



said The Old National Bank of Martinsburg, of Martinsburg, W. Va., shall first file in the Treasury Department of the United States a bond in the penal sum of double the amount of the principal of said certificates of indebtedness of the United States of America, in such form and with such sureties as may be acceptable to the Secretary of the Treasury, to indemnify and save harmless the United States from any loss on account of the said certificates of indebtedness hereinbefore described which were lost, stolen, or destroyed.

With the following committee amendment:

Page 1, line 4, strike out all of lines 4, 5, 6, 7, 8, 9, and 10, and on page 2 strike out lines 1, 2, 3, and down to and including the word "destroyed," in line 4, and insert in lieu thereof the following: "authorized and directed to redeem in favor of The Old National Bank of Martinsburg, Martinsburg, W. Va., United States Treasury certificates of indebtedness Nos. 4980, 4981, 4982, and 4983, each in the denomination of \$500, and Nos. 8175 and 8176, each in the denomination of \$1,000, series TM 2-1921, dated July 15, 1920, and matured March 15, 1921, with interest from the date of issuance to the date of maturity at the rate of 5½ per cent per annum, without presentation of the said certificates of indebtedness, which have been lost, stolen, or destroyed."

The SPEAKER pro tempore. The question is on the committee amendment.

The question was taken, and the amendment was agreed to.

The Clerk read another committee amendment, as follows:

In lines 22 and 23, page 2, strike out the words "of the United States of America" and insert "and the interest which had accrued when the principal became due and payable."

The SPEAKER pro tempore. The question is on the committee amendment.

The question was taken, and the amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed.

HENRY M'GUIRE.

The next business on the Private Calendar was the bill (H. R. 1306) for the relief of Henry McGuire.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. CRAMTON. I object.

A. W. SMITH.

The next business on the Private Calendar was the bill (H. R. 6557) to allow credit in the accounts of A. W. Smith.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Comptroller General of the United States is hereby authorized and directed, in the settlement of the accounts of A. W. Smith, fiscal agent, Forest Service, United States Department of Agriculture, to allow credit in the sum of \$111.75 now standing as a disallowance in said accounts on the books of the General Accounting Office, covering expenses incurred during the fiscal year ended June 30, 1917, in the erection of a building at the Bacon ranger station on the Klamath National Forest, Calif.

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

NELLIE ROCHE M'ANDREW.

The next business on the Private Calendar was the bill (H. R. 2574) granting a pension to Nellie Roche McAndrew.

The Clerk reported the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BLANTON. I object.

STATE NORMAL SCHOOL, GUNNISON, COLO.

The next business on the Private Calendar was the bill (H. R. 8104) granting 160 acres of land to the Colorado State Normal School, of Gunnison, Colo., for the use of their Rocky Mountain biological station.

The Clerk reported the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BLANTON. Mr. Speaker, I reserve the right to object. May I ask the gentleman from Montana [Mr. LEAVITT], if he has charge of the bill, why we should grant this particular normal school 160 acres of land and not make a similar grant to other normal schools?

Mr. LEAVITT. Mr. Speaker, the report in this case was prepared by my colleague from Montana [Mr. EVANS], who was not able to be here to-night. I recall the discussion before the Committee on the Public Lands, however. It seems that the

Western State College of Colorado, situated near Gunnison, wishes to carry on some studies in biology.

Mr. BLANTON. Every college in the United States carries on research work in biology.

Mr. LEAVITT. Yes; if the gentleman will allow me to complete the statement, in order to carry on work of that kind they must be in control of an area of land which they can fence and have control of over a considerable period of years.

Mr. BLANTON. Why do they not buy it?

Mr. LEAVITT. That is a question, of course, presented by the gentleman from Colorado [Mr. TAYLOR] and he said that there was no reason for buying. It is a piece of land that is not valuable for agriculture. Its location is such that its timber is not commercially valuable. This is the highest use to which it could be put. The bill contains every provision for reversion to the Government if the land is used for anything else.

Mr. BLANTON. I am 51 years of age, and I do not believe that I ever heard of any reversion back to the Government in any case yet.

Mr. HAYDEN. Mr. Speaker, if the gentleman will permit, let me say that the gentleman from Colorado [Mr. TAYLOR] is unable to be present to-night, and asked me to explain the situation if any question was raised about it. This is a piece of utterly worthless, rocky, mountain side, absolutely unsuited for cultivation. It would not make a home for anybody or anything else. They may graze a few goats on it or something of that kind. These people want to put a fence around it and study the biological condition there. It can do no harm. Why not let them have it inasmuch as this situation is peculiarly located where studies of that kind would apply to that entire rocky mountain region, not alone to this particular spot.

Mr. BLANTON. Why were not the mineral rights reserved to the Government in this bill?

Mr. LEAVITT. They are reserved. All mineral rights and all of these things are taken care of in the amendments which have been added to the bill.

Mr. BLANTON. Is that the standard form of reservation?

Mr. HAYDEN. Yes; that is the standard form, but there is no known mineral there.

Mr. BLANTON. If we were to let this go by and two years from now a Teapot Dome lid was to come off, we would all be to blame, would we not?

Mr. HAYDEN. No. The mineral is reserved to the United States.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior is hereby authorized and directed to convey to the board of trustees of the Colorado State Normal School, Gunnison, Colo., subject to the provisions and reservations of section 24 of the Federal water power act, the following-described land, to wit, the south half of the southwest quarter of section 14 and the west half of the northwest quarter of section 23, all in township 51 north, range 1 east, New Mexico meridian, consisting of 160 acres, more or less, for use of the Rocky Mountain biological station of the said Colorado State Normal School.

With the following committee amendments:

Page 1, lines 4 and 5, strike out the words "Colorado State Normal School" and insert "Western State College of Colorado."

Page 1, line 7, after the word "as," insert the words "and with a reservation to the United States of all the coal and other minerals in the lands granted, together with the right of the United States, its grantees, or permittees, to prospect for, mine, and remove the same."

Page 2, line 7, strike out "Colorado State Normal School" and insert in lieu thereof the following: "college: *Provided*, That the lands hereby granted shall be used by the State only for the purpose of a biological station, and if the said land or any part thereof shall be abandoned for such use for a period of two years, said land or such part shall revert to the United States; and the Secretary of the Interior is hereby authorized and empowered to declare such a forfeiture of the grant and to restore said premises to the public domain if at any time he shall determine that for a period of two years subsequent to the passage of this act the State has abandoned the land for the use of a biological station, and such order of the Secretary shall be final and conclusive, and thereupon and thereby said premises shall be restored to the public domain and freed from the operation of the grant aforesaid."

