

Mr. JONES of Washington. If there are no other individual amendments, I will ask that the bill go over until the next opportunity we have to resume its consideration.

## RECESS

Mr. CURTIS. I move that the Senate take a recess, the recess being under the order previously entered, until 11 o'clock to-morrow morning.

The motion was agreed to; and the Senate (at 9 o'clock and 5 minutes p. m.) took a recess until to-morrow, Wednesday, May 7, 1924, at 11 o'clock a. m.

## HOUSE OF REPRESENTATIVES

TUESDAY, May 6, 1924

The House met at 12 o'clock noon, and was called to order by the Speaker.

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

We praise Thee, O God, for the gift of Thy love as shown in Him who has suffered for us, walked our way, lived our life, borne our griefs, and carried our sorrows. May His moral preeminence be our guide and inspiration. Revive in all breasts a new devotion to Thee, a charity to one another and to all mankind. Impress us that Thou dost never fail him who, in however obscure a sphere, however lowly a spot, is true to his God and to himself. Whatever we do, may there be no uncertainty concerning the things that matter. Give us to understand that obedience to vision means consecration to duty. Through Jesus Christ our Lord. Amen.

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

## EXTENSION OF REMARKS

Mr. WATKINS. Mr. Speaker, I ask unanimous consent to extend my remarks by inserting a copy of a letter written by four members of the Committee on Immigration and Naturalization to the conferees on the immigration subject.

The SPEAKER. The gentleman from Oregon asks unanimous consent to extend his remarks in the RECORD by inserting a letter as indicated. Is there objection?

Mr. JOHNSON of Washington. Reserving the right to object, Mr. Speaker, what is it?

The SPEAKER. A letter written by four members of the Committee on Immigration to the conferees on the immigration bill. Is there objection?

There was no objection.

Following is the letter referred to:

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON IMMIGRATION AND NATURALIZATION,  
Washington, D. C., May 2, 1924.

HON. ALBERT JOHNSON, HON. WILLIAM N. VAILE, HON. BIRD J. VINCENT,  
HON. ADOLPH J. SABATH, and HON. JOHN E. RAKER,  
House Conferees on Immigration Bill,  
House of Representatives, Washington, D. C.

GENTLEMEN: We read in the press persistent reports that it is proposed that the conferees so change that portion of the immigration bill which excludes persons ineligible to citizenship as to postpone its effective date for two years, and to provide that it shall never become effective as to any country with which the United States shall thereafter make a valid treaty restricting immigration.

These propositions were not embodied in the bill passed by either House and are at great variance with the original bill and the purpose of the House and its committee as indicated by their discussion and action on the bill. To invite by legislative action the regulation of the immigration of orientals by treaties with Asiatic nations would, in our view, be unfortunate. After the United States has agreed to consult the wishes and interests of Asia as to immigration it could not consistently refuse to consult the wishes of Europe and the rest of the world in the same manner. That is exactly what is desired by the opponents of restrictive immigration legislation. Finding the country and Congress determined to restrict immigration, and remembering that nearly all restrictive immigration legislation has been opposed by the executive department, they would much prefer to have the President and foreign nations control it without consulting Congress.

In 1879 President Hayes vetoed the first Chinese exclusion act. In 1882 President Arthur vetoed an act suspending Chinese immigration for a period of 20 years. (Immigration Commissioner's Report, vol. 2, pp. 580-581.) On March 3, 1897, President Cleveland vetoed an immigration act excluding illiterates. (I. C. R., vol. 2, p. 573.) President Taft vetoed an immigration bill in 1913 containing a restriction against

the admission of illiterates. (RECORD, special session, 59th Cong., p. 101.) In 1917 President Wilson vetoed an act excluding illiterates, but Congress passed it over his veto. The present percentage quota immigration law was passed by the Sixty-sixth Congress, but failed because President Wilson withheld his approval. It was again passed by the Sixty-seventh Congress and later extended, both acts having been approved by President Harding, whose actions on these measures were about the first approvals by a President of measures designed to reduce or strictly regulate immigration from foreign countries.

The effect of the Burlingame treaty with China, in 1868, by which the treaty-making power undertook to regulate immigration, having been found highly unsatisfactory, China, under compulsion, in 1880, agreed to another immigration treaty in which she consented for the United States to suspend the coming of laborers only, but the treaty expressly forbade the United States to prohibit Chinese immigration and permitted only the limitation or suspension of the coming of Chinese laborers in such manner as should be "reasonable." That proved unsatisfactory. In that same year Congress passed an act suspending Chinese immigration for 20 years, but President Arthur vetoed that act, chiefly because a suspension of Chinese immigration for 20 years was in violation of the latest treaty with China.

That it would be unfortunate to the Pacific coast and the whole country to have oriental immigration regulated by the treaty-making power is shown by the history recited in the preceding paragraph and by recent experience. It would, in our judgment, be ruinous to have all immigration thus controlled, but that would probably follow. Japan's demand that we consult her about our immigration policy is extraordinary and unwarranted. If we surrender to it we will almost surely surrender later to similar demands by European powers.

To pass the control of our immigration policy to the treaty-making power will completely silence the voice of the House of Representatives therein. It would surrender a sovereign right and give to foreign countries a power which the country has never conceded.

We earnestly protest against the inclusion of the proposed amendments in the bill as written in conference. The tremendous importance of the question and of the consequences involved is our apology for addressing you in this manner.

Respectfully yours,

RILEY J. WILSON,  
JOHN C. BOX,  
S. D. MCREYNOLDS,  
ELTON WATKINS,

Members House Committee.

(Copies to Members of the Senate and House for their consideration.)

Mr. HILL of Maryland. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing an address by the president of Columbia University, Mr. Nicholas Murray Butler.

Mr. LAGUARDIA. I object, Mr. Speaker

The SPEAKER. Objection is heard.

Mr. BYRNS of Tennessee. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by incorporating a compilation of the record of Judge TILLMAN, of Arkansas.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to extend his remarks in the RECORD by inserting a compilation of the record of Judge TILLMAN, of Arkansas. Is there objection?

There was no objection.

Mr. BYRNS of Tennessee. Mr. Speaker, under the leave granted to extend my remarks, I insert a compilation of the record of Judge TILLMAN, of Arkansas, which is as follows:

## TEN YEARS IN CONGRESS

To some it seems a long time; to me it passed like the flashing wings of a swallow in flight.

When my family arrived with me in Washington the last of November, 1915, I recall their expression, caused by their first far-away view of the stately Monument, piercing the sky like a giant's spearhead.

Much water has passed under the bridge of the spanning years since these 10 busy ones have gone to take their places like silent soldiers in the steadily increasing ranks of the silent centuries.

It has long been the custom for Members of both House and Senate to set forth in speeches their records in Congress, particularly when their records are attacked, to defend their records, to publish letters bearing on same, and to furnish their constituents with copies.

My term began March 4, 1915.

I came to Congress at an interesting period, but at a time when it became necessary to express by vote and speech opinions on a thousand new questions. Mine has not been an easy service. The people have differed widely on many issues, and the wonder is they have found so little to criticize in my votes and speeches, my bills and public and private behavior during and since the Great War. I have scored many successes, pleased many people, displeased some, and have made my share of mistakes. I would not have been human if I had not. The

times have been abnormal, unusual, and trying. In the hurry of the frequent roll calls, in the rapid cut and thrust of parliamentary battle, no ordinary mortal actually operating in the heat and dust of action can avoid blundering now and then. Only that perfect, pure, and all-wise fellow on the outside wanting by hook or crook to get in is faultless and incapable of error. He knows exactly how the public business should be transacted. He is the gifted creature who points out the many wrongful acts of the ins and modestly admits that he alone has the wings of perfection sprouting from his holy shoulders.

With proper modesty, I hope, I am calling attention to some of my activities as a Congressman, and I let others do most of the talking.

I represent an agricultural district. My sympathies are enlisted in behalf of farmers, and most of my activities have been directed along that line. I will set out first some of the measures in aid of farmers which have been the subject of my support.

#### AGRICULTURE

##### GRAIN AND COTTON

Every effort that has been made since I have been a Member of Congress to prevent gambling in futures, both in grain and cotton exchanges, has received my support.

I was one of the group of Congressmen who made the fight in the fall and winter of 1917 and 1918 to break the bear combinations in their attempt to force down the price of cotton in the United States, and who had succeeded in putting the price down \$40 to \$60 a bale. We finally induced the Government to aid the farmers and compel the banks to provide the means to enable the farmers to hold their cotton until ships could be provided to export it.

Millions of dollars were saved for the cotton growers of the South by this.

##### TILLMAN HONORED

"Our Congressman, Judge TILLMAN, was elected to preside at the organization and subsequent meetings of the Congressmen from all the cotton States, meeting in Washington to ask for legislation to combat the boll weevil, to aid generally in cotton production and marketing. Our people, regardless of party, are glad to see our Representative in Congress thus highly honored. Congressman TILLMAN evidently stands well among his associates." (Mountain Wave.)

I voted for and helped to pass the Federal reserve banking act, which took away from Wall Street the power to produce a panic.

##### ANIMAL HUSBANDRY

I advocated the carrying out of the provisions of an act establishing a Bureau of Animal Industry to enable the Secretary of Agriculture to collect and disseminate information concerning livestock, dairy, and other animal products.

For all necessary expenses for investigations and experiments in dairy industry.

For investigating diseases of animals, for its control and eradication, methods of treatment and prevention, independently or in cooperation with farmers' associations, State or county authorities.

For experiments in animal feeding and breeding, including cooperation with State agricultural experiment stations.

For investigating the disease of hog cholera and its control and eradication.

For investigating the preparation for market, handling, grading, packing, freezing, drying, storing, transportation, and preservation of poultry and eggs.

For furnishing to producers, dealers, newspapers, and consumers accurate information regarding supplies of fruits, vegetables, dairy and poultry products.

For collecting and distributing by telegraph, mail, or otherwise timely information on the supply, demand, commercial movement, disposition, quality, and market prices of dairy and poultry products.

Provided for publication and distribution of bulletins on hog and cattle raising in the South.

##### GENERAL AGRICULTURAL IMPROVEMENTS

I assisted in having thousands of acres withdrawn from the forest area and opened for homestead entry in Arkansas. There are now many prosperous farmers owning their own homes within this area.

Helped to pass the Smith-Lever Agricultural Extension Act.

Helped to adopt methods of teaching the various phases of profitable, up-to-date farming and scientific agriculture, and it is the most valuable and comprehensive farm-demonstration plan ever devised.

To enable the Secretary of Agriculture to cooperate with the several States in the employment of agents to acquire and diffuse useful information connected with the distribution and marketing of farm products.

Advocated the investigation of cotton, corn, and other crops introduced from the tropical regions and for the improvement of cotton, grain, and fruit.

Helped to establish the Bureau of Markets, giving the needed and valuable assistance and information to both producer and consumer.

For collecting and distributing by telegraph, mail, or otherwise timely information on the supply, commercial government, disposition, and market prices of fruits and vegetables.

Have advocated the investigation and improvement of grasses, alfalfa, clover, and other forage crops.

Investigation of insects affecting cereal and forage crops.

Investigation of and improvement of cereals and methods of cereal production and the study of cereal diseases.

Have advocated investigating means and methods of more effectually providing for the national security and defense by gathering authoritative information concerning the food supply, by increasing production, and preventing waste of food supplies.

Have advocated investigating the history and habits of the insects injurious and beneficial to agriculture, the study of insects affecting the health of man and domestic animals, and ascertaining the best means of destroying those found to be injurious.

Have advocated the investigation of insects affecting southern field crops, including insects affecting corn, tobacco, and sugar cane.

For the investigation and improvement of methods of crop production.

For investigating plant diseases, soil bacteriology, and plant nutrition.

For the investigation of insects affecting fruits, orchards, and vineyards.

For the investigation and improvement of fruits and the methods of fruit growing, harvesting, and, in cooperation with the Bureau of Markets, studying fruits during the processes of marketing and while in commercial storage.

I have given special thought and study and rendered service to the great agricultural interests in my State and Nation.

I was one among the twenty Members of Congress who voted against the so-called daylight saving bill, and also assisted in its repeal.

Since I have been your Representative in Congress I have caused to be established rural routes that give mail facilities to more than 8,000 people in our district and have been constant in my efforts to have extended and improved the mail service in every other way possible.

In this day and age it is necessary that the farmer should receive his mail daily, as it is that the business man should do so, in order that he may keep constantly in touch with the conditions of the world and its markets. Especially is this true at the present time. The establishment of rural routes, in my judgment, is a means of education as well as a pleasure. It is welcome to the people and they should have it.

I have procured city delivery for thousands of our people also.

I blocked the scheme to transfer Camp Pike to Little Rock, the first step toward university removal.

I have opposed in every way measures that seek to foist upon America any plan or system that smacks of military despotism.

I helped pass the workmen's compensation act for accidents and death in industry.

I helped to pass the humane act declaring that human labor is not a commodity, thus taking the flesh and blood of human beings out of the class of chattels.

Have supported every measure necessary to carry out the purpose of the people in constitutional amendments adopted.

I supported every measure looking to the best interests and advancement of the cause of education.

Have advocated in the House and elsewhere the doctrine that America and other civilized nations should set up an international tribunal for the settlement of disputes by arbitration to the end that peace of the world may be preserved and the cruel, useless slaughter of human beings prevented.

Voted for Federal aid for State schools and colleges for vocational education.

I was one among the first to advocate sending out of this country, those who advocate the overthrow of our Government by force, and helped to secure legislation to carry out this purpose. Under this law the deadly enemies of our country are being sent back to their own country.

I have always voted for restricted immigration laws, which are intended to protect America from the unfit people and criminal refuse of foreign countries.

I advocated and will continue to advocate fair and just treatment of American soldiers who served our country in the great World War. I have voted for measures that promote and safeguard their interest in various ways.