The SPEAKER pro tempore. The question is on agreeing to the committee amendments.

The committee amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

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

Mr. BEGG. Mr. Speaker, is it too late for me to ask a question, to determine whether or not an amendment is needed, which I think everybody in the committee would agree to if it is needed? Is oil classed as a mineral?

Mr. HAYDEN. It is.

Mr. BEGG. Then why is coal named specifically?

Mr. HAYDEN. Because that is the form that has been used for a great many years.

The bill was read a third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken, and the bill was passed.

The title was amended so as to read: "A bill granting 160 acres of land to the Western State College of Colorado at Gunnison, Colo., for the use of the Rocky Mountain biological station of said college."

#### NEW JERSEY SHIPBUILDING & DREDGING CO.

The next business on the Private Calendar was the bill (S. 1572) for the relief of the New Jersey Shipbuilding & Dredging Co., of Bayonne, N. J.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. CRAMTON. Mr. Speaker, reserving the right to object, I notice that this bill provides for \$152,278.28, of which \$150,000 is for the boat itself, but on page 6 of the report, when we get past the fellows at the top who indorsed without knowing much about it and get down to the real finding of facts under No. 31, I find the following:

31. That Mr. Charles D. Pullen, vice president and treasurer of the New Jersey Shipbuilding & Dredging Co., stated that his company would make a claim against the United States Government in the sum of \$100,000, being the value of drill boat No. 3, plus a further sum of \$1,241.26 for each working day that elapses between the date of the sinking of drill boat No. 3 and the date upon which one of the company dredges is placed back on the work for the removal of blasted rock.

They were going to ask something further for a loss by reason of lost time. That has been eliminated by the committee. Therefore it appears that the bill has \$50,000 more than the owner originally thought that he would ask for.

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

Mr. CRAMTON. Yes.

Mr. BEGG. I find in the report also where he carried \$100,000 worth of insurance.

Mr. CRAMTON. Yes.

Mr. BEGG. If that is the case, it does not seem to me that we owe them very much.

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

Mr. CRAMTON. Yes.

Mr. UNDERHILL. The gentleman will find on page 3, at the bottom of the page, that two inspectors representing the engineer's office in New York constantly employed on the work fixed the value of the boat, one of them at \$150,000 and the other at \$250,000.

Mr. CRAMTON. I know. That is the trouble we have with that kind of inspectors going around.

Mr. UNDERHILL. Then you will find that this is not an ordinary scow type of boat, but that she was thoroughly equipped and fitted with machinery and tools, to the value of a considerable amount. I do not know just where to find that exact amount. The boat was entirely destroyed by this collision and disintegrated. These tools became scattered at the bottom of Hell Gate in New York and could not be recovered, and some allowance had to be made for that, but the committee did cut down from over \$53,000 from the original bill of \$205,028.28.

Mr. CRAMTON. As to that, Mr. Speaker, I am frank to admit there is good reason for this \$150,000 if it can be produced, and I think maybe if the case goes over the committee can perhaps produce a good defense for their report. There is one other consideration I would like to call attention to with a view of having information upon it next time the bill comes up. Here is a case where the Government is going to suffer a loss of \$100,000 or \$200,000 because of the inefficiency and negligence in the handling of a boat by a naval officer, a lieutenant in the Navy. They had a board go into it, and the report does not indicate that the inefficient officer who occasioned this loss has been at all disciplined by the Navy. The Navy rushes in and takes complete responsibility of all the blame and renders the Treasury liable for this money. I would like to know if the Navy takes that position seriously enough so that they have disciplined their officer, and I hope when the bill comes up again we can have something tangible on that point.

Mr. UNDERHILL. If the gentleman will yield, the Committee on Claims could not very well go into this question or refer the bill to the Naval Committee, and I hardly think it would be right for the Member from Michigan to suggest that we keep this money from these people who are justly entitled to it because the Navy Department may or may not have punished one of its officers.

Mr. BEGG. Right there, what is the gentleman's answer to the fact in his own report he says they carried \$100,000 insurance and when sunk the man said he only asked the Government \$100,000?

Mr. UNDERHILL. Well—

Mr. BULWINKLE. That is true, but there is \$53,000 of other expenses.

Mr. BEGG. Why did not they bring in a bill for \$53,000?

Mr. BULWINKLE. That would make \$153,000 and—

Mr. CRAMTON. I want to say to the gentleman from Massachusetts I think there is reason we should know as to the question as to the discipline of that naval officer. The Navy Department rushes in and takes the responsibility. Did they ever take the same view in dealing with their officer when they were dealing with placing the burden on the Treasury?

Mr. UNDERHILL. I am willing for the matter to go over and try to find out.

The SPEAKER pro tempore. Is there objection?

Mr. FISH. Will the gentleman yield?

Mr. CRAMTON. If I may yield, I believe this is the gentleman's bill?

Mr. FISH. I am interested in it and I am interested because this man has gone without his money for a number of years. This bill passed the Senate last year and came over here and was lost in the congestion of the last day of the session. Does the gentleman know how much it included when it passed the Senate and came over here? Was it not over \$200,000? It was agreed on the part of the leaders of this House that it should go through, but the very last day's congestion lost it. The Speaker had agreed to recognize it for passage. These people have been going without \$150,000 or \$200,000 for a long time and—

Mr. CRAMTON. Can the gentleman from New York explain why it should cost \$150,000 when the owner said he would only make a claim of \$100,000?

Mr. FISH. It is all in black and white.

Mr. BULWINKLE. The additional claims would bring the matter up to a great deal more.

Mr. FISH. The bill was reduced from \$200,000 to \$150,000. I am perfectly willing for the gentleman to object, but we want a chance to go into the details.

Mr. CRAMTON. I object.

The SPEAKER pro tempore. Objection is heard.