I favor additional appropriations for all kinds of internal development of our country. I favor additional appropriations for Federal aid to roads. If we used half the money appropriated for the Army and Navy in aid of the building of roads throughout the States for a few years what a splendid system of roads we would have and how wonderful these arteries of commerce would be over which the people could travel and the farmers in turn bring their products to market.

There should be additional amounts appropriated for those things which we regard as investments which will bring happiness and prosperity to the people of the country, and another conference called

which will result in disarmament, both of the land and naval forces, and which will justify reduced appropriations for those purposes. When all countries cease to spend the greater part of the money obtained through burdensome taxes upon their people for agencies of war and turn their attention to peace and industrial pursuits, then will prosperity and contentment come, not only to their own people but to the nations of the earth.

The Army bill for the coming fiscal year carries an appropriation of \$326,224,993.13, and the Navy bill for the coming fiscal year carries an appropriation of \$271,942,867, or a total appropriation of \$598,167,860.13. I favored both amendments offered to the Army and Navy bills to call disarmament conferences. The leading powers in 1922 agreed to naval disarmament or the reduction of their capital ships. This should be extended to auxiliary cruisers, submarines, airplanes, and all other kinds of naval craft. This would permit tax reduction in our country and in foreign countries and enable us to spend much larger sums of money in the internal development of the country. Large expenditures for destructive purposes are not consistent with tax reduction.

#### RECONSTRUCTION LEGISLATION

Modifications and changes in the present tax law are necessary. The burden should be distributed so that those most able to pay shall pay the greater share.

I am in favor of adequate and additional marketing facilities so the farmer will not have to market his crops at a sacrifice.

I favor stamping out gambling in farm products so the farmer can have an open and honest market in which to sell the products of the farm.

I have been true to the farmer and his legislation at every step of the way. The speeches made, bills introduced, votes cast in his behalf are all available. The record is made.

I am not in favor of reducing the volume of money and bringing on another panic for the benefit of the financiers, who alone would profit to the grief and distress of the rest of us. To do this would ruin the man in debt, but multiply the millions of the money lenders.

I oppose universal military training, call it compulsory or volunteer.

I have always stood before, during, and since the war for America and American rights and institutions.

I stand on my record, speeches made, bills introduced, votes cast, the life I have lived, and the things I have achieved.

Occasionally an unscrupulous person will charge Congress with raising freight rates. To offset that charge I submit the following, showing that the rate-fixing power is, and has been for years, in the Interstate Commerce Commission:

#### INTERSTATE COMMERCE COMMISSION, OFFICE OF THE SECRETARY, Washington, April 23, 1924.

Hon. JOHN N. TILLMAN, M. C.,  
House of Representatives.

DEAR MR. TILLMAN: In response to your inquiry of even date I beg to state that under existing law, including the transportation act, 1920, the Interstate Commerce Commission is charged with the duty of regulating freight rates.

General increases in rates were permitted in 1920 and general reductions required in 1922, both by the commission. Neither the transportation act nor any other act passed by Congress to my knowledge has directly authorized or required increases in rates.

Respectfully,  
G. B. MCGINTY, Secretary.

It must be refreshing for our people to read some newspaper articles that have not been purchased, paid for, and branded advertisement. I print below a few unbought comments from the press. They cover the period during my service here, first published four to eight years ago. They are all the more valuable because they come to me without solicitation and without a purchase price:

Dispatch from Mountain Home, Ark., to Arkansas Gazette.

"Mrs. Z. M. Horton, John Hicks, Gertrude and Annie Simpson, heirs of Thomas I. Hicks, all of this place, received a Treasury warrant a few days ago for money due Mr. Hicks at the beginning of the Civil War. A short time ago the claim was turned over to Congressman TILLMAN, who got the same through Congress."

The Beebe Bulletin, out of the district, says:

"Judge TILLMAN has made good and has measured up to every requirement. Within three months after taking his seat he achieved a national reputation by his speech on his Confederate pension bill. Portions of this speech were published in newspapers all over the country and it was pronounced by many to have been one of the most eloquent addresses ever heard in Congress."

Fred Heiskell, managing editor of the Arkansas Gazette, under date of April 19, 1924, wrote Congressman OLDFIELD, saying, among other things:

"Arkansas should realize that we have now and for some years have had unusually strong representation in Congress."

On September 22, 1916, C. B. Oldham, editor Van Buren County Democrat, said:

"Mr. TILLMAN made a ringing Democratic speech. His address, which is truly characteristic of the recognized ability possessed, rings true. Those who have failed to hear him could well afford to ride several miles to be present."

This same editor, without solicitation on my part and without pay, copied the following comment from the Arkansas Farmer, published outside the third district:

"The Arkansas Farmer's editor has enjoyed the friendship and confidence of Congressman TILLMAN for years. He is one of Arkansas' grandest men and one of the South's noblest sons. His record is an open book, and to know him is to love him. His constructive work compels support from the people because it merits recognition."

The Mountain Echo said:

"Congressman TILLMAN delivered one of the ablest speeches here Monday, September 25, that it has been our good fortune to hear in many a day. Mr. TILLMAN is a fluent speaker and is ably representing the third district in Congress."

Muscookee Times-Democrat said:

"Congressman TILLMAN is one of the biggest men that has visited Muscookee in this campaign. He is a bright, original orator, a unique political campaigner. His speeches are original and pleasing and are entirely different from the ordinary political talk. He is a highly cultivated old-school southerner and appeals mightily to the women, whom he says should vote for President Wilson because of his peace policies."

Rogers Democrat said:

"Congressman J. N. TILLMAN addressed the Democratic voters in Rogers Saturday afternoon. His address was of his usual pleasing and virile style, and his discussion of the national issues were logically and well-rounded arguments indicating that the speaker was not only competent but well informed. Congressman TILLMAN has just returned from his attendance at his first session of Congress. He made an enviable record, having become during the comparatively short session a national figure, and has the distinction of not having missed a roll call."

This is from the American Issue, Ohio, which copied my address on national prohibition:

"Congressman TILLMAN of Arkansas in his appeal for the adoption of the prohibition resolution amendment on December 17 paid a tribute to the militant church which is worthy of large publicity."

"The speech of Hon. JOHN N. TILLMAN, of Arkansas, in the House of Representatives when the prohibition amendment was pending is a strong arraignment of the diabolism of the liquor traffic and a fine specimen of southern oratory. We rejoice that Arkansas was heard that glorious day." (Arkansas Methodist.)  
The Winslow American said:

"TILLMAN's famous prohibition speech ought to be read by every public-school pupil."

"We have received a copy of Judge TILLMAN's really great speech on national prohibition. It is a gem of oratory and a masterly forensic effort. It will be read by everyone who receives it with pleasure and profit. Judge TILLMAN is reflecting credit on his district." (Fayetteville Daily Democrat.)

"Representative JOHN N. TILLMAN, of Arkansas, was on the program and made an eloquent speech at the National Convention of Confederate Veterans at Washington on June 4." (Washington Post.)

"STAND BY YOUR GUNS," SAYS ARKANSAS CHAIRMAN OF CONGRESSIONAL PARTY

"ROME, ITALY, July 21, 1918.—'Stand by your guns. Hurl back the invader from your sacred soil. Fight for a strong allied peace, and after the war let Italy, France, and England and all the other allies form a league enforcing universal peace and never again allowing the world to be bathed in the blood of the brave to forward the ambitious designs of a war lord seeking the military domination of the people of the earth.'

"This speech from Judge JOHN N. TILLMAN, of Arkansas, chairman of the congressional party, to the Italian people, is published in all Rome papers." (Arkansas Democrat.)

"The Advertiser will publish the able, descriptive, and scholarly speech of Hon. JOHN N. TILLMAN, of Arkansas, delivered in the House of Representatives last month. Owing to its great length we shall be obliged to present it in installments, but it will amply repay a careful perusal." (Fort Edward Advertiser, New York State.)

The Arkansas Gazette published a large part of this address in three separate Sunday editions.

"Bentonville County apple growers and buyers owe a vote of thanks to Congressman TILLMAN for his untiring work with the

Railroad Administration at Washington and his success in getting the necessary cars for the removal of the immense apple crop." (Bentonville Sun.)

"Congressman TILLMAN is one of the ablest speakers in the national legislative body." (Roanoke Times, Virginia.)

"Judge TILLMAN has made us a good Representative and has attained a prominence rarely accorded to new Members." (Baxter County Citizen.)

Mountain Echo, Yellville, Ark., April 10, 1924, says:

"The State of Arkansas may justly feel proud of having in Congress such men as CARAWAY and TILLMAN, who are able to command recognition for speedy action when the rights of their constituents are threatened. Mr. TILLMAN introduced the Dixie power extension bill in the House, championed the bill on the floor, and secured its passage. He has rendered each citizen and the counties of Marion and Baxter the greatest possible service."

"Congressman TILLMAN spoke in the interest of the Democratic Party last night at Union Square. He spoke interestingly for one hour. His address was well received and frequently applauded." (Lewiston (Maine) Daily Sun.)

"A fine time was had at the Democratic rally. Mr. TILLMAN is a forceful and most interesting speaker, and his audience gave him the closest attention. He is an orator of unusual ability and a man to be admired, whether or not you agree with him politically." (Neesho (Mo.) Daily Democrat.)

"Congressman JOHN N. TILLMAN has again succeeded in getting the Harrison land office out of the list that is to be abolished. It is worth something to the country to have a sure-enough Representative in Congress." (North Arkansas Star (recent issue).)

"Congressman TILLMAN has made good during his first term and will prove to be a power in Congress in the future. The Democratic National Committee sent him to Kentucky last week and next week will send him to Oklahoma." (St. Paul Mountain Air.)

A Stilwell, Okla., paper says:

"Congressman TILLMAN is a splendid type of the true southern gentleman, eloquent, chivalrous, and courteous."

The Tahlequah Arrow says:

"A large delegation met Congressman TILLMAN at the depot. He made a ringing speech and greatly pleased the people with his manner of speaking. We consider it the best speech made in the city during the campaign."

"Mr. TILLMAN's eulogy of President Willson was one of the gems of his eloquent speech. This congressional district has reason to congratulate itself that it is represented in Congress by JOHN N. TILLMAN." (Benton County Democrat.)

"Mr. TILLMAN's broad ability was soon recognized after entering Congress, as is attested by the fact that he has succeeded in putting into effect some very important measures. He has been on the job continuously, seldom missing a roll call, and has at all times kept in mind the folks at home and the good of the country at home." (Rogers Cooperative Press.)

"The editor of the Courier considers Congressman TILLMAN's ability and faithfulness the very highest. Our readers know he is one of the biggest, brainiest men in our State to-day." (Cotter Courier.)

"Judge TILLMAN last night addressed the Business Men's Club. Always a speaker of eloquence and power, he was at his best, and delivered a stirring and powerful appeal. Judge TILLMAN has won unusual prominence and influence in Congress and is the kind of Representative this district needs in Congress." (Fayetteville Daily Democrat.)

"Coming to the work splendidly equipped by education and experience, Congressman TILLMAN has been able to give us superior service from his first day in Congress up to the present, and our people are not only proud of his record but consider themselves especially fortunate in having elected him just at a time when the Nation needed men of his caliber." (Harrison Times.)

"The editor of this paper lives a few miles from the farm where Congressman TILLMAN grew to manhood. With full knowledge of his early struggles, knowing and appreciating his high character and abundant energy, we supported him for Congress in his first race, predicted that he would make good, and it is gratifying to know that even his enemies admit that he has more than done so. He has risen from a farm hand to Congress, and his friends, overwhelmingly in the majority in this, his home county, are proud of him and the record he has made."

"Judge TILLMAN became a national character before he had been in Congress three months. Commerce and Finance, of New York City, published his speech on his cotton tax restitution bill and said: 'We print his speech for the pleasure of our readers, who will find delight in oratory and who can appreciate a really charming apostrophe to the land of sunshine.' The great southern daily newspapers published this speech, and in lengthy editorials commended it."

"We doubt if any Arkansas man ever had a greater triumph than Congressman TILLMAN had at Richmond, Va., where, according to the Richmond Times-Dispatch, 'he spoke to 5,000 people, who accorded him a great ovation.' Similar to this was the reception his speeches received at Birmingham, Ala., Manassas, Va., and at the national Confederate reunion at Washington."

"Mr. TILLMAN is the author of many bills of national importance, and he has secured the passage of numerous bills local to this district. After introducing a bill to abolish the forest reserve he was instrumental in getting an Executive order opening for homestead thousands of acres of this reserve."

"Congressman TILLMAN has been 'on the job' constantly, rarely, if ever, missing a roll call. He has answered every card, call, or letter from his constituents, and probably excels any of his colleagues in supplying documents, bulletins, and pamphlets." Springdale News.

The following was not bought and is from my home town paper:

"Congressman JOHN N. TILLMAN is a candidate to succeed himself. He ought to be elected without a canvass. He has shown his faith by his works. He has given the people of the district faithful, consistent, and efficient service. They depend upon him and trust him. Their interests have had his serious attention since his name was first enrolled in the House."

"For nine years Judge TILLMAN has been in Congress. He has stood for every measure that has contributed to the advancement of the people of this district. He has held back the attacks upon our industries, institutions, and our citizenship. In Congress and at home he has aided every worthy cause and reflected honor upon our people."

"It has not taken all these nine years to prepare Mr. TILLMAN to represent us ably. He was prepared when he was sworn in, and soon took high rank in the House. Because of the workings of the complicated legislative machinery experience counts largely, and our people have learned this, a thing the East and North have long known and profited by, as long service has the advantage of powerful committee assignments and legislation originates in committees."

"The stale charge of every candidate seeking to displace a Congressman is that his name is attached to no bill. Judge TILLMAN deserves commendation that his name is not on many of the bills that have passed since he went to Congress. The truth is, however, that no helpful legislation has been enacted since he began service that he did not help frame and pass. His speeches have appeared in the press throughout the Nation. His hard work and fearless courage have made him a national figure. He is found always on the people's side of public questions, fighting for the right and justice. Business men, professional men, laboring men, ex-service men know they have no better friend."

"Never before, even during the dark days of the war, has it been so necessary to have safe and experienced men in Congress. The situation in foreign nations is critical. Conditions in our own country are unsettled."

"The puny piffle and the tearful snuffle of some candidates trying to undermine him, claiming that the people should change Congressmen every 10 years, are trifles as thin and transparent as heated air."

"That our Congressman is a consistent friend of agriculture is well known and appreciated. Every measure of relief for the farmers has had his help."

"TILLMAN is able in debate, a fine parliamentarian, logical, a polite, genial gentleman, consistent, and has represented us creditably and acceptably. His influence and his vote will be worth much to every class of people in the district. As a matter of selfish interest they will be glad to send him back to Congress."

"Ten years ago he carried his home county, Washington, by a plurality of 820, a much larger plurality than was received by either of his opponents in their home counties, and this time he will carry his home county by 2,500 majority, and will be renominated and reelected overwhelmingly." (Arkansas Countryman, Fayetteville.)

This was unbought also.

The Van Buren County Democrat some years ago published, among other proceedings, the resolutions of the Farmers' Union of that section as follows:

"Resolution No. 2 memorialized Congress to give the country a genuine rural credit law, such as the country needed, while Resolution No. 3 was an expression of appreciation and assurance of continued friendship upon the part of the membership extended Congressman TILLMAN for valuable service rendered the cause of farmer unionism throughout the South."

WE'LL NOT FORGET HIM

"The voters of this congressional district will gratefully remember JOHN N. TILLMAN for his valuable and successful assistance in securing to them an extension of our water-power privilege and saving it from the hands of dishonest 'big business.' TILLMAN will also be remembered by the boys for his

splendid fight for the bonus. He should be returned to Congress by the largest majority ever cast in the district." (Cotter Record, April 11, 1924.)

Defending one's good name when attacked is always permissible and excusable. Robbed of that, many of us would have but little left.

## OFFICE HELP

Mr. BLANTON, of Texas, a bold, fearless critic, says the following in a speech published in the RECORD of March 4, 1923:

"A majority of the most prominent men in Congress employ relatives, and it really accrues to the benefit of the Government."

All of us have been charged at one time or another with voting to exempt our own salaries from income tax. Also, the stock claim against a Member is that no general bill bears his name. Read this letter:

HOUSE OF REPRESENTATIVES,  
CLERK'S OFFICE,  
Washington, D. C., January 22, 1924.

Hon. JOHN N. TILLMAN,  
House of Representatives, Washington, D. C.

DEAR JUDGE TILLMAN: Your letter of January 15 was received, and I have been refreshing my memory concerning the alleged exemption of the salaries of Members of Congress from taxation. I recall the criticism distinctly.

No proposition was voted upon at any time to exempt Members of Congress from payment of income taxes. The charge that they did was unjust and clearly proven erroneous. \* \* \*

Replying to the other part of your letter, I would say that in general a bill of any importance takes the name usually of the chairman of the committee reporting it. \* \* \*

Very truly yours, WILLIAM TYLER PAGE.

Speaker Clark served 26 years; Speaker GILLET, 32 years; GARRETT, Democratic floor leader, 20 years; LONGWORTH, Republican leader, the same time. How many Clark bills can be named? There is no Gillett bill. Nobody can recall a Joe Cannon bill, even; no Garrett bill, no Longworth bill, no Oldfield bill, no Wingo bill, no Robinson bill, no Caraway House bill; they all served longer than I have; no Gunter bill, no Peel bill, no Dinsmore bill, no Floyd bill, but local bills, and I have passed as many, or more, local bills than any of them. This list could be indefinitely extended. While Mr. Floyd passed bills authorizing post-office buildings at Rogers and Eureka Springs, the money to erect same was appropriated during my service.

Since an irresponsible individual has attempted to reflect upon my influence in Congress and my standing among my associates, the following letters and statements from some of the strongest, cleanest, and ablest men in the House will set at rest such aspersions.

The letter below is from "the last of the Confederates in Congress," Major STEDMAN, 82 years of age, who fought with Lee and Jackson:

JANUARY 12, 1924.

Hon. JOHN N. TILLMAN,  
House of Representatives, Washington, D. C.

MY DEAR MR. TILLMAN: I was talking to my secretary yesterday afternoon with reference to events of long ago—incidents occurring during the War between the States and other matters.

In our conversation I told her of the heroic death of a boy who belonged to the company which I commanded for a long while. His name was Jesse Tillman. His home was in Chatham County, N. C., the place of my birth. He enlisted in a company in the Forty-fourth North Carolina Regiment at my request. I had an affectionate regard for him on account of his courage and his fidelity to whatever he thought was right.

He had attracted the favorable notice of our brigade commander and was at his request attached to the color guard. He was also honorably mentioned in "Orders of the day" from brigade headquarters. Soon thereafter in front of Petersburg the regiment became severely engaged with the enemy and suffered heavy loss. The flag several times fell as its bearers were shot down in quick succession. Young Tillman seized it and again carried it to the front. It was but an incident, and he, too, fell. As one of his comrades stooped to raise the flag again the dying boy touched him and in tones made weak by the approach of death said, "Tell the general that I died with the flag."

I assume that this boy was connected with you by blood, and I know that he was worthy of the kinship of anyone.

I do not know whether I have ever mentioned these facts to you in any of our many conversations. My secretary told me that on account of the friendly relations existing between you and myself that I ought to mention the facts connected with young Tillman's death to you, as they could not fail to interest you. I have therefore written you these lines this morning.

With kind personal regards and best wishes for the prosperity and happiness of Mrs. Tillman and yourself, I am,

Sincerely your friend, CHAS. M. STEDMAN.

EL DORADO, ARK., December 31, 1923.

Hon. JOHN N. TILLMAN,  
Congressman Third Arkansas District,  
House of Representatives, Washington, D. C.

MY DEAR CONGRESSMAN: I want to assure you of my appreciation of the courtesies shown me during a recent visit to Washington, and to reassure you, also, of the very high esteem in which you are held in the hearts of the ex-service men of this State because of your whole-hearted and generous support in favor of Legion legislation.

I trust that we shall never call upon you to support any bill which is not worthy from the standpoint of justice and fair dealing, and which is not in the interest of good citizenship.

With the best of good wishes, I am,

Most cordially yours,

O. L. BODENHAMER,  
Arkansas Commander American Legion.

JANUARY 7, 1924.

Hon. JOHN N. TILLMAN, M. C.,  
Washington, D. C.

MY DEAR COLLEAGUE: I thank you heartily for your generous letter of congratulation on my New Year speech on "The majesty of the law and national sobriety."

It will be an inspiration to keep among my treasures such golden words of commendation from such a rock-ribbed defender of constitutional prohibition and such a 100 per cent example of personal sobriety as you have been since I entered Congress four years ago.

But not only for this vital law have you stood four square, but for everything in constructive legislation which should characterize loyal, practical statesmanship.

I hope your fortunate district will keep you in Congress as long as you live, feeling sure that your usefulness will increase every year.

Cordially yours,

W. D. UPSHAW, Georgia.

WASHINGTON, D. C., March 24, 1924.

Hon. JOHN N. TILLMAN,  
House of Representatives, Washington, D. C.

MY DEAR CONGRESSMAN: While I am aware of the fact that we have made a good many demands upon you in the past, and while I am aware of the further fact that you have always generously responded with your time and ability, for which we are duly grateful, yet may I not ask you to so arrange your personal affairs as to give us as much of your time and effort in the coming national campaign as is reasonably consistent with the other burdens upon you.

I am, with every expression of regard,

Sincerely yours,

A. B. ROUSE,  
Chairman Democratic National Congressional Committee.

WASHINGTON, D. C., April 2, 1924.

MY DEAR JUDGE TILLMAN: I write to apologize for the delay of the subcommittee, of which I am chairman, appointed by you as chairman of the conference, to investigate the matter of lower freight rates for our farmers, to make its report. We hope to do so soon. I want to take this opportunity to express my appreciation of the arduous and effective labor you have given to all the matters placed under your care and direction looking to the improvement of the condition of our southern farmers. The conference over which you have presided and the suggestions you have made have already borne fruit in the nature of some practical remedial legislation and will yet bring other desired results.

With personal regard,

Yours sincerely,

WM. B. BANKHEAD, Alabama.

DECEMBER 14, 1923.

Messrs. R. L. and F. L. GLOVER,  
West Fork, Ark.

DEAR KINSMEN: Your Congressman, Hon. JOHN N. TILLMAN, informs me that he saw you gentlemen shortly before leaving his district and ascertained that you and I are related. \* \* \*

I was glad to receive this news and certainly hope to have the pleasure of seeing you both in Washington sometime. I want also to say that I have had the pleasure of being intimately associated with Congressman TILLMAN for over eight years and I regard him one of the most able men in the House and an honor to your district. \* \* \*

With every good wish, I am,

Very truly yours,

D. H. KINCHELOE.

HON. JOHN N. TILLMAN,  
*House of Representatives.*

DEAR JOHN: I write to thank you sincerely for being present and exerting your wholesome influence in the House on important matters of legislation during the present Congress. Your standing and popularity in the House have been of great assistance to our party and the country in the many close and vital contests which have been decided since the beginning of the present Congress. As whip of our party on the floor, it is my duty to see to it that Democratic Members are present when questions of vital interest are being considered, and it is a pleasure for me to be able to state that I have always found you on the alert, ready and capable of doing your full share in the many contests which we have had. I felt it my duty to write you this letter of thanks.

With best wishes, I am,  
Sincerely yours,

W. A. OLDFIELD,  
*Democratic Whip.*

OFFICE OF MINORITY LEADER,  
HOUSE OF REPRESENTATIVES,  
Washington, D. C., January 17, 1924.

HON. JOHN N. TILLMAN,  
*House of Representatives, Washington, D. C.*

MY DEAR MR. TILLMAN: I beg to inclose herewith for your files a copy of House Joint Resolution 68, proposing an amendment to the Constitution of the United States. \* \* \* I regard this a very worthy and a very important amendment. \* \* \* If, after your study of it, you feel that you can give it your support, it will be most helpful, indeed.

Knowing, as I do, the painstaking care and the assiduous study which you have given to public questions, and particularly those legal and constitutional matters with which the great Committee on the Judiciary, of which you are a member, has had to deal and which is appreciated by all your colleagues in the House, I will be especially glad to have your opinion upon this proposed measure. With all good wishes, I remain,

Yours sincerely,

FINIS J. GARRETT.

JANUARY 17, 1924.

MR. H. L. HUNNICUTT,  
*Durham, Ark.*

MY DEAR SIR: Knowing that you are a former Texan, and always being interested in the welfare of former citizens of my State wherever they may be located, prompts me in writing you concerning the record and activities of your able Representative, Hon. JOHN N. TILLMAN. I have watched the record of this splendid southern gentleman since coming to Congress five years ago, and I would like to vouchsafe to you and others who I know will be interested in knowing of his achievements the following facts:

First, Judge TILLMAN has the esteem and confidence of every man on the Democratic side, and is admired and esteemed also by the Members of Congress on the Republican side, because he is always fair in his statements and in his conduct on matters of legislation. He is a member of the important and powerful Judiciary Committee of the House, and, in my judgment, this committee ranks next in importance to the powerful Appropriations Committee, and probably, with this exception, outranks in importance and influence any other committee of Congress.

Judge TILLMAN is a constant attendant upon the floor of the House when the Congress is in session and takes a keen interest in all matters of legislation, and I have observed at frequent intervals that his voice is raised on the floor in behalf of good legislation or in opposition to legislation that he deems detrimental to his country and his people. He is a forcible speaker, a man of splendid judicial mind and trained in parliamentary debate, and I have never observed a lack of attention on the part of Members of Congress when Judge TILLMAN is addressing them.

The fact that he has served several terms in Congress and of his wide acquaintance with the Members, which necessarily has inculcated a feeling of friendship and desire to do him service, prompts me in saying to you that his constituents, if they knew of this esteem as we here in Congress daily hear it expressed, that there would be no question about his constituents returning him to succeeding Congresses, where his usefulness will increase as the legislative days go by.

Although a native son of Texas myself, I love the great State of Arkansas and her people. Your State is the birthplace of my mother, one of the greatest women this country has ever produced. Therefore I feel that interest in your State's welfare which prompts me to write you concerning your able and distinguished Representative as I have done, and you are at liberty to make such disposition of this letter as you may see fit.

Very sincerely yours,

C. B. HUDSPETH,  
*Member of Congress, Sixteenth District of Texas.*

My record here will show that I have kept on the job, performed my committee duties and office work, and attended the sessions of the House constantly. I have stood for the enforcement of law, for the protection of society, for the restriction of immigration, for the enactment of tax reduction laws that would relieve the small taxpayer and compel the wealth of the country to bear its just proportion of the burdens of government, and for the protection of the rights of the masses against the encroachment of special interests. I voted against, spoke against, and favor the repeal of the present iniquitous tariff law which was enacted at the behest of the protected interests of our country, which compels the farmers and other consumers to pay exorbitant prices for everything they have to buy. I stand for a renewal of commerce with all the world so that the surplus products of our farmers can find a market.

I have helped in framing all the important legislation my party favored, fought with vigor that which it opposed, and have spoken from the floor of the House on all the great measures before Congress since I have been a Member.