#### STANSFIELD A. AND ELIZABETH G. FULLER.

The next business on the Private Calendar was the bill (H. R. 914) granting six months' gratuity pay to Stansfield A. and Elizabeth G. Fuller.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

The Clerk read as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$90 to Stansfield A. Fuller and Elizabeth G. Fuller as compensation for the loss of their son, Stansfield A. Fuller, late of Troop M, Rhode Island National Guard Cavalry, who died at Fort Bliss, Tex., September 11, 1916, as a result of injuries received in line of duty.

The bill was ordered to be engrossed and read the third time, was read the third time, and passed.

#### THOMPSON-VACHE BOAT CO.

The next business on the Private Calendar was the bill (H. R. 2123) for the relief of the Thompson-Vache Boat Co., of Bonnots Mill, Mo.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BEGG. Reserving the right to object, I have looked over this report very carefully and I find the report from the department is unanimously against the Government's liability. Now, I will say to the gentleman sponsoring this bill I am perfectly willing to have it go through the Court of Claims.

Mr. BLANTON. That is where it ought to go; it ought to go to a tribunal for a trial on its merits.

Mr. LITTLE. Mr. Speaker, permit me to make a few remarks before the gentleman goes further. Mr. Speaker, I re-

gret to say that the report in this case does not present the evidence at all.

Mr. BEGG. That is not our fault.

Mr. LITTLE. I know that; it is my own, perhaps. I am supposed to make the report, but I never saw it. The Clerk prepared it, I understand, and he never reported to me and let me see it. While the department reported against it first, here are the circumstances, if the gentleman will yield to me a little time, and I will make it very clear. There is at Kansas City a snag boat called the *Missouri*, run by the Government.

Mr. BLANTON. Mr. Speaker, I want it understood that I reserve the right to object.

Mr. LITTLE. The Government undertook to fix the course of the river there, and the stuff they collected was partially swept out. The snag boat went down and tried to pull the snags out. They pulled them down the stream until they had them under water, with the ends invisible sticking up, but under the water; so that the steamer had a nice chance to run into them. This Thompson-Bache Boat Co. had a nice little steamer called the *Floyd*, which they sold for \$7,000. They ran into these snags, which wrecked their boat. They ask for the \$7,000 that they would have gotten at Kansas City for the boat. The committee reported the bill last time, but it did not get on the calendar. The committee has reported it again.

The Government official, Captain Wilkes, reported against it. The snag-boat man, Captain Campbell, had a boatman named Fariss, and Fariss went to see Thompson, the man who owned the boat, and went back and told what Captain Thompson had said to him. He showed that he ran the boat with great care, and that nothing would have happened if the snags had not been under water. They deliberately lied about what was said by Thompson to Fariss, and Fariss to them. Upon that the Government held against Thompson. Then the evidence came before me on the subcommittee. I supposed it was in this report. I have not been able to find out why it does not appear. Captain Thompson says he told Fariss, who told Captain Campbell, the snag-boat man, the facts in the case, and Campbell lied about it.

I am not surprised that the gentleman from Ohio [Mr. BEGG] feels this way about it. I make this statement here because my name is appended to the report; it is nominally attached to this report.

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

Mr. LITTLE. In a moment. I am apparently at fault here, and that is why I am taking some pains about it and making this statement. The gentleman from Missouri, Mr. Ellis, was on the committee last year, and he made a report. I find in the report this statement:

On the 28th of March, 1922, T. J. Fariss made the following affidavit, which is in evidence before the committee.

I will read it:

"I am mate on board the United States snag boat *Missouri* and have held the same office for the last seven seasons. During the month of April, 1920, I was sent by Captain Campbell, master of the *Missouri*, to interview Captain Thompson concerning the loss of the steamer *Floyd*. Captain Thompson stated that he was in the channel near the outside end of the high dike when the *Floyd* struck what he believed to be a submerged piling. I reported Captain Thompson's statements correctly to Captain Campbell, but he apparently misunderstood me, as I later saw his report to the district office in which he misquoted me by stating that Captain Thompson said he was running outside the tip of the low dike (more than 600 feet from the shore). I saw this report was in error, and so told Mr. Field, the clerk on the snag boat. I neither spoke of the mistake to Captain Campbell nor to anyone in the district office."

The fact is that Fariss told Captain Campbell that Thompson was running in the channel, and so stated to him; that Campbell turned right around and had Wilkes make a report that Thompson told Fariss Thompson was not in the channel. Captain Campbell's word, of course, is of no value whatever, and upon Campbell's report the whole War Department case on first report was based. Fariss told Campbell that Thompson was in the channel. Campbell reported that Thompson admitted being outside the channel. The whole War Department case is based upon the falsehood passed up to the War Department, and Fariss, in the evidence that comes from the War Department, clears the whole thing up.

The clerk, for some mysterious reason, left out this Fariss affidavit, which is the basis of the whole case. When the claim was presented before the committee, as Judge McREYNOLDS, of the committee, will tell you, attention was called particularly

to this, and we saw the affidavit from Fariss. It is not here to-night. I think none of the papers are.

Now, this is a very clear case. The evidence is very clear. It all shows that there is no blame attaching to Captain Thompson at all. The evidence shows that. The department says that nobody claims that Captain Thompson was not competent. Nothing happened here except the deliberate, willful—vicious, almost—conduct on the part of the snag people in going to work in turning upstream under water the very things that killed the boat, and they have been lying about it, not misrepresenting it.

My name is at the head of this infernal thing, and I want to make it clear, and to that end you ought to give me a little leeway.

Mr. BLANTON. Is the gentleman going to object to it?

Mr. LITTLE. I call Judge McREYNOLDS's attention to the matter and ask him if I have stated the facts correctly.

Mr. McREYNOLDS. I understand so, as I understood the gentleman.

Mr. LITTLE. I have in my hand the report by Congressman Ellis. He says that in 1922 Secretary Weeks wrote the committee and sent there the affidavit from Fariss, which the committee should read.

This—

He said—

of course disposed of the original objection, and Mr. Weeks presented it from some other angle. But for this false statement of what Thompson said, the original objection never would have been made. Whether people who made this report told an untruth purposely, or whether they were simply lacking in ordinary decent care to tell the truth, I do not know; but in either event their reports have no value, and therefore the Government really has nothing at all to go on.

Now, gentlemen, I think we have presented to you the essential facts in this case, and I hope that this situation will get the same equity here and the same consideration as it would have if the report really showed the evidence.

Mr. BLANTON. Mr. Speaker, will the gentleman yield for a moment?