I believe in and have lived a life of service. To me it is the most attractive life. During my years here I have made many mothers happy by securing the discharge of a son from the Army or Navy. I have procured pensions or increases for hundreds of soldiers, their widows or orphans. I have aided thousands of ex-service men by getting for them additional travel pay, back pay, mileage, uniforms, vocational training, compensation, hospitalization, and extended them a thousand kindly courtesies. At the expense of hard work and long hours I have written letters, mailed out thousands of small remembrances to the young and old alike of the district, which tended to make life brighter and worth while for the moment at least. It is the thoughtful, tender little things as well as the big things that go to make up happiness in this short life. I have enjoyed the pleasure of sending to West Point and to the Naval Academy at Annapolis some of the brightest young Americans that have ever graduated at these great Government schools. I am solely responsible for their appointment, and am proud of them. I have caused to be appointed hundreds of postmasters, Government clerks, census supervisors, enumerators, rural carriers, and members of various boards. I have, in short, during the last 10 years accomplished more, achieved more, rendered better service to the people and to my country than ever before during a busy, active life.

#### MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Welch, one of its clerks, announced that the Senate had passed with amendments joint resolution (H. J. Res. 195) authorizing an appropriation for the participation of the United States in two international conferences for the control of the traffic in habit-forming narcotic drugs, in which the concurrence of the House of Representatives was requested.

The message also announced that the Senate had passed bills and a joint resolution of the following titles, in which the concurrence of the House of Representatives was requested:

S. 112. An act providing for a comprehensive development of the park and playground system of the National Capital;

S. 703. An act making an adjustment of certain accounts between the United States and the District of Columbia;

S. 1014. An act for the relief of F. J. Belcher, jr., trustee for Ed Fletcher;

S. 1017. An act for the relief of Florence Proud;

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

S. 2100. An act authorizing the sale of the United States Veterans' Bureau hospital at Corpus Christi, Tex.; and

S. J. Res. 49. Joint resolution authorizing the President to require the United States Sugar Equalization Board (Inc.) to adjust a transaction relating to 3,500 tons of sugar imported from the Argentine Republic.

#### SENATE BILLS REFERRED

Under clause 2, Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 703. An act making an adjustment of certain accounts between the United States and the District of Columbia; to the Committee on the District of Columbia.

S. 1014. An act for the relief of F. J. Belcher, jr., trustee for Ed Fletcher; to the Committee on War Claims.

S. 1017. An act for the relief of Florence Prand; to the Committee on Claims.

S. 2257. An act to consolidate, codify, revise, and reenact the laws affecting the establishment of the United States Vet-

erans' Bureau and the administration of the war risk insurance act, as amended, and the vocational rehabilitation act, as amended; to the Committee on World War Veterans' Legislation.

S. 2430. An act to create a commission to procure a design for a flag for the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

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

S. 2100. An act authorizing the sale of the United States Veterans' Bureau hospital at Corpus Christi, Tex.; to the Committee on World War Veterans' Legislation.

S. J. Res. 49. Joint resolution authorizing the President to require the United States Sugar Equalization Board (Inc.) to adjust a transaction relating to 3,500 tons of sugar imported from the Argentine Republic; to the Committee on Agriculture.

#### LEAVE OF ABSENCE

Mr. SPROUL of Kansas. Mr. Speaker, my colleague from Kansas, Colonel LITTLE, has asked me to request that he be excused for to-day on account of illness.

The SPEAKER. Without objection, the request will be granted.

There was no objection.

#### CHANGE OF REFERENCE

The SPEAKER. The Senate bill 2998, providing for a study regarding the equitable use of the waters of the Rio Grande below Fort Quitman, Tex., in cooperation with the United States of Mexico, is referred by the Chair to the Committee on Irrigation and Reclamation. It is agreed by the chairman of that committee and by the Committee on Foreign Affairs that it should properly have gone to Foreign Affairs, and, without objection, the Chair will refer it.

There was no objection.

#### ORDER OF BUSINESS

Mr. MADDEN. 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. 8839) making appropriations for the government of the District of Columbia.

The SPEAKER. The gentleman from Illinois moves that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 8839) making appropriations for the government of the District of Columbia. The question is on agreeing to that motion.

Mr. BARKLEY. Mr. Speaker, I claim recognition under the prior right to move to go into the Committee of the Whole House on the state of the Union for the further consideration of H. R. 7358 as the unfinished business from yesterday.

The SPEAKER. The Chair will hear the gentleman.

Mr. SNELL. Mr. Speaker, I make a point of order against the motion of the gentleman from Kentucky on the ground that the legislation he desires to present at this time belongs to a special class, and it is only in order on such days as that class of business is in order, under the rules of the House.

The SPEAKER. The Chair will hear the gentleman from Kentucky.

Mr. BLANTON. Mr. Speaker, I want to make the further point of order that the status of the Barkley bill now is no more privileged than that of a general appropriation bill. At most it could only become a question of recognition, and the Chair having already recognized the gentleman from Illinois [Mr. MADDEN] to go into Committee of the Whole on a general appropriation bill, under no circumstances could the gentleman from Kentucky [Mr. BARKLEY] have the right of way.

Mr. BANKHEAD. Mr. Speaker, in order that the Record may be entirely clear on all questions that may arise on this decision, I also make the point of order that it is not the unfinished business coming over from yesterday.

Mr. BARKLEY. Mr. Speaker, I recognize the importance of the question upon which the Speaker must pass by virtue of my motion. I recognize that the ruling which the Chair will make to-day will be setting a precedent in the interpretation of an unusual rule which has recently been adopted by the House. I have not risen, Mr. Speaker, for the purpose of undertaking to engage in any captious discussion about the interpretation of the rule or in any effort to override in any roughshod way the rules of the House or the proper interpretation of those rules. But this is a question which I think ought to be settled now in order that we may know in

the future how to proceed in matters of this kind, and it is a question—by reason of the fact that this will be the first decision upon this rule on a point made in this manner—that the Chair will want to consider from every standpoint, so that his ruling may be established as the proper precedent of the House in the future.

The point has been made that the motion which I have made is not in order on the ground that this is not the unfinished business from yesterday and on the ground that it belongs to a class of legislation set apart for certain days of the week by the rules of the House.

In the first place, Mr. Speaker, we have got to take into consideration in interpreting section 4 of the rule which was adopted for the discharge of committees what was undertaken by the House and what its object was in providing for such a rule. It has been contended and will be contended that the chief and primary object of the adoption of this rule was to bring about the discharge of a committee that held a bill a certain length of time and refused to act upon it, and that that was the only object—at least the chief object—that the House had in view in the adoption of this rule.

If that were true, Mr. Speaker, the only language of the rule that would have been necessary to accomplish that would be the first part of the rule, that any Member may make a motion for the discharge of a committee after 30 days, and upon the signature of 150 Members to have that motion voted upon to determine whether the committee would be discharged and the bill brought before the House and placed upon the calendar, where it would go if the committee had reported it favorably.

Now, Mr. Speaker, I contend that was not the only object in the adoption of this rule. The object in the adoption of this rule was not only to provide a way for taking a bill away from a recalcitrant committee but to provide for the immediate consideration of the bill after the committee had been discharged, and if that had not been the object, coupled with the discharge itself, it would not have been necessary to add the language to the rule providing for the immediate consideration of the bill. Therefore, coupling both of those objects together, we must take it for granted that the object of the House in establishing this rule was to discharge the committee, bring a bill before the House, and then to enter into the immediate consideration of that bill. Following that analogy, we must conclude that the object in entering into the immediate consideration of that bill was to conclude its consideration before any other bill could be taken up.

Mr. BEGG. Will the gentleman permit a question right there?

Mr. BARKLEY. Yes.

Mr. BEGG. The gentleman said the object of the rule was to put a bill on the calendar. I do not believe the gentleman contends that this bill is now on the calendar, does he, or ever has been?

Mr. BARKLEY. If the only object was to get the bill away from a committee, some other provision would have been added that would have put it on the calendar immediately without any action on the part of the House.

Mr. BEGG. If a certain condition had happened that did not happen, then the bill would have gone on the calendar, but it never reached the calendar and never will.

Mr. BARKLEY. But my point is that if the House had desired simply to get it away from a recalcitrant committee, it would not have provided for the immediate consideration of the bill; but, having performed that service, the bill would have gone to its appropriate calendar; and the lack of that provision presumes that the House desired, by entering upon the immediate consideration of the bill, to make it the unfinished business of the House and have it before the House until it had been concluded.

Mr. BEGG. I do not want to encroach on the gentleman's time, but I think the gentleman's argument is wrong if he contends it is on any other calendar than the Calendar for the Discharge of Committees.

Mr. BARKLEY. I am not making any contention as to where it is now. My contention is that if the House had merely desired to get a bill out of a committee, all it would have done would have been to provide for the discharge of the committee and then put it on a calendar. But the House had more than that in view; it had in view the immediate consideration of the bill after it had been taken from the committee and by reason of the provisions of this rule making it unfinished business.

Mr. BEGG. Immediate consideration as a special class and special bill?

Mr. BARKLEY. No; it is not a special class. I will discuss that in a moment.

Now, Mr. Speaker, under the rule governing the consideration of unfinished business, which I will read—

consideration of the unfinished business in which the House may be engaged at an adjournment, except business in the morning hour—

Of course, there is no such thing now as the morning hour, practically—

shall be resumed as soon as the business on the Speaker's table is finished, and at the same time each day thereafter until disposed of, and the consideration of all other unfinished business shall be resumed whenever the class of business to which it belongs shall be in order under the rules.

Under section 865 of the Manual and Digest we find this:

The rule excepts by its terms certain classes of business which are considered in periods set apart for classes of business, viz:

- (a) Bills considered in the morning hour for the call of committees.
- (b) Bills in Committee of the Whole.
- (c) Private bills considered on Fridays.
- (d) District of Columbia bills.
- (e) Bills brought up under the rule setting apart days for motions to suspend the rules.

Now, I contend, Mr. Speaker, that the fact that this motion is made in order on the day set apart for suspension of the rules has no relation whatever to the suspension of the rules, but merely for convenience in setting a time when a motion to discharge a committee would be in order, and that day is fixed as the day when such a motion may be made; but that does not thereby put it in any relation whatever to the question of suspending the rules of the House and passing bills by a two-thirds majority, because if it did have any relation to that, it might be held that the bill would have to be passed, if passed on that day, by a two-thirds majority; that is, if the rule applying to the suspension of the rules in the passage of bills applied to bills passed under this discharge rule.

I contend this bill does not apply to a class for which a particular day is set apart. Under the rulings of the House, in Hinds' Precedents, Volume V, section 6945, the Speaker held that when public business is considered on a Friday, the unfinished business goes over until the next legislative date. Friday, under the rules, is set apart—

The SPEAKER. Will the gentleman give that citation again?

Mr. BARKLEY. Volume V, section 6945.

Friday of every week, under the rules, is set apart for the consideration of private bills, and private bills are a class of bills referred to in the rule where the exception is made that bills set apart for consideration on certain days by reason of the class to which they belong are excepted from the rules, and the Chair held in that decision that even on Friday, which is set apart for a certain class of bills, to wit, private bills, if a measure of a public nature is under consideration, then it goes over until the next legislative date.

The bill to which I have referred—H. R. 7358—is not a bill that is on the Unanimous Consent Calendar. It is not on the Calendar for Suspension of the Rules, and its consideration is not undertaken by the House under unanimous consent, although taken up on the day when unanimous consent may be in order.

It is not taken up under the rule providing for a suspension of the rule which requires a vote of two-thirds, which may be taken up on this particular Monday; but the motion to discharge a committee is in order only on that day, and by reason of the adoption of the motion and the discharge of the committee an affirmative vote to enter into the immediate consideration of that bill, which is not of a class of bills that is set apart for certain days under the rules of the House, makes it the unfinished business of the House and is entitled to be brought up on the next legislative day for consideration.

Mr. Speaker, I recognize that during the debate on this rule a question was propounded to the gentleman from Georgia, for whom I have not only a personal affection but for whose parliamentary ability I have the greatest respect, as to what might happen under a situation like this, and in response to a question propounded to him by the gentleman from Connecticut [Mr. TILSON], which is in this language, copied from the CONGRESSIONAL RECORD:

Suppose that the House decided to consider it and begins the consideration of it, and yet adjourns before the completion of the bill or resolution; what happens? Does it go on next day, Tuesday, or does it wait until the next suspension day?

Mr. CRISP replied:

I think it would go on until the next suspension day.

That is, I presume he means by that it would go over until the next suspension day—

But the gentleman from Connecticut will recognize that the whole scheme of this rule is to make it, under the orderly procedure, within the power of the majority of the House to work its will, and when a bill is up under this rule, if the House wants to go on with it to its conclusion, the House can refuse to adjourn. The House, instead of adjourning at a late hour, recesses, and the next day is the same legislative day and the House can proceed on indefinitely to the disposal of it. It is simply in the power of a majority to do its will.

The Speaker held on yesterday that the gentleman from Georgia was mistaken at least in part of the answer he made to the gentleman from Connecticut in which he said the House might refuse to adjourn and might recess.

Mr. CRISP. Will the gentleman yield?

Mr. BARKLEY. Yes.

Mr. CRISP. While I made that statement, the next time I had the floor in the discussion of this rule the question was again asked me if a recess was in order, and I replied that it was not. When I was first debating the matter I did say that the House might recess, but in the debate on the rule I also called attention to the fact that the provision of the rule making the motion for a recess a privileged motion had been eliminated and that motion would not be in order, and the only way the House could recess would be by unanimous consent, and the House now can recess by unanimous consent.

Mr. LONGWORTH. If the gentleman will yield, the House can recess by unanimous consent, and the gentleman was quite accurate in his statement.

Mr. CHINDBLOM. Will the gentleman yield?

Mr. BARKLEY. Yes.

Mr. CHINDBLOM. I want to suggest to the gentleman from Georgia that you not only could proceed by unanimous consent but if no objection was made a motion to take a recess would be in order if the regular order was not demanded.

Mr. BARKLEY. Of course, we all appreciate we can do anything by unanimous consent.

Mr. CHINDBLOM. It is not a matter of unanimous consent. There has to be an affirmative point of order made.

Mr. BARKLEY. The reason I make that suggestion is that in my judgment the gentleman from Georgia will take an opposite view to that which I am expressing, and the gentleman feels more or less committed to it by reason of what he said during that debate.