Mr. LITTLE. Yes.

Mr. BLANTON. I am not certain whether I shall object to this or not. If I do, that will stop the debate. I want to state to the House that I hate to object to a bill with which the gentleman from Kansas is connected directly. The last bill that I objected to with which he was connected was the Sevier case.

Mr. LITTLE. That is the case I had referred to the gentleman from Texas as a committee of one.

Mr. BLANTON. The gentleman reported it, and I helped to kill it. The gentleman is acquainted with our colleague from New York, Mr. WAINWRIGHT, who formerly was Assistant Secretary of War. There happens to be in this report a statement officially made from our colleague, Mr. WAINWRIGHT, as Assistant Secretary of War. Here is what he says about the bill:

It is therefore believed that the claim of the Thompson-Bache Boat Co. is without merit, and that it should not receive a favorable report from the Committee on Claims.

That is signed by J. M. WAINWRIGHT, Assistant Secretary of War. What are we going to do with that?

Mr. LITTLE. That was the report that was made on the false testimony.

Mr. BLANTON. Oh, yes; but it is from the Department of War.

Mr. LITTLE. Well, what of it? [Laughter.]

Mr. ROACH. Mr. Speaker, will the gentleman reserve his objection?

Mr. BLANTON. I want to say this, that if the gentleman will reintroduce this bill and ask permission to submit the claim to the court, I shall not object.

Mr. ROACH. I ask the gentleman from Texas to withhold his objection.

Mr. O'CONNOR of Louisiana. Mr. Speaker, a parliamentary inquiry.

Mr. ROACH. Mr. Speaker, I ask the gentleman from Texas to withhold his objection on this bill until I have made a statement.

Mr. CRAMTON. Mr. Speaker, I call attention to the fact that it is nearly 11 o'clock, and there is no chance of changing the situation.

Mr. ROACH. I think the gentleman from Texas ought to withhold his objection in order to permit me to make a statement about a bill of which I am the author.

Mr. BLANTON. I will withhold my objection if the gentleman from Missouri can get other gentlemen to do the same.

Mr. ROACH. I have been decorous this evening, and it is always customary for gentlemen to withhold their objections in order to permit the author of a bill to make a statement in regard to it. If the gentleman from Texas does not want to do that, then he can object to it.

Mr. BLANTON. I have already withheld my objection.

Mr. McREYNOLDS. Mr. Speaker, I just want to say one thing, if the gentleman from Missouri [Mr. ROACH] will pardon me one minute.

Mr. ROACH. I yield to the gentleman in order to make a statement.

Mr. McREYNOLDS. I just want to refer the gentleman from Texas to the statement made by Mr. WAINWRIGHT, which was made on May 17, 1921. Now, there is a later statement in this record from Secretary of War Weeks in reference to this controversy, bearing out the statement which the gentleman from Kansas [Mr. LITTLE] has made, namely, that Mr. WAINWRIGHT's statement was based on other and false testimony, and that is the reason Mr. WAINWRIGHT said that evidently there was no liability.

The proof in this case at present shows that the Government had undertaken to change the channel of this stream and put this piling in the stream; that the piling had broken loose, and the Government had gone there with a vessel and undertaken to drag the piling out of the stream.

Mr. CRAMTON. Will the gentleman yield?

Mr. McREYNOLDS. Yes.

Mr. CRAMTON. Does the gentleman want to take up the time until 11 o'clock, when other bills are waiting? If he does, it is all right with me.

Mr. McREYNOLDS. I have taken about two or three minutes, and I judge the gentleman from Michigan, who is not a member of the Committee on Claims, has taken at least three-quarters of an hour this evening.

Mr. CRAMTON. I have no interest in the bills to follow.

Mr. McREYNOLDS. I am on this subcommittee and I helped to pass on this testimony. I think this is a just claim. This boat was shown to be worth twice the amount; it was going up the Missouri River with an experienced man in charge; these piles were left in the center of the river, and it was on account of the Government having tried to pull them out of the river that this accident occurred and caused the destruction of this vessel. Therefore it has looked to me as though you should not force these people to go into court and undertake to recover there. I will not take any more of your time.

Mr. O'CONNOR of Louisiana. Mr. Speaker, is it in order for me to make a parliamentary inquiry at this time with the gentleman from Missouri on the floor?

The SPEAKER pro tempore. The gentleman from Missouri has the floor, and if he yields the gentleman may make his parliamentary inquiry.

Mr. ROACH. Mr. Speaker, I would like to make a brief statement in regard to this matter, if I may be permitted to do so. In response to what the gentleman from Texas said just a moment ago, it appears in the report—if the gentleman from Texas will give me his attention—

Mr. BLANTON. I am listening.

Mr. ROACH. In the report made by the Secretary of War the statement is found that they have no objection to conferring jurisdiction upon a court to determine this case and the merits of this claim. The point I wish to make to the gentleman from Texas is this: That a subcommittee of the Committee on Claims held hearings upon this measure and went thoroughly into the facts; likewise the Committee on Claims, a responsible committee of this House, heard the testimony which a court would have to hear, and after hearing that testimony reached the inevitable conclusion that this was a just and meritorious claim.

Mr. BLANTON. Will the gentleman yield?

Mr. ROACH. In just a moment and I will. There are precedents in this House where responsible committees, having inquired into the facts and merits of a claim, as in this case, have allowed the claim and paid the bill in Congress rather than to put the claimants to the delay and the expense incident and necessary to carrying the case into court.

Mr. BLANTON. Will the gentleman yield now?

Mr. ROACH. I will be glad to yield.

Mr. BLANTON. If the gentleman can get our colleagues, Judge Box and Major BULWINKLE, who are on this committee, to make a speech for this bill, I will withdraw my objection; but I do not believe the gentleman can do it.

Mr. ROACH. I am quite sure that if the gentlemen referred to had had all the facts before them that the subcommittee which reported this claim had before it and heard all of the

testimony they would get up on the floor of this House and make a speech in favor of this claim.

I have not a particle of personal interest in the claim except to see equity and justice done to honest citizens of this country, and I make this statement for the reason that these two men had their earthly possessions invested in this boat and it was sunk as the result of gross negligence and carelessness of Government employees in attempting to pull piling out of the main channel of the river, and that such employees did it in such a careless manner as to make a veritable death trap for boats that had a right to travel in that channel.