The suggestion I was going to make was that that was probably a hasty reply made in running debate and that the gentleman might be mistaken, and if he was mistaken in one part of his answer he might be mistaken in the other.

Now, I do not desire to take the time of the House unnecessarily. I do think it is important that a ruling should be made on this proposition that will consider it from every standpoint, that will consider not merely that the House was trying to punish the committee for failing to report the bill but to make it the business to consider the bill after it was brought from the committee. If it is held that the measure goes over for two weeks until the next suspension day or the third Monday, it will not carry out the viewpoint of the majority of the House who supported the rule and who expected under it that they would be able to proceed immediately to the consideration of the bill and keep it before the House until it was disposed of.

I want to say, as I said in the outset, that I am not making the motion in order to be captious. I think the House ought to have a definite ruling upon it. I think it is fair to say that it is not my purpose to appeal from the decision of the Chair if it is adverse, and I trust that no appeal will be taken, because it is not our desire to jam and rush it through regardless of the rules of this House. We do not desire to set them aside and create an impression on the Members of the House that we are seeking to embarrass the orderly procedure of the House, but we do desire to know what the rules are, so that we may proceed in accordance with them in the future. I thought it was fair to the Speaker and to the Members of the House that I should make the point and get the ruling definitely and officially, and if the Speaker should decide against us it is our purpose to abide by his decision.

Mr. MADDEN. Mr. Speaker, the rules of the House are clear as to what our duty and that of the Speaker is. The rule provides:

At any time after the reading of the Journal it shall be in order, by direction of the appropriate committees, to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the purpose of considering bills raising revenue, or general appropriation bills.

As early as 1835 the necessity of giving the appropriation bills precedence became apparent, and in 1837 a rule was adopted which established the principle which continues in the present rule.

The mere fact that the Interstate and Foreign Commerce Committee has been discharged from the consideration of the bill introduced by the gentleman from Kentucky [Mr. BARKLEY] does not place it in any different status than an appropriation bill which the Committee on Appropriations has reported. If the contention of the gentleman from Kentucky to the effect that because his bill has been discharged from further consideration by a committee and has had consideration by the House it is privileged for continuous consideration—that argument would also apply to appropriation bills which have had consideration for several days. The bill which I moved to go into Committee of the Whole House for the consideration of has been before the House. It is true the committee was not discharged from its consideration by a vote of the House, but the committee has been discharged just as effectually; and, moreover, the bill that I propose to ask consideration for is a privileged bill under the rules of the House, while the bill that the gentleman is insisting upon giving consideration to has no privilege under the rules of the House except as any bill on Calendar Wednesday would have, for example. It comes within that class, in my judgment. A bill providing for consideration on Calendar Wednesday could not be taken up on any other day. I maintain that the rule which authorizes the discharge of a committee from consideration of a bill places such a bill in the Calendar Wednesday class, that it could not be taken up except on a special day provided for the consideration of such bills, namely, on suspension day or the day when bills can be taken up by unanimous consent.

Then, too, Mr. Speaker, the very life of the Government depends upon the passage of appropriation bills. The Government itself can not function without that, and if the contention of the gentleman from Kentucky be sustained by the Speaker, what is to prevent other Members of the House having discharge motions similar to the one the gentleman from Kentucky is insisting upon, from putting those in the way of appropriation bills and preventing appropriations being made for the conduct of the Government.

Mr. WINGO. Will the gentleman yield?

Mr. MADDEN. I yield.

Mr. WINGO. Do I understand the gentleman's position to be that this bill on days other than the first and third Monday is in exactly the same position that it would have been in had the Committee on Interstate and Foreign Commerce reported it to the House and it had taken its regular place on the calendar?

Mr. MADDEN. If the committee had reported the bill and it had taken its place on the calendar and the House had gone into consideration of that bill, it would have been in order on all days which the rules of the House themselves did not prohibit.

Mr. WINGO. I think the gentleman misapprehended my question. The contention of the gentleman is that the fact the committee has been discharged does not give this bill any more of a privileged status on days other than the first and third Monday than it would have had if it had reached the calendar in the regular course.

Mr. MADDEN. That is the point.

Mr. WINGO. And if it had reached the calendar in the regular course and the rule had made it in order, the unfinished appropriation bill being of higher privilege would be entitled to recognition rather than this bill?

Mr. MADDEN. That is the contention that I am endeavoring to make. I may not have made myself clear, but that is what I have been trying to tell the Speaker. Mr. Speaker, there can be no doubt about appropriation bills having a higher privilege than the bill referred to by the gentleman from Kentucky [Mr. BARKLEY]. My contention is that that bill has no privilege except on the first and third Mondays of the month, and that the bill that I have moved the House go into the Committee of the Whole to consider is privileged not only today but every day, except on particular days, above the bill which we had up yesterday.

Mr. CRISP. Mr. Speaker, it is with reluctance that I enter into this discussion, and I do it only because I feel impelled by a sense of duty that I owe to the House to present my views to the Speaker on the construction of this rule. I played some inconspicuous part in the drafting of this rule and in defending it on the floor of the House when it was before the House for consideration. The rule was not drafted for this bill, because this bill has never been introduced. The rule was not drafted

for any particular bill, but the rule was drafted for the purpose of providing a workable discharge rule of the House whereby on certain days the House might have an opportunity to work its will, and, in passing, I may say this rule has demonstrated that it will do that. Some friends have said that the filibuster resulted from the discharge of the rule. Not so. If the committee had reported this bill favorably and the bill had been under consideration under the general rules of the House, everything that took place yesterday could have taken place. The rule simply brought the bill before the House. The reason for the rule was to give the House an opportunity to take from a recalcitrant committee any bill they were pigeonholing; to give the House a chance to consider. The rule was not designed to give a higher privilege to a bill taken from the committee under its terms than a bill favorably reported from the committees of the House possesses.

I think the point of order made by the chairman of the Committee on Rules [Mr. SNELL] that this motion is not in order to-day, but that it goes over until the next suspension day, is absolutely correct, and why do I say that? When the House was considering the question of whether or not to adopt this discharge rule, I was debating it. That was on January 14 of this year. I was interrupted with a volley of inquiries. The gentleman from New York [Mr. LA GUARDIA] asked me in my opinion if the rule was adopted, and a bill was taken up and not disposed of, whether it would come up the next day or go over until the next suspension day. I replied that it would go over to the next suspension day. Later, the gentleman from Connecticut [Mr. TILSON] propounded to me the inquiry which the gentleman from Kentucky [Mr. BARKLEY] has already read to the Chair, and which I shall not again read.

He asked me the question whether if the House voted to discharge the committee from consideration of a bill, and then after that proceeded to its immediate consideration and failed to finish the bill on the Monday, if it would go over until the next suspension day or come up the following day, Tuesday, like to-day. I replied that it would go over until the next suspension day; that it would not come up on Tuesday. The gentleman from Connecticut replied that he thought that construction was correct, and thought that was what the rule meant. The gentleman from Virginia [Mr. MOORE] later on asked me the question, corroborating the construction that I placed upon it in debate by saying that in a short session of Congress, if the rule was adopted, there would be only a very limited number of days in which the rule could be brought up, and he gave the number of days in a Congress on which this rule might be brought up in the long session of Congress. I think he figured it as 12 in case the Congress adjourned about the 1st of June. He called attention to that in support of my contention that it went over by saying that the rule would not work havoc or interfere with the House in the transaction of its necessary business, but that it was workable only on a certain limited number of days in a session of Congress.

I call the attention of the Chair to these facts simply because a court in construing any statute is permitted to read the debates of the legislative body in arriving at what the intent of the legislative body was which enacted the statute, and the court would give great weight in construing a statute to those debates as indicative of the intention of the legislative body in adopting it. In view of the debate, in view of what took place on the floor of the House on January 14 when the House was considering whether or not it would adopt this rule, it seems to me conclusive as to the intent of the House as to this rule. On the floor, as I have before stated, I answered that I thought it would go over until the next suspension day. I was not expecting that question, but I answered what I honestly thought about it, and since then I have investigated the matter and I am confirmed that the position that I took then was absolutely correct, and the only one that is tenable.

Why do I say that? The discharge rule provides that when the House discharges a committee, it is in order to move to take the bill up for immediate consideration, and the motion to proceed with immediate consideration is made of high privilege, but the bill itself is not made a privileged bill. The motion is made privileged. The bill is not made privileged, but if the motion to proceed to the consideration of the bill prevails, then the rule says what? It says that the bill shall be considered under the general rules of the House. If the drafter of that rule had desired to make it a continuous order of business, it could have been made so by the insertion of a few words saying that it is a privileged bill and that it should be continued from day to day until disposed of, but

the rule does not say that. The rule says that it shall be considered under the general rules of the House. What are the general rules of the House? No one rule of the House is superior to the other rules of the House, but they are to be construed in an entirety; it is one complete code of procedure for this body, and it is of the utmost importance that we have orderly procedure. It is of great importance to the majority party in the House to see that the rules are fairly and properly construed so as to enable them to legislate, and it is vital to the minority that the rules be accurately, fairly, and consistently construed, because the rights and liberties of the minority depend upon them. What are the general rules of the House? We have a general rule of the House providing for the order of business which my friend from Kentucky read, providing that after the reading of the Journal and the clearing of the Speaker's table and the disposal of unfinished business, then the morning hour for the consideration of bills called up by committees. The Speaker knows that that is an obsolete rule. I do not think the House has proceeded under that rule since the present occupant of the chair has been Speaker. I mean by that it has not followed that rule literally, because there are other special rules which supersede this rule, and the whole code of rules is construed together by the Speaker and he determines which rule controls the legislative situation for each particular day.

Mr. NELSON of Wisconsin. Mr. Speaker, will the gentleman yield?

Mr. CRISP. Yes.

Mr. NELSON of Wisconsin. Let me ask the gentleman a few questions about this rule. The gentleman did me the honor when he prepared this rule of coming to my office and submitting it to me. I was misled by the language "the general rules of the House." Had the gentleman inserted the language "special rules of the House" I would have understood that it was considered like Calendar Wednesday; but "the general rules of the House" would indicate to me, and did to all of us who were behind this proposition, that it would be considered like any other bill that comes up and continues from day to day. Will the gentleman kindly explain that?

Mr. CRISP. I am sorry my friend was misled. I am sure he knows that it was unintentional on my part—

Mr. NELSON of Wisconsin. Entirely so.

Mr. CRISP. And I made no statement to mislead the gentleman except to let him read the rule as drafted.

Mr. NELSON of Wisconsin. The gentleman is correct.

Mr. CRISP. I want to say further to my friend, if he was misinformed then as to the meaning of that rule, he did me the honor to be present here when I was discussing the rule on the floor of the House.

Mr. NELSON of Wisconsin. May I say to the gentleman—

Mr. CRISP. Let me finish this, please, and then I will yield. I want to answer the question. If the gentleman will turn to the page he will find where they asked me what was meant by the "general rules," and I said if a bill was up, it was up under the general rules, and clause 4, Rule XVI, applied; and that when a measure was up for consideration it was considered under the general rules of the House, open to amendment, debate, and so forth; that you could move to amend, to close debate, to refer, to postpone, to lay on the table, or do anything with it that the general rules authorized.

Mr. NELSON of Wisconsin. I wish to withdraw the word "mislead," because the gentleman could not—

Mr. CRISP. I understood the gentleman did not mean anything. We are very close friends.

Mr. NELSON of Wisconsin. I understood then, and we did generally understand, that that day was picked out in which to bring up a motion to discharge and that we would have other days to consider it, and because my distinguished friend said that on the floor, and undoubtedly because it also led others to vote that way, that the gentleman, my friend BARKLEY, asks now a ruling from the Speaker without any desire to appeal from the Speaker's ruling. Now, then, the gentleman knows the measure also contained these words, "shall have the highest privilege." Now, was not it his intent that we should give it a continuing privilege?

Mr. CRISP. No; my idea in writing "highest privilege" was for the purpose of making the motion to proceed with the consideration—if it was possible for this House to make one motion superior to all others—to make that motion superior and of the highest privilege so as to try to cut off a proposition which the gentleman from Illinois has just argued to the Speaker. If there are two highly privileged motions and gentlemen contending for recognition by the Speaker it is entirely discretionary with the Speaker as to which one he will

recognize, and there is no appeal from the decisions of the Chair in question of recognition, and I was trying to scotch that proposition by putting in the rule a motion to proceed to the consideration that would be of the highest privilege, so if anybody else was up contending for recognition on a privileged bill we could argue with the Speaker this would take that matter out of the ordinary procedure and made it of the highest privilege, and he would have to recognize them to make a motion to proceed to the consideration of the bill just taken from a committee. These were the thoughts in my brain when I used those words.

Mr. NELSON of Wisconsin. If the gentleman will yield for another question—

Mr. CRISP. I hate to take up so much time of the House.

Mr. NELSON of Wisconsin. The committee changed the words from "highest privilege" to "high privilege." Does the gentleman think that would deprive us now of a right of way over an appropriation bill?

Mr. CRISP. Well, it would be tenable to argue that the use of the words "high privilege," if a motion was made to proceed with the consideration of another privileged matter, gave preference to the motion to consider the discharged bill, and I feel confident that would be persuasive with the Speaker to give prior recognition to this motion first.

Mr. NELSON of Wisconsin. One more question, if I may. The gentleman used the language "shall proceed to immediate consideration."

Mr. CRISP. Yes.

Mr. NELSON of Wisconsin. What is the force of "immediate"?

Mr. CRISP. So as to prevent any dilatory motions coming in. I apprehended we might be met with the very situation of yesterday; a filibuster by numerous motions to adjourn, to reconsider, motions to lay on the table, motions to do this, that, and the other, and roll calls, and that is why I put in "shall proceed immediately," which cuts off all of these motions coming in and required the House to vote at once on the motion to consider.

Mr. HASTINGS. Will the gentleman yield?