Now, with these unquestioned facts before the subcommittee and with these unquestioned facts before the main committee, they have recommended payment in this case. Now, why in the name of high heaven does the gentleman want to subject honest citizens, who have their all invested in a boat that is sunk through the carelessness of Government employees, to be put to the expense of employing counsel, summoning witnesses, and going into court when a committee of this House has passed upon the bill.

I hope the gentlemen, who have objections in mind, will not make any objection to so meritorious and just a claim as this one?

Mr. BEGG. Will the gentleman permit a question?

Mr. ROACH. I will gladly yield and answer any question the gentleman has in mind.

Mr. BEGG. There are only two questions I want to ask and I can ask both of them in one. In the first place, everybody knows, and no one knows it better than the gentleman speaking, and I am referring to the gentleman from Missouri, that the channel in the river shifts from time to time. The evidence states that this particular captain had not piloted a boat on this river for over two years.

Mr. ROACH. I beg to differ with the gentleman.

Mr. BEGG. The report says two years. I do not know whether it was one year or six months; all I know is what the report says. The report also says that the pilot, who had been a skilled pilot, made no effort by going to the navigation office to ascertain any shifts in the channel, and that a Government boat, the *Missouri*, a larger boat, did navigate the channel unmolested and unharmed.

Mr. ROACH. Will the gentleman now let me answer the questions? His first question goes to the experience of the pilot who was in charge of this boat. Let me state for the information of the House that the clear, convincing, unquestioned testimony—and the record is replete with it—is that this was one of the most experienced pilots who ever operated a boat upon the Missouri River; that he had acted in the capacity of a pilot and had had a pilot's license from the Government for a period of 20 years or more. Now, a member of this firm had died, which made it necessary to sell this boat, and they had contracted the boat for sale at Kansas City, to be delivered. Not willing to risk his own judgment upon the currents at that season of the year, this experienced pilot, with over 20 years of experience, called to his aid and assistance another experienced pilot. They were proceeding cautiously, as the evidence showed, up the Missouri River to deliver this boat when they struck this submerged piling that had been pulled right down in the middle of the channel by the Government agents and was lying there concealed beneath the water and the boat sunk.

So much for the experience of the pilot. Now, as to the responsibility of the pilot for not making inquiry at the Kansas City office, the evidence shows that the Kansas City office did not know a thing about what their agents had so criminally and negligently done there in the stream with reference to leaving this submerged piling, and they did not know about it until it had been proven in this case that they were criminally negligent. So if they had made inquiry at the Kansas City office they would not have got any information because the Kansas City office did not know anything about it.

Furthermore, we have the testimony of experienced river pilots upon the Missouri River in this record that shows that it is not the custom, that it is not the practice, and that it is not required that pilots shall make inquiry at the district engineer office with reference to the condition of the stream. I believe that fully answers both inquiries that the gentleman has made.

Mr. BEGG. I do not believe it does, for this reason: Navigation had not opened. This was in March and navigation had not yet opened, and there had been only one boat, the *Missouri*, to make the trip and, as I understood it, that was a Government boat. Now, would not just common, ordinary precaution urge a man not having navigated the river for two years to have gone to the navigation office to find out something.

Mr. ROACH. Let me ask the gentleman this question in answering his: It was the plain duty, admitted by all, of the Government agents who left this piling in that dangerous condition to put a buoy on it or a marker to indicate that they had left a dangerous condition in that channel. Are you now going to say that these men had to inquire of the men who made this dangerous condition as to whether they had left it there or not, or otherwise they can claim the benefit of their own negligent act? That is exactly what you would require them to do if you required them to inquire at the Kansas City office for information which they did not have.

Mr. BEGG. Will the gentleman yield further?

Mr. ROACH. I will gladly yield.

Mr. BEGG. I would not be absolutely positive about the accuracy of this, but I think the statement is in the report that even if a buoy had been put at this place, the ice would have washed it away.

Mr. ROACH. That is true.

Mr. BEGG. Because of the season of the year, and there was no way to physically mark this or for them to learn about it except to go to the district office and get the information.

Mr. ROACH. It is true that the Government office at Kansas City undertakes to justify itself in not placing a buoy or a marker there to indicate the danger by stating that at that season of the year the river was liable to have ice in it, which would have swept such a buoy away; and, as a matter of fact, within two or three days after this accident the river did have ice in it which would evidently have swept the buoy away, but to meet that sort of an unfair contention on the part of the Government—and I want the gentleman from Ohio to listen to this—the river pilots on the Missouri River testify that if there had been a buoy placed there, and if it had only remained one day, the notice would have gone up and down the river that a buoy had been placed there and accidents would have been avoided. I hope the gentleman will not make an objection to this bill.

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

Mr. EDMONDS. Mr. Speaker, in all fairness to the clerk of the committee, I would like to state that the papers in this report were taken by myself and ordered printed out of the data furnished us to prove the case. I have published pretty nearly all of the papers that I had. I did not know of the affidavit the gentleman from Kansas [Mr. LITTLE] speaks of, and the Clerk knew nothing of it. I had no evidence of it in my docket. If it had been there it would have gotten into the report. Another thing I would like to say is this: I think the evidence clearly shows that there was a lot of piling driven down the river. It was not exposed at high water, and the steamer hit it.

Mr. BLANTON. Mr. Speaker, I object.

The SPEAKER pro tempore. The gentleman from Texas objects.

Mr. O'CONNOR of Louisiana. Mr. Speaker, I desire to submit a parliamentary inquiry. Has a bill any priority by reason of the fact that a similar Senate bill in identical language is on the Speaker's desk, and could it be called up out of order?

The SPEAKER pro tempore. The Chair thinks not.

#### GREENPORT BASIN & CONSTRUCTION CO.

The next business on the Private Calendar was the bill (H. R. 3348) authorizing the Secretary of the Treasury to pay a certain claim as the result of damage sustained to the marine railway of the Greenport Basin & Construction Co.

The Clerk reported the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and hereby is, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$559.98 to the Greenport Basin & Construction Co., of Greenport, N. Y., as compensation for damage to their marine railway caused by the United States Coast Guard cutter *Pequot*.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

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

#### LEAVE OF ABSENCE.

By unanimous consent leave of absence was granted to—

Mr. TYDINGS, for to-day, on account of important business, at the request of Mr. HILL of Maryland.

Mr. BLACK of Texas, for to-day, on account of illness in his family.

#### ADJOURNMENT.

Mr. EDMONDS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 11 o'clock p. m.) the House adjourned until to-morrow; Saturday, March 22, 1924, at 12 o'clock noon.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. LEAVITT: Committee on the Public Lands. H. R. 3511. A bill to extend relief to the claimants in township 16 north, ranges 32 and 33 east, Montana meridian, Montana; without amendment (Rept. No. 336). Referred to the Committee of the Whole House on the state of the Union.

Mr. GIBSON: Committee on the District of Columbia. S. 1787. A bill authorizing the extension of the park system of the District of Columbia; without amendment (Rept. No. 337). Referred to the Committee of the Whole House on the state of the Union.

Mr. KENT: Committee on the District of Columbia. S. 1343. A bill to authorize the widening of Fourth Street south of Cedar Street NW., in the District of Columbia, and for other purposes; with an amendment (Rept. No. 333). Referred to the Committee of the Whole House on the state of the Union.

Mr. ABERNETHY: Committee on the Public Lands. H. R. 4437. A bill to quiet titles to land in the municipality of Flomaton, State of Alabama; with an amendment (Rept. No. 340). Referred to the Committee of the Whole House on the state of the Union.

Mr. VINSON of Kentucky: Committee on the Public Lands. H. R. 5204. A bill to authorize the Secretary of the Interior to adjust disputes or claims by settlers, entrymen, selectors, grantees, and patentees of the United States against the United States and between each other, arising from incomplete or faulty surveys in township 28 south, ranges 26 and 27 east, Tallahassee meridian, Polk County, in the State of Florida, and for other purposes; with an amendment (Rept. No. 341). Referred to the Committee of the Whole House on the state of the Union.

Mr. VINSON of Kentucky: Committee on the Public Lands. H. R. 5573. A bill granting certain public lands to the city of Shreveport, La., for reservoir purposes; with amendments (Rept. No. 342). Referred to the Committee of the Whole House on the state of the Union.

Mr. BIXLER: Committee on Rules. H. Res. 231. A resolution providing for a special committee to investigate the preparation, distribution, sale, payment, retirement, surrender, cancellation, and destruction of Government bonds and other securities; without amendment (Rept. No. 344). Referred to the House Calendar.

Mr. BIXLER: Committee on Rules. H. Res. 232. A resolution providing for the consideration of H. J. Res. 180, for the relief of the distressed and starving women and children of Germany; without amendment (Rept. No. 345). Referred to the House Calendar.

#### REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. WURZBACH: Committee on Military Affairs. H. R. 7805. A bill reconveying to Elizabeth Moore the camp site of Camp Robert E. L. Michie; with an amendment (Rept. No. 339). Referred to the Committee of the Whole House.

Mr. WILLIAMS of Michigan: Committee on War Claims. S. 1861. A bill authorizing the Court of Claims of the United States to hear, determine, and render final judgment in the claim of Elwood Grissinger; with amendments (Rept. No. 343). Referred to the Committee of the Whole House.

#### CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 7949) granting a pension to Mary J. Baldwin; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 7951) granting an increase of pension to Charles A. Bushey; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 7991) granting a pension to Clara C. Cox; Committee on Invalid Pensions discharged, and referred to Committee on Pensions.

A bill (H. R. 7992) granting a pension to Joseph Willms; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 8039) granting an increase of pension to Frank E. Putnam; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

#### PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. ASWELL: A bill (H. R. 8108) to place the agricultural industry on a sound commercial basis, to encourage agricultural cooperative associations, and for other purposes; to the Committee on Agriculture.

By Mr. NEWTON of Missouri: A bill (H. R. 8109) providing for the improvement and completion of prescribed sections of the Ohio, Mississippi, and Missouri Rivers; to the Committee on Rivers and Harbors.

By Mr. LARSON of Minnesota: A bill (H. R. 8110) authorizing the Secretary of Commerce to convey certain land to the city of Duluth, Minn.; to the Committee on Public Buildings and Grounds.

By Mr. McSWAIN: A bill (H. R. 8111) to provide further for the national defense and make available upon the declaration of war by Congress means by which the plans for the mobilization of industry required by section 5a of the national defense act may be made effective; to the Committee on Military Affairs.

By Mr. HILL of Maryland: A bill (H. R. 8112) to amend the national prohibition act; to the Committee on the Judiciary.

By Mr. RUBEY: A bill (H. R. 8113) to declare Big Niangua River, in Webster, Dallas, Laclede, and Camden Counties, Mo., nonnavigable; to the Committee on Interstate and Foreign Commerce.

By Mr. CURRY: A bill (H. R. 8114) to amend section 4 of the act approved August 24, 1912, entitled "An act to create a legislative assembly in the Territory of Alaska, to confer legislative power thereon, and for other purposes"; to the Committee on the Territories.

By Mr. CRISP: Resolution (H. Con. Res. 17) to print 5,000 copies of the report of the Commissioner of Internal Revenue showing refunds made taxpayers during the fiscal years ending June 30, 1922, and 1923; to the Committee on Printing.

By Mr. KINDRED: Resolution (H. Res. 230) authorizing the appointment of a committee to investigate the office of the Federal prohibition commissioner; to the Committee on Rules.

#### PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ARNOLD: A bill (H. R. 8115) granting an increase of pension to Samantha Elliston; to the Committee on Invalid Pensions.

By Mr. BERGER: A bill (H. R. 8116) granting an increase of pension to John F. Brannan; to the Committee on Pensions.

By Mr. BRAND of Ohio: A bill (H. R. 8117) for the relief of Mrs. William F. Baxley; to the Committee on Claims.

By Mr. BROWNE of New Jersey: A bill (H. R. 8118) for the relief of Burton Tettemer; to the Committee on Claims.

By Mr. BROWNING: A bill (H. R. 8119) to authorize the burial of Edward E. Kemp in a national cemetery; to the Committee on Military Affairs.

By Mr. CROWTHER: A bill (H. R. 8120) for the relief of A. J. Baker Co. (Inc.), Horwitz & Arbib (Inc.), and Richard Evans & Sons Co.; to the Committee on Claims.