Mr. CRISP. I do not think it is fair to the House that I should take up so much time.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. CRISP. I yield to the gentleman from Oklahoma, and then I will yield to the gentleman from New York.

Mr. HASTINGS. Now, let us assume that the House has assembled on the third Monday of this month. Under the rules of the House the Consent Calendar is in order. I would like to hear the gentleman discuss whether a motion to consider this bill would be in order over the bills upon the Consent Calendar on the third Monday of this month?

Mr. CRISP. I will answer the gentleman very easily. You have had a discharge here for many years. The discharge rule was put at the tail end of the suspension rule. You first had the Consent Calendar business and then the suspension business, and when that was over, which contingency never arose, then it was in order to call up the discharge rule. The House always adjourned for the day before the discharge rule was reached. As I said, I wanted a discharge rule that would work. The discharge rule will never clog the calendar, because it takes 150 signatures to get a motion to discharge on it, and if a discharge rule did not come up the first thing it would be but a dead letter, and therefore in redrafting the rule I put the discharge rule first, so the motion would be reached and the rule worked so the House could go on record as to whether or not it wanted to discharge a committee. That was the purpose. I yield to the gentleman from New York.

Mr. LAGUARDIA. If the second vote for the immediate consideration of the bill after the discharge of the committee had not been taken, would the bill be in a better position than it is by reason of the fact that the second vote required immediate consideration? Because if the gentleman will look at the second clause there, he will find that it says if the House by vote decides against immediate consideration of such a bill or resolution "it shall be referred to its proper calendar and be entitled to," and so forth. Therefore if the vote had been adverse, instead of favorable, would the gentleman contend that the conditions of the bill are alike?

Mr. CRISP. I think the bill is in better condition, and a more advantageous parliamentary position, by virtue of the House having decided to consider it. In drafting the rule I thought that the House might want to discharge a committee and might not care to consider the bill on that day. So the rule provided that they could discharge, and if they did not care to proceed with the consideration of the bill it could go to the appropriate House Calendar.

However, the second proposition puts it before the House, and if they desire to proceed with it, they can do it. This bill is now on the Union Calendar and the unfinished business on suspension days. When a bill comes in by report from a committee or by discharge from consideration it must go to one of the three calendars of the House or to the Speaker's table. But only bills from the other legislative branch go to the Speaker's table. There are only three receptacles where that bill can repose in the House. One is on the Union Calendar. Bills of a public nature, making a charge on the Treasury, go to the Union Calendar. Other bills of a public nature, not making a charge on the Treasury, go to the House Calendar, and all private bills go to the Private Calendar; so that this bill in my judgment is on the Calendar of the Committee of the Whole House on the state of the Union, and it is also the unfinished business on suspension day.

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

Mr. CRISP. Yes.

Mr. SHALLENBERGER. I would like to submit this proposition to the gentleman from Georgia, because of the fact that the House recognizes his ability in the House as a parliamentarian and on account of the further fact that he is the author of the rule. There are two distinct provisions in this rule, as it seems to me. The first is the authority to call up the bill on a certain day under this rule. That provision of the rule provides that it can only be done on a certain day. The second provision of the rule is that if the House desires to vote, it can vote on the question of consideration. That part of the rule is made a matter of high privilege.

Mr. CRISP. The motion to proceed to consider.

Mr. SHALLENBERGER. Does not that motion go to the bill? Is not the only reason under the rule why the gentleman from Illinois [Mr. MADDEN] now arises and asks the House to give consideration to his bill, not because the bill is privileged but that the motion is privileged?

Mr. MADDEN. Let me interrupt the gentleman. This bill is privileged that I am trying to get before the House.

Mr. SHALLENBERGER. It is privileged because the motion is privileged.

Mr. MADDEN. The bill itself is privileged.

Mr. SHALLENBERGER. If the gentleman's motion were not privileged, he could never get the bill before the House. The bill is privileged because the motion is privileged.

Mr. MADDEN. Not at all. The bill is privileged, and so is the motion.

Mr. SHALLENBERGER. The motion is privileged, and therefore it follows that the bill is privileged under the rules.

Mr. CRISP. Mr. Speaker, I wish to resume, at the point where I was diverted, by presenting the facts to the Chair as to my judgment why this bill goes over to the next suspension day.

This discharge rule is not a separate, distinct, independent rule, but it is an integral part of Rule XXVII, which is a suspension rule. It is clause 4 of the suspension rule. That suspension rule is only workable on the first and third Mondays of each month. The House has a Calendar Wednesday rule only workable on Calendar Wednesday. Under the rule the second and fourth Mondays are set apart for District of Columbia business, only workable on those days. The rules provide that on Fridays it is in order to move to take up the Private Calendar. That motion can not be made except on those particular days.

Now, when you construe the whole set of rules together, any matter called up on any of those special days goes over as unfinished business until the days when that particular class of special legislation or business comes up. There are rulings that where a motion is called up on suspension day to move to suspend the rules, and the motion has been seconded, this undoubtedly puts it before the House. The House then is considering it, and if the House adjourns and the matter is undisposed of, it goes over until next suspension day. If a bill is called up on Calendar Wednesday and the House considers it and does not finish it, under the undisputed precedents of this House it does not come up on Thursday, but goes over until the next Calendar Wednesday, and comes up as unfinished business on the next Wednesday. Bills from the Committee on this District of Columbia not concluded on Monday do not come up on Tuesday, but go over until District of Columbia business is next in order and come up as unfinished business. That is also true as to bills on the Private Calendar. And in my judgment this bill, being in order only to be called under Rule XXVII, which is a special suspension rule, the rule only working on the first and third Mondays of each month—to my mind

it is conclusive that if business called up under its terms is undisposed of it goes over until the day when that class of business, to wit, business under the suspension rule, is next in order, the first and third Mondays; and I think the point of order is good. [Applause and cries of "Rule!"]

Mr. COOPER of Wisconsin. Mr. Speaker, I would like to ask the gentleman from Georgia a question.

The SPEAKER. Does the gentleman from Georgia yield to the gentleman from Wisconsin?

Mr. CRISP. Yes.

Mr. COOPER of Wisconsin. The rule governing Calendar Wednesday specifically provides that certain bills shall be considered only on Calendar Wednesday; that certain bills on the Private Calendar shall only be considered on a certain day, and it specifically mentions the bills. This rule—27—provides that the motion to discharge a committee shall only be heard on certain days, but it does not say that the bill called up shall be considered only on those days, but it shall be considered under the general rules of the House. It does not say that they shall be considered only on Monday. The motion can be taken up only on Monday, but the bill itself is considered under the general rules.

The gentleman from Illinois [Mr. MADDEN] has brought up the question of the privilege of a general appropriation bill. That is true, but it is not privileged as against Calendar Wednesday, because Calendar Wednesday has a specific rule applying to bills and mentions the bills which can be heard on that day. That is not the case here. Here is a motion which can be taken up only on Monday, but a bill called up can be considered under the general rules. The cases are not similar.

Mr. CRISP. In answering the gentleman let us consider the history of Calendar Wednesday. Under the order of business rule they had a morning hour for the call of committees, and under that hour you could not take up a bill which made an appropriation or which was a charge on the Treasury. It was contended that under the congestion of business here it was impossible to get up public bills unless they had a privileged status. The rules provided for the consideration of private bills, and you had Private Calendar days, Fridays, but there was no general rule setting apart a day or an opportunity to consider public bills, especially those that were a charge on the Treasury. So they adopted the Calendar Wednesday rule, and that rule made it in order for a committee, when it had the call, to call up any bill it had previously reported of a public nature. Private bills can not come up on Calendar Wednesday. You can not get up an appropriation bill under the Calendar Wednesday rule, but any bill of a public nature, nonprivileged in character, whether it made an appropriation or not, is in order on Calendar Wednesday, and that is the history of the Calendar Wednesday rule. I do not think it conflicts at all with this rule. It is one of the general rules of the House, and all of the general rules must be construed together.

Mr. NELSON of Wisconsin. Mr. Speaker, I will not thrash over the same things. Some of us who are very much interested in the rule that is being considered desire the Speaker, because of his fairness, his large experience with the decisions of the House, and also his long experience under the rules, give us an interpretation of this rule as he sees it.

We believe that it had a much larger scope than the gentleman from Georgia [Mr. CRISP] has indicated, and the Speaker also, the other day. We hoped that it would enable the will of the House to function effectively, but if it shall be narrowed to the channel of only two days a month and then shall be subject to a continued filibuster, of course, it can not be expected to work the will of the House. It may, therefore, need to be strengthened and enlarged. I had the promise of the distinguished chairman of the Committee on Rules and of individual members of the committee, publicly and privately, that we should have an opportunity to consider further amendments to the rules in the House this Congress. I wish to say that, after going over all the proposed changes introduced by me, I have not urged further consideration by the committee, because there was a multiplicity of other things pressing for attention; but I hope that at the end of the vacation we can take up these proposed reforms in our rules for further consideration in the House. Moreover, I have been expecting the gentleman from Massachusetts [Mr. LUCE], who presented some very splendid suggestions, and the gentleman from Ohio [Mr. BURTON], who has other thoughts of revision, to commence to press for consideration.

Now, if we can have a ruling by our able Speaker, pointing out the deficiency as he finds it in this discharge rule, and see it tested under a filibuster, we can amend the rule so that it will work as was intended. I invite the decision of the Chair and shall cheerfully abide by it. I would prefer to revise it

in the Committee on Rules than by an appeal from the decision of the Chair, should the ruling be adverse to our contention.

Mr. GARRETT of Tennessee. Mr. Speaker, if I may have just two or three minutes?

The SPEAKER. The gentleman may have as much time as he desires.

Mr. GARRETT of Tennessee. Of course, I realize that the statements of the gentleman from Georgia [Mr. CRISP], who was the author of this rule in its present form, will necessarily have very great weight with the Chair in construing it, and because of my great respect for the parliamentary skill and ability of the gentleman from Georgia I hesitate very much to express an opinion different from his as to the construction of the rule.

Nevertheless, Mr. Speaker, I do not concur with him in his construction. It has been my idea that the motion to discharge, and that alone, was confined to certain Mondays. I do not believe that the motion of the gentleman from Kentucky [Mr. BARKLEY] is of higher privilege than the motion made by the gentleman from Illinois [Mr. MADDEN], but I do believe that under a proper construction of the rule the motion of the gentleman from Kentucky would be a privileged motion equal in dignity to the motion made by the gentleman from Illinois. So that if the House should choose to vote down the motion made by the gentleman from Illinois, and other motions of a privileged character, until it reached the point where it could pass upon the motion presented by the gentleman from Kentucky, it seems to me it would be in order.

It has seemed to me that under the language of the rule—construing it as it expresses itself and not by what was said in debate at the time of its adoption—that its fair meaning would be that after the House had once determined to discharge and then had adopted a motion to go into immediate consideration, if it were a Union Calendar bill, such as the particular one was yesterday, that it would become the unfinished business at the conclusion of the committee's sitting for that day, to be taken up when the House again determined it should go into Committee of the Whole House on the state of the Union for its consideration, and not go over as special business until some succeeding Monday.

I think the expression "under the general rules of the House" does not refer to special days. I think the expression "under the general rules of the House" has reference to the question of whether it is a Union Calendar bill or a House Calendar bill; that it means that if it be a Union Calendar bill, then the House shall go into Committee of the Whole to consider it.

If it be a House bill, then it would be considered in the House and not in the Committee of the Whole and the general rules of debate would apply to it. I think that is what the expression "general rules of the House" means. Now I yield to the gentleman from Wisconsin.

Mr. NELSON of Wisconsin. I would like to ask the distinguished leader of the minority, who is also a member of the Committee on Rules, if in all of our consideration of this motion in the committee, whether the suggestion that it would be under the special rules of days ever arose in his mind or if he heard anyone else suggest that idea?

Mr. GARRETT of Tennessee. Before the Committee on Rules?

Mr. NELSON of Wisconsin. Yes.

Mr. GARRETT of Tennessee. I do not think so. I do not recall that question being raised before the Committee on Rules. I do recall what was said by Mr. CRISP during the debate on the floor of the House.

Mr. NELSON of Wisconsin. I mean that was the only instance of that kind.

Mr. GARRETT of Tennessee. Yes.

Now, Mr. Speaker, if the motion to consider had not been passed yesterday, then the bill would have taken its place on the calendar and could have been considered only on Calendar Wednesday or, of course, under some special rule brought in by the Committee on Rules if the Committee on Rules had seen fit to do so; but it having been taken up yesterday, the committee having been discharged and it having been taken up for consideration, it does seem to me that it has now a status which entitles it to consideration upon any day that a privileged bill reported from any committee would be entitled to consideration, if the House by a majority vote wishes to consider it.

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

Mr. GARRETT of Tennessee. I yield.

Mr. DENISON. The gentleman holding those views does not agree with the gentleman from Georgia that if this bill goes

over until the third Monday, it will not have any special privilege over other suspension business of that day.

Mr. GARRETT of Tennessee. Did the gentleman understand that the gentleman from Georgia made that construction?

Mr. DENISON. I understood him to say so.

Mr. CRISP. If my friend will yield, I tried to make it plain that, in my judgment, this bill would come up the first thing as unfinished business on the next suspension day.

Mr. GARRETT of Tennessee. That is the conclusion I understood the gentleman from Georgia to state. Of course, if the House should vote it down, then the House would go on with the other business on that day's calendar; but if the House votes it up, then, of course, you destroy the Unanimous Consent Calendar and suspensions and everything else; but under the construction of the gentleman from Georgia it is the first order of business on that Monday.

Mr. DENISON. Does the gentleman from Tennessee agree with the gentleman from Georgia in that respect?

Mr. GARRETT of Tennessee. Yes. If it is to be held that it is only in order on Mondays, then I do agree with that construction.

Mr. NELSON of Wisconsin. Will the gentleman yield for a further inquiry supplemental to my other question?

Mr. GARRETT of Tennessee. I yield.