By Mr. CULLEN: A bill (H. R. 8121) for the relief of Mrs. John Jones; to the Committee on Claims.

By Mr. FULLER: A bill (H. R. 8122) granting an increase of pension to Mary A. Force; to the Committee on Invalid Pensions.

By Mr. GIBSON: A bill (H. R. 8123) granting an increase of pension to Dennis Holland; to the Committee on Pensions.

By Mr. GLATFELTER: A bill (H. R. 8124) for the relief of William F. Redding; to the Committee on War Claims.

Also, a bill (H. R. 8125) granting an increase of pension to Margaret M. Burger; to the Committee on Invalid Pensions.

By Mr. HASTINGS: A bill (H. R. 8126) granting a pension to Mary E. Robertson; to the Committee on Invalid Pensions.

By Mr. HILL of Maryland: A bill (H. R. 8127) for the relief of Daisy Brown; to the Committee on Claims.

By Mr. LINEBERGER: A bill (H. R. 8128) granting a pension to Nettie I. Moffatt; to the Committee on Pensions.

Also, a bill (H. R. 8129) granting a pension to Olive J. Hurst; to the Committee on Invalid Pensions.

By Mr. MULLIGAN: A bill (H. R. 8130) granting a pension to Sarah J. Fuller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 8131) granting a pension to Mahala Shaw; to the Committee on Invalid Pensions.

By Mr. MOREHEAD: A bill (H. R. 8132) granting a pension to Josephine Roush; to the Committee on Invalid Pensions.

By Mr. PHILLIPS: A bill (H. R. 8133) granting a pension to Maria L. Reed; to the Committee on Invalid Pensions.

By Mr. PURNELL: A bill (H. R. 8134) granting a pension to Ada I. Murphy; to the Committee on Invalid Pensions.

By Mr. RUBEY: A bill (H. R. 8135) granting an increase of pension to John W. Harmon; to the Committee on Pensions.

By Mr. SWING: A bill (H. R. 8136) for the relief of L. H. Phipps; to the Committee on Claims.

By Mr. TABER: A bill (H. R. 8137) for the relief of Genevieve Hendrick; to the Committee on Foreign Affairs.

By Mr. TINKHAM: A bill (H. R. 8138) granting a pension to Alfred Bonaccorsi; to the Committee on Pensions.

By Mr. UNDERWOOD: A bill (H. R. 8139) granting an increase of pension to Margaret S. Higgins; to the Committee on Invalid Pensions.

By Mr. WAINWRIGHT: A bill (H. R. 8140) for the relief of the owner of the American steam tug *O'Brien Brothers*; to the Committee on Claims.

By Mr. WURZBACH: A bill (H. R. 8141) to reinstate Charles McKee Krause as a captain in the Marine Corps; to the Committee on Naval Affairs.

By Mr. CURRY: Joint resolution (H. J. Res. 226) for the relief of special disbursing agents of the Alaskan Engineering Commission, authorizing the payment of certain claims, and for other purposes, affecting the management of the Alaska Railroad; to the Committee on the Territories.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1938. By Mr. ALDRICH: Petition of Little Rhody Council, No. 30, Sons and Daughters of Liberty, of Westerly, R. I., urging the passage of the Johnson immigration bill; to the Committee on Immigration and Naturalization.

1939. By Mr. CELLER: Petition of Polish Falcons Alliance of America, urging that the Star Spangled Banner be adopted as the national anthem; to the Committee on the Library.

1940. Also, petition of American Association for the Recognition of the Irish Republic, against any recognition being accorded to a diplomatic representative of the so-called Irish Free State by the Government of the United States; to the Committee on Foreign Affairs.

1941. Also, petition of Utica Heights Board of Trade, favoring House bill 4123, to increase salaries of postal employees; to the Committee on the Post Office and Post Roads.

1942. By Mr. FULLER: Petition of the Peoria (Ill.) Clearing House Association, opposing any amendment of the transportation act at this time; to the Committee on Interstate and Foreign Commerce.

1943. By Mr. LEAVITT: Petition of William Tibbles, secretary-treasurer of the Custer County Farm Bureau (Mont.), and 28 other farmer members of the organization, petitioning Congress to adopt speedily such legislation as will enable the creation of an agricultural export corporation to handle farm commodities that must of necessity find a market abroad; to the Committee on Agriculture.

1944. By Mr. MacGREGOR: Petition of Lodge M. N. Zartava, No. 405, S. N. P. J., Tonawanda, N. Y., and Italian Medical Society, Buffalo, N. Y., protesting against certain proposals in the immigration bill before Congress; to the Committee on Immigration and Naturalization.

1945. By Mr. MAGEE of Pennsylvania: Petitions of the Cinosam Club; Gold Cross Sisterhood, No. 108, D. of M.; executive committee American Association of Engineers; South Hills Republican Club; Thursday Afternoon Club, of Wilkesburg; Overbrook Council; Woman's Civic Club, of Emsworth; Amalgamated Association of Iron, Steel, and Tin Workers, all of Pittsburgh, Pa., favoring increased compensation to postal employees; to the Committee on the Post Office and Post Roads.

1946. Also, petitions of Local Union No. 256, O. P. and C. F. I. A.; O. R. T. Club, representing telegraphers and station

agents of all railroads; Keystone District Loyal Orange Lodge, No. 6; St. Joseph Lyceum; Fort Pitt Lodge, No. 155, L. L. O. A.; Chapter No. 1, Women of Mooseheart Legion; and Sheik Temple, No. 246, D. O. K. K., all of Pittsburgh, Pa., favoring increased compensation to postal employees and favoring House bill 4123; to the Committee on the Post Office and Post Roads.

1947. Also, petitions of Amalgamated Association of Iron, Steel, and Tin Workers; the Rose Building & Loan Association; International Brotherhood of S. S. and D. M., Local No. 3; Jones Lean Post, No. 845, Veterans of Foreign Wars; directors of Catholic Men's Club; West End Board of Trade; Automobile Club of Pittsburgh; Chateau Post, No. 258, Veterans of Foreign Wars; United Garment Workers of America, Local Union No. 51; Arsenal Bank; B. P. O. E., No. 11; American Woodmen; Carlisle Club; Young Men's Institute of Sharpsburg; and Pittsburgh Association of Credit Men, all of Pittsburgh, Pa., favoring increased compensation to postal employees; to the Committee on the Post Office and Post Roads.