Mr. NELSON of Wisconsin. Does not the gentleman think that when the Committee on Rules considered this bill and our amendment to the Unanimous Consent Calendar that if we had thought for a moment the ruling would be that this bill would only be considered on suspension day we would have taken care of suspension and unanimous-consent matters in a better way than we have? We have destroyed them utterly if this suggested ruling prevails.

Mr. GARRETT of Tennessee. I can not answer what would have been in the minds of the various members of the Committee on Rules if that construction had been then laid before them.

Mr. MOORE of Virginia. Mr. Speaker, I will only detain the House a few minutes. I was one of those who voted to discharge the committee because I thought the House was entitled to consider the bill. Personally I think from many points of view it would be undesirable to make the rule more drastic than it is, but yet I think our friends upon the other side must recognize—I am not saying this in any censorious way—if we have many such performances as we had yesterday, a majority of the House, which stands for this discharge rule, will make it more drastic. [Applause.]

Mr. Speaker, so far as the point or order is concerned, I concur in the view expressed by my esteemed friend, the gentleman from Georgia [Mr. CRISP].

If this were a case in court, as I understand, ordinarily the court finding that when the law was before the legislative body there was an interpretation given to it by its author and given it throughout the proceedings, and absolutely uncontested the court would almost, as a matter of course, accept that interpretation, and that is the condition we have here. The Supreme Court, for instance, should it find that Mr. Madison of Virginia offered some provision in the constitutional convention and in debate his interpretation of that provision had been acquiesced in by the convention, the court would take that interpretation as practically final.

Mr. Speaker, there is another consideration. Not only are we, the gentleman from Georgia [Mr. CRISP] and myself and some others, bound by the view which we expressed in the course of the debate, but the House, it seems to me, is in a large sense bound by the very circumstance that that view was not contested.

What was argued in the House when the rule was before the House? It was strongly argued that a group of 150 Members might bring forward any bill, however voluminous, have the committee discharged, have the bill taken up for immediate consideration, and then the consideration protracted indefinitely during the following days and the following weeks. That was the argument, and that argument had to be met, and that argument was met by the construction which was given to the rule by the author of the rule himself, and apparently agreed to by the House.

Connected with this is a very common principle that the courts lay down, and that is, that the matter of convenience should properly be taken into account.

If it is true, whether we wish it to be true or not, if it be true that the measure taken up under the discharge rule on a certain Monday shall be continued as the order of business without any limit, then it is certainly true that it would be possible to confine the House to the consideration of one par-

particular measure for no telling how long, which might greatly embarrass the House and be detrimental to the interests of the country.

Mr. BARKLEY. Will the gentleman yield?

Mr. MOORE of Virginia. Certainly.

Mr. BARKLEY. Might not that obtain under the consideration of any bill regardless of how it might come up? It is a fact that this bill comes up under a rule which gives it a peculiar consideration different from any other bill under consideration in the House.

Mr. MOORE of Virginia. I thought my friend in discussing the point of order submitted the suggestion that inasmuch as the bill was taken up yesterday and its consideration not concluded that it has a continuing privilege status.

Mr. LaGUARDIA. Will the gentleman yield?

Mr. MOORE of Virginia. Yes.

Mr. LaGUARDIA. What the gentleman has said about the intent of the rule as manifested in the debate on the floor of the House is true. The gentleman will recall that when the distinguished chairman of the Committee on Rules [Mr. SNELL] took the floor in opposition to the motion of the gentleman from Georgia [Mr. CRISP] the chairman of the committee made this significant statement:

Let us see just what might happen if you discharged a committee from an important bill, like the railroad bill, water power bill, farm credits, forestry, or others I might mention. Now, what would be the situation if one of those pieces of legislation was suddenly taken to the floor of the House without any previous consideration by the committee, without the information and facts always presented by the committee? What would happen if, for example, my friend NELSON discharged the committee and brought the railroad bill onto the floor for consideration? I predict that after it had been considered by the House two or three days under the chaotic conditions that would prevail, it would be kicked bodily out of the House.

Mr. SANDERS of Indiana. That does not say on consecutive days.

Mr. MOORE of Virginia. Well, let us assume that the chairman spoke of two or three consecutive days. I do not think a fugitive utterance by the chairman of the Rules Committee can be put against what seems to be the conclusion of the House itself, if we can infer anything from the debate.

Mr. LaGUARDIA. The utterance of the chairman of the Committee on Rules as to what would happen to the railroad bill I do not think can be called a fugitive statement.

Mr. MOORE of Virginia. Well, perhaps not. While I have stood with my friend from Kentucky [Mr. BARKLEY] and have voted for the discharge of the committee, I am simply obliged now on a question of how the rule should be interpreted to stand with my friend from Georgia [Mr. CRISP].

There is one other thing that is in the minds of some gentlemen, and that is that two weeks hence they intend to raise the question as to whether the bill, which has been partly considered, will have a privileged status on the Union Calendar. It is just as clear from the debate as it is clear from the debate that the bill is not entitled to continued consideration; that if the House does not conclude the consideration of a bill on the Monday when it is taken up then on the following suspension day it will have a status that would entitle it to consideration in preference to other bills. The House was of that opinion.

Mr. DENISON. Will the gentleman yield?

Mr. MOORE of Virginia. I will.

Mr. DENISON. If that construction proves to be true, the effect of the discharge rule would be to absolutely do away with suspension and unanimous-consent bills during the rest of the session of Congress if a bill like the Barkley bill is brought up.

Mr. MOORE of Virginia. I think the gentleman goes too far in assuming conditions that may not often exist. I am simply forestalling a point that I predict is going to be made two weeks hence, namely, that the bill is not entitled to a privileged consideration.

The SPEAKER. Gentlemen will confine themselves to the point of order.

Mr. MOORE of Virginia. I was only anticipating a little.

Mr. COOPER of Wisconsin. Mr. Speaker—

[Cries of "Vote!" "Vote!"]

Mr. COOPER of Wisconsin. Mr. Speaker, there is no Member of the House for whom I entertain a more sincere respect than I have for the gentleman from Virginia [Mr. MOORE]. I served with him on the Committee on Foreign Affairs and know his great learning and ability and his fairness. But he has just made a statement with which I can not at all agree. I refer to the statement with which he prefaced his remarks, that he and the gentleman from Georgia [Mr. CRISP] are bound

by what they said in debate as to the meaning of the rule we are now considering. Now, I can not believe that the distinguished gentleman from Virginia will hold himself to be bound by what he said in that debate, if convinced that he was wrong.

The Supreme Court of the United States reversed itself in the legal tender cases, two of the most important that ever came before that eminent tribunal.

And surely if the Supreme Court of the United States can reverse itself, it would not be unconscionable for the distinguished gentleman from Virginia to think that he is not absolutely bound by something he carelessly said in debate here. No, Mr. Speaker, the proposition laid down by the gentleman from Virginia is not sound in either law or ethics.

Gentlemen have dwelt upon what was said in the debate on the rule. Now, in law, the conversation and negotiations preliminary to the making of a written contract are merged into the contract itself; and in interpreting it the question is, What does the written instrument itself mean?

The question before us now is not what was said in debate before the rule was adopted, but what is the fair interpretation of the rule itself in the light of what it was intended to accomplish?

Mr. Speaker, this rule was brought onto the floor and adopted because sometimes committees deliberately strangle bills. Of this there is no doubt. One of the newspapers in this city some years ago editorially charged the packing of a certain committee in Congress, and if it were necessary I could enumerate important measures that have been deliberately pigeonholed in committee despite the fact that a clear majority of the House wished to consider them. The rule now before us was introduced for the purpose of putting a stop to that evil practice and to bring onto the floor measures that a majority of the Members might think ought to be considered.

Gentlemen are, it seems to me, asking the Chair to make an extraordinary ruling. And here I beg the indulgence of the Chair while I read something with which he is, of course, perfectly familiar but the reading of which may perhaps bring more clearly to his attention the point that I wish to make.

The arguments of my distinguished friends, the gentleman from Virginia and the gentleman from Georgia, are based largely upon an alleged analogy or similarity between this Rule XXVII and the procedure under it, and the provisions of, and the practice under, the two special rules relating, respectively, to the Private Calendar and to Calendar Wednesday. I read from the special rule for the Private Calendar:

On Friday of each week, after the disposal of such business on the Speaker's table as requires reference only, it shall be in order to entertain a motion for the House to resolve itself into the Committee of the Whole House to consider business on the Private Calendar in the following order: On the second and fourth Fridays of each month preference shall be given to the consideration of private pension claims and bills removing political disabilities and bills removing the charge of desertion.

It will be observed that there is in the special rule for the Private Calendar an express provision that certain bills shall be considered on certain days. The word "bills" is used, and the days on which those bills are to be considered are expressly mentioned. In a similar way the Calendar-Wednesday rule in specific terms provides that under certain conditions certain "bills" are to be considered on Calendar Wednesday. But this rule that we are discussing and asking the Speaker to interpret contains no such provision fixing definite days for considering bills. It provides that on the first and third Mondays motions shall be in order to discharge committees; that such motions are privileged; and that if such a motion is carried, a motion may then be made that the House proceed to the immediate consideration of the bill or resolution.

It further provides that if the motion shall be decided in the affirmative the bill shall be immediately considered under the "general rules" of the House. But Rule XXVII, that we are considering, does not say that the bill thus brought up shall be considered only on the first and third Mondays of the month. Ordinarily, under the general rules of the House, if consideration of a bill is not completed on Monday it becomes unfinished business, and a motion to take it up will be in order on the next day. Mr. Speaker, gentlemen are asking an interpretation of Rule XXVII which would so change it that instead of providing, as it now does, that the bill shall be immediately considered under the general rules of the House, it will provide that the bill shall be immediately considered on the first and third Mondays of the month, a construction which absolutely violates the very purpose for which the rule was suggested and voted for by its friends. I suggest, Mr. Speaker, that, regardless of what

was said in debate on this floor, to interpret that rule now to mean that we can take the bill up only on the first and third Mondays of the month is to insert into the plain language of the rule other language which, in my judgment, violates its whole spirit and intent.

Mr. WINGO. Mr. Speaker, the rule under consideration is embodied in paragraph 4 of Rule XXVII. It has three separate and distinct substantive propositions—first, the motion to discharge the committee; second, the motion for immediate consideration; and, third, the consideration of the bill itself. The rule specifically provides the time and the manner for the consideration of each of those three propositions. It provides that the motion to discharge shall be in order on the first and third Mondays. Nowhere else in the rule does the proposition about the first and third Mondays apply. It provides that when the motion to discharge has been adopted it shall then—the word “then” fixes the time—be in order to move the immediate consideration of the bill. The rule also provides that if the motion for immediate consideration be decided in the affirmative the bill shall be considered—how and when?

As to time, it says immediately. How, under the general rules of the House? The words “under the general rules of the House” do not apply to the time it shall be in order to consider it but the rules under which its consideration shall proceed. It applies to the method of consideration, the rules governing consideration, not the time when it may be considered. The time is immediately. Now, the gentleman from Georgia [Mr. CRISP] says that you could very easily have added certain words and have made it a continuing order. Why, with equal force it could be urged that if it were intended to consider it other than immediately you could have written in the words “on the first and third Mondays shall be considered under general rules of the House.” But the House did not do that. So, in considering this point of order the Speaker does not consider the motion to discharge or the motion to proceed to immediate consideration. He considers only the last proposition, the time when and the rules governing procedure. What is the meaning of the words “the bill shall have immediate consideration under the general rules of the House”? Let us see what the House decided. What happens if you do not decide in the affirmative? The rule contains just what the contention of those who are supporting this point of order contend, but only when the motion for immediate consideration is negatived.

The rule contains a provision that the status of this bill shall be what the proponents of this point of order urged in the event the consideration motion fails. What is its present status if the motion to consider immediately is voted down? What is it? Then it takes its regular place on the Calendar. And then what? If the House shall by a vote decide against immediate consideration it shall be referred to its proper calendar and be entitled to the same rights and privileges that it would have had had the committee to whom it was referred duly reported the same to the House for its consideration. That is the exact language of the rule. That is the contention upon which this point of order is brought up to-day, that this bill is on the Union Calendar, that it has no right other than on the first and third Mondays to be considered as a general proposition, and if the Chair sustains the point of order he will have to be confronted with this proposition, that it will be on the Calendar considered under the general rules of the House, with no specific direction of any particular day on which it shall be considered, and the theory of those who make this point of order to-day, if followed to its logical conclusion, will impel them when the third Monday arrives to raise the point of order that it has no particular privilege on that day, but that the Speaker may elect to take any one of three classes of bills in order on that day, this particular bill being only one of those classes. That will be the logical conclusion of those who support this point of order. I submit the further contention that you must not confuse a restriction of time governing consideration of the discharge motion with the language of the rule with reference to the consideration of the bill after the discharge motion is adopted. “Immediately” means immediately. So that this bill is the unfinished order of this House under this rule, adopted after all the other rules have been adopted, or else it is on a calendar subject to the general rules of the House and having no other right than it would have had if the Committee on Interstate and Foreign Commerce had reported it favorably, but the rule specifically provides that condition shall only exist where there is a negative vote against the motion for immediate consideration. The House did not give that negative vote, it gave an affirmative vote, and it gave it that privileged status that the House can not ignore.

The SPEAKER. The Chair appreciates that this is an important question, because it is a precedent for the future conduct of the House under this rule. Let us consider the exact

parliamentary status. The Chair recognized the chairman of the Committee on Appropriations to move to take up an appropriation bill which was partly finished. As against that the gentleman from Kentucky [Mr. BARKLEY], who has charge of the bill considered yesterday under the discharge rule, moved to take up that bill, claiming it had a higher privilege. In order to recognize the gentleman from Kentucky it must be shown that it has a higher privilege than an appropriation bill because if they are of equal privilege the Chair has the discretion in recognition, and that is conclusive. Therefore it must be maintained that this bill from which the committee was discharged has a higher privilege than an appropriation bill. The clause of the rule which we must interpret reads:

If the motion prevails, it shall then be in order for any Member who signed the motion to move that the House proceed to the immediate consideration of such bill or resolution (such motion not being debatable), and such motion is hereby made of high privilege; and if it shall be decided in the affirmative, the bill shall be immediately considered under the general rules of the House.