1948. Also, petitions of Building Trades Council; Equitable Aid Society; the Broadway Club, Lodge No. 50, K. of P.; Millvale Post, No. 118, V. F. W.; W. Ralph McNulty Post, No. 214; Bell-Hald-Murray Post, No. 520; Kletzly Eglil Post, No. 441; Jene-Mager Post, No. 278; German Beneficial Union, No. 506; Martin-O'Donnell Post, No. 274; Northside Board of Trade (Inc.); Brookline Board of Trade; Wilson-Golden Post, No. 842; Order of Owls; Steam Fitters and Helpers, No. 449; Paperhangers' Local, No. 282; Corporal C. A. Everett Post, No. 514; Painters, District Council No. 1; First National Bank of Etina; Retail Grocers' Association; Hazelwood Lodge, No. 130, K. of P.; Private John Naujokitis, No. 373; Oakland Lodge, No. 421, K. of P.; and Charles Q. Zischkan Post, No. 207, all of Pittsburgh, Pa., favoring increased compensation to postal employees; to the Committee on the Post Office and Post Roads.

1949. Also, petitions of Brewery and Soft Drink Workers' Union, No. 67; Brewery and Soft Drink Workers' Union, No. 22; and St. George's Lodge, No. 6, S. B. S., of Pittsburgh, Pa., favoring increased compensation to postal employees; to the Committee on the Post Office and Post Roads.

1950. By Mr. MEAD: Petition of the Buffalo Chamber of Commerce, protesting against the McNary-Haugen bill; to the Committee on Agriculture.

1951. By Mr. MORROW: Petition of Zvezda Lodge, No. 297, S. N. P. J., of Raton, N. Mex., against immigration measures now before Congress; to the Committee on Immigration and Naturalization.

1952. Also, petition of Albuquerque Lodge, No. 336, Independent Order of B'nai B'rith, Albuquerque, N. Mex., opposing the Johnson immigration bill; to the Committee on Immigration and Naturalization.

1953. Also, petition of Gorenjec Lodge, No. 120, S. N. P. J., of Gallup, N. Mex., against immigration proposals now before Congress; to the Committee on Immigration and Naturalization.

1954. By Mr. NEWTON of Minnesota: Petition of Gopher Local, No. 205, opposing the provisions of the bill for the registering, photographing, and finger printing of foreign-born workers; to the Committee on Immigration and Naturalization.

1955. Also, petition of Mr. Fred A. Ossanna, on behalf of certain Greek, Italian, Polish, Russian, Slovak, and Ukrainian citizens of Minneapolis, voicing their protest against the Johnson immigration bill; to the Committee on Immigration and Naturalization.

1956. By Mr. SMITH: Petition of the United States Brotherhood of Carpenters and Joiners of America, Boise, Idaho, favoring the enactment of the child-labor amendment; to the Committee on the Judiciary.

## SENATE.

SATURDAY, March 22, 1924.

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

O Lord, our God, the heavens declare Thy glory and the firmament showeth Thy handiwork. We bless Thee this morning that Thou art ours, related to us in such a blessed way through Thy Son. We would recognize our obligations to serve Thee acceptably. In all the varied duties which come to our hands we beseech of Thee to help us, so that to the country as well as to Thyself, our God, we may render acceptable service. Through Jesus Christ our Lord. Amen.

### NAMING A PRESIDING OFFICER.

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

UNITED STATES SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, D. C., March 22, 1924.

#### To the Senate:

Being temporarily absent from the Senate, I appoint Hon. JAMES W. WADSWORTH, Jr., a Senator from the State of New York, to perform the duties of the Chair this legislative day.

ALBERT B. CUMMINS,  
President pro tempore.

Mr. WADSWORTH 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.

### GRAVES OF SOLDIER DEAD ABROAD.

Mr. REED of Pennsylvania. Mr. President, I move a reconsideration of the vote by which House bill 7449, the first deficiency appropriation bill, was passed, and I ask unanimous consent for the present consideration of the motion.

Mr. HEFLIN. 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	Frazier	Ladd	Sheppard
Ball	George	Lodge	Shields
Bayard	Gerry	McKellar	Shipstead
Borah	Glass	McKinley	Simmons
Brandege	Gooding	McLean	Smith
Broussard	Hale	McNary	Smoot
Bursum	Harrell	Mayfield	Stanfield
Cameron	Harris	Neely	Stephens
Capper	Harrison	Norris	Swanson
Caraway	Hellin	Oddie	Wadsworth
Curtis	Howell	Overman	Walsh, Mont.
Dial	Johnson, Minn.	Owen	Warren
Edge	Jones, N. Mex.	Ralston	Watson
Elkins	Kendrick	Ransdell	Weller
Ernst	Keyes	Reed, Pa.	Willis
Fletcher	King	Robinson	

Mr. FLETCHER. I desire to announce that my colleague [Mr. TRAMMELL] is unavoidably absent. I ask that this announcement may stand for the day.

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 meeting.

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

Mr. REED of Pennsylvania. Mr. President, my purpose in moving a reconsideration of the vote by which the Senate passed the first deficiency appropriation bill yesterday is to enable me to present an amendment for the insertion of a limitation on the expenditure of an item which is found on page 49 of the bill, appropriating \$548,550 for headstones to be placed in American cemeteries in Europe. The amendment was suggested to the Committee on Appropriations and I understood that it was acceptable to that committee, but it seems there was a misunderstanding and that they expected me to offer the proviso on the floor of the Senate, which I was unable to do as I was necessarily absent yesterday. My purpose in asking for reconsideration now is simply to offer an amendment to that one item, and I understand there is no objection to it.

Mr. ROBINSON. Will the Senator have read the amendment he proposes in advance of action on the motion to reconsider?

The PRESIDING OFFICER. The Secretary will read the amendment which the Senator from Pennsylvania proposes to submit.

The READING CLERK. On page 49, line 21, after the word "expended" and before the period, insert a colon and the following proviso:

*Provided*, That none of the money so appropriated shall be expended except for headstones or markers to be placed upon the graves in American military cemeteries overseas, which shall be of the same general form and design and having the same general effect as the existing wooden markers.

Mr. REED of Pennsylvania. In explanation of the proposed amendment I will say that the Quartermaster General plans to remove all of the white crosses now marking the graves of