It is to be observed that the bill itself is not made privileged. Privilege is given only to the original motion to consider the bill; and the question which has been debated and which is really in issue is whether that applies simply to suspension days and so would not come up again for two weeks, or whether it is a continuing privilege and applies to-day.

It seemed to the Chair that the argument made by the gentleman from Georgia [Mr. CRISP], who was the author of the rule and its main advocate and proponent in the House when it was debated, very lucidly and, conclusively stated the meaning of that rule. Of course, it could be, by the mere phraseology of the rule, interpreted either way. It could be held to be privileged every day or only Mondays. The fact that it was made a clause of Rule XXVII, the suspension rule would have some weight.

Then also the well-established law that business which is in order on a special day, if it is not finished, goes over to the next special day is a suggestive analogy. We have become accustomed to it on Calendar Wednesdays and on suspension days and on the Private Calendar days, and it would seem to apply here. But what seems to the Chair conclusive is that when the rule was under consideration in the House the gentleman from Georgia, who was the author and chief advocate of the bill, stated in language which has been quoted on the floor—stated very explicitly—that the intention of the rule was that if a committee was discharged and the bill was not finished on that day it would go over until the next suspension day.

Now, that was stated more than once by him. It was in response to inquiries from Members as to what the proper interpretation of the rule was; and it seems to the Chair that it is very conclusive as to the meaning which the House, when it adopted that rule, understood and intended by it; that the House understood at the time that the business under that rule, if it came up on one Monday, as yesterday, and was not completed, went over for two weeks; and while in the courts it may not be allowed to ascertain the meaning of a law by examining the debate in the legislature, it seems to the Chair it is different here. The House only at this session debated this question and adopted this rule. The House was informed by the author of the rule what was intended. There was no remonstrance or difference of opinion that the Chair has been able to find at the time. The House apparently acquiesced in his explanation. And so it seems to the Chair that he is carrying out the purpose of the House in adopting this rule by deciding that the House intended that this language, which might be given either interpretation, was intended to mean that the business should go over for two weeks. So the Chair sustains the point of order.

Mr. BARKLEY. Mr. Speaker, I understand the Speaker holds that only for purposes of clarity, because the Speaker mentioned the fact of priority between the motion of the gentleman from Illinois [Mr. MADDEN] and mine. Regardless of the question of priority as between the gentleman's motion and mine, the Chair holds that it is not in order for me to-day to move to consider the bill?

The SPEAKER. Yes.

#### DISTRICT OF COLUMBIA APPROPRIATION BILL

The SPEAKER. The gentleman from Illinois [Mr. MADDEN] moves that the House resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 8839, the District of Columbia appropriation bill. The question is on agreeing to that motion.

The motion was agreed to.

The SPEAKER. The gentleman from Illinois [Mr. GRAHAM] will resume the chair.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 8839, the District of Columbia appropriation bill, with Mr. GRAHAM of Illinois in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 8839, the District of Columbia appropriation bill, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 8839) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1925, and for other purposes.

The CHAIRMAN. The Clerk will proceed with the reading of the bill for amendment.

Mr. CRAMTON. Mr. Chairman, before the Clerk reads I move to strike out the last word.

The CHAIRMAN. The gentleman from Michigan moves to strike out the last word.

Mr. CRAMTON. Mr. Chairman, when this committee was last in session the gentleman from Tennessee [Mr. BYRNS] had spoken with reference to the undue delay in developing proper school facilities for the District, and I want just for a moment to supplement what he said by stressing a different angle of the case.

The custom here with the Board of Education and the superintendent of schools and the assistant superintendent of schools is to indulge about this time in the year in a dally attack upon Congress, the niggardliness of Congress, and so forth. Of course, it is another story, the fact that when we propose to enact legislation that will permit the District to secure greater facilities of this kind by a little increase of taxes we are pilloried for that. That is aside from what I wish to speak about now. I want to call attention now and challenge the attention of the press of the District, if possible, and challenge the attention of the District authorities to this fact: That after they get by the Budget and after they get by Congress and an appropriation is given for a needed school building there is an undue delay, a scandalous delay, in securing the building after the Board of Education has been given the appropriation.

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

Mr. CRAMTON. In a moment. I would like to finish this statement.

Two years ago there were two items for substantial increases in the accommodations for the schools, two items necessary for further accommodations. It was definitely known in January what they would be. The bill became a law on the 28th of last February—on the 28th of February, a year ago. One of these items was \$130,000 for the building for the Raymond School, somewhere northwest, between Sixteenth Street and Georgia Avenue. That money was made immediately available on the 28th of February for a new school building to provide 336 seats. But they did not ask for bids until the next December following.

It was 9 or 10 months after the money was available in the Treasury before they got around to advertising for bids. As I say, they advertised for bids on the 1st of December and it took them until the 22d of April to award the contract, five months after they had advertised for bids, and it is expected it will not be completed until February, 1925, two years after the money was available.

Again, out in Tennallytown, the Tennally School, there was \$160,000 to provide 336 seats, and the latest information I have, given to me by the superintendent of schools within the last week, is this, "Plans being developed." Plans being developed a year and three months after the money was available.

Tell me that Congress is entirely to blame for the lack of school facilities. "Probable completion in January, 1925." I say it is time these District authorities should have some plans developed before they come to Congress asking for a building, so that when they get the money they will be ready to go ahead and provide the classroom facilities which are needed.

The CHAIRMAN. The time of the gentleman has expired.

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

Mr. CRAMTON. I am sorry, but my time has expired.

Mr. ABERNETHY. I move to strike out the last word, or rise in opposition to the amendment. I desire to call the gentleman's attention and the attention of the House to an editorial that appeared in, I think, the Herald of his morning, an

editorial signed, I think, by Bill Price. It specifically calls attention to the \$8,000,000 appropriation of the gentleman from Michigan, and also speaks of the House as being conspirators because we joined with him. I did not know whether the gentleman was acquainted with that editorial or not.

Mr. CRAMTON. I will be glad to give the gentleman this information if he desires it. That editorial was based upon the theory that the \$8,000,000 amendment which I offered took the House by surprise and that it was sneaked in here in some underhand way. The truth is that on Tuesday night, when this House adjourned, I, in effect, gave notice that I was going to offer an amendment. The newspapers, including the Washington Herald, the Star, and the Post, had big headlines about it Tuesday night, Wednesday, and Thursday morning, either the Times or the Herald having a six-column headline calling attention to the fact that we were going to try to do that thing, so that everybody had notice. They talk about the fact that there were only 33 Members present when we voted. The fact is that everyone who was interested in that proposition was on notice and had a chance to be here, and the fact that they were not here is pretty good evidence that everybody was agreeable to that action. That is confirmed by the very general expressions of approval and the announcement that no effort will be made in the House to overturn the committee action.

Mr. BLANTON. And it carried 8 to 1.

Mr. ABERNETHY. What about the conspiracy charges? They do not seem to affect the gentleman at all, the fact that the leading Washington newspaper calls him the leading conspirator.

Mr. BLANTON. That is not the leading paper.

Mr. ABERNETHY. Is it the News, or have they a leading paper here?

Mr. BLANTON. Yes. The Washington Star is the leading paper of this city, and everybody knows that.

Mr. ABERNETHY. I want to know who is the arch conspirator and who are the conspirators.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn.

There was no objection.

The Clerk read as follows:

For grading and making the water and sewer connections in the school site on Calvert Street near Connecticut Avenue, \$5,000.

Mr. BLANTON. Mr. Chairman, on page 44, line 20, I move to strike out the words "water and sewer connections."

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

The Clerk read as follows:

Amendment offered by Mr. BLANTON: Page 44, line 20, strike out the words "water and sewer connections."

Mr. BLANTON. Mr. Chairman, on Saturday I called attention to the fact that the property owners here have to pay only a small percentage of the expense of making water and sewer connections. The gentleman from Ohio [Mr. BEGG] said I surely must be mistaken. The gentleman from Minnesota [Mr. DAVIS] thought I was mistaken. He thought the law was different, but I assured him I had a letter from the auditor, over his signature, showing that that was the fact. I got permission to put that letter in the Record, and I did put it in the Record. I now want to read you from Auditor Donovan's letter, over his signature. Here is what he said about sewer connections:

For service sewers the law at present provides for a flat rate assessment of \$1.50 per front foot—

That is exactly what I said—

with certain deductions made for corner property.

Now, listen. Auditor Donovan says:

This rate represents approximately 37 per cent of the cost of the work.

In other words, the property owner pays, according to the auditor's statement, only 37 per cent of the cost of making that sewer connection, and the District and the Government of the United States, 60-40, pay the other 63 per cent of the expense of making a sewer connection for the private property owner, and for all time to eternity the private property owner never has to pay another cent for that sewer connection and service. He gets it free every year, and that cost and maintenance is paid by the Government and the District every year 60-40.

I offered Saturday an amendment to this bill which would provide that hereafter the property owner should pay the full cost of the expense of making his own sewer connection, but it was voted down the other day, and at that time we did not have

over about 35 Members present. The newspapers complained that the District suffered because we had only 35 Members present. I want to say that the Government of the United States and this House suffered, because I proposed in that amendment to make the property owners pay the full expense of making their sewer connections, but it was voted down because the membership did not seem to understand it.

Mr. KEARNS. Will the gentleman yield?

Mr. BLANTON. Yes.

Mr. KEARNS. Does the gentleman mean to say that after a sewer has been put in and the property owner wants to use that sewer for the purposes of his residence or his business place the Government pays 67 per cent?

Mr. BLANTON. Sixty-three per cent by the District and the Government, and the property owner pays 37 per cent. We make the connection and the property owner never pays another cent thereafter for annual service.

Mr. KEARNS. The gentleman means the connection from the property out to the main sewer?

Mr. BLANTON. Why, certainly.

Mr. DAVIS of Minnesota. I will have to interrupt the gentleman from Texas, and say he is absolutely mistaken.

Mr. BLANTON. I want to read you again from Auditor Donovan's letter.

Mr. DAVIS of Minnesota. Let me tell the gentleman something.

Mr. BLANTON. I do not want the gentleman from Minnesota to take up all of my time.

Mr. KEARNS. I want to say that I put in a connection from my dwelling out to the sewer last summer, and I had to build it myself.

Mr. DAVIS of Minnesota. And that is the law in the District.

Mr. BLANTON. I wrote to the auditor and I was told these were the facts.

Mr. KEARNS. I did not mean here in the District, but I meant in my home town.

Mr. DAVIS of Minnesota. That is so here.

Mr. BLANTON. I understood that was the case, and I wrote to Auditor Donovan, and here is what he tells me over his own signature. If you will get the RECORD and look at page 8031 you will see his letter.

Mr. DAVIS of Minnesota. Will the gentleman explain what a service sewer is?

Mr. BLANTON. In a moment I will let the gentleman explain that.

Mr. DAVIS of Minnesota. Tell what a service sewer is. It is not the connection to the house at all.

Mr. BLANTON. I call a service sewer the sewer that furnishes service to the residence.

Mr. DAVIS of Minnesota. A service sewer is the sewer that runs along the street, and the owner of the house himself pays for the connection to the house and \$1.50 per front foot is for the service sewer along the street.

Mr. BLANTON. Auditor Donovan, on page 8031, over his own signature—

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

Mr. BLANTON. Mr. Chairman, I ask unanimous consent to proceed for three additional minutes.

Mr. AYRES. Mr. Chairman, we might just as well have an understanding now as any other time. I am not going to object this time; but, reserving the right to object, I want to say that I am going to object to an extension of time on every line of this bill if I have to make the point of no quorum.

Mr. BLANTON. Auditor Donovan, over his own signature at page 8031 of the RECORD, says:

For service sewers the law at present provides for a flat-rate assessment of \$1.50 per front foot, with certain deductions made for corner property. This rate represents approximately 37 per cent of the cost of the work.

The other 63 per cent is paid by the Government and the District in the proportion of 60-40.

Mr. DAVIS of Minnesota. Mr. Chairman, I wish to instruct the gentleman on what the practice is and what the law in the District is.

Mr. BLANTON. I am just telling you what Auditor Donovan states.

Mr. DAVIS of Minnesota. You misconstrue Mr. Donovan's language. The service sewer means the sewer running along the street in front of the property, and where a connection is made with his house the owner pays all of that himself, and for the service sewer along the street he is charged \$1.50 per front foot. That is the practice here now and has been all

the time. You have misconstrued the meaning of Mr. Donovan's expression, "service sewer."

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

The amendment was rejected.

The Clerk read as follows:

The Commissioners of the District of Columbia are hereby authorized and directed to erect the school building for the care of tubercular children on such part of the site now occupied by the Tuberculosis Hospital as in their judgment may be best suited for such purpose, the said site being described on the tax records of the District of Columbia as parcels 84-134, 84-146, and 84-147, and the said building having been appropriated for in the act entitled "An act making appropriation to supply deficiencies in appropriations for the fiscal year ending June 30, 1921, and prior fiscal years, and for other purposes," approved June 16, 1921.

Mr. BLANTON. Mr. Chairman, I make a point of order against the paragraph that it contains legislation unauthorized in an appropriation bill.

The CHAIRMAN. What is the contention of the gentleman from Minnesota on this point?

Mr. DAVIS of Minnesota. I will state for the benefit of the gentleman and the balance of the House that the appropriation for this tuberculosis school building was made several years ago. The commissioners attempted to start the erection of this building on the site indicated here. The law did not specifically specify the particular site on which the school was to be erected and the Supreme Court of the District decided that, because of that omission, the building could not be built there. That is the reason we have put in this provision, and I am surprised at the gentleman making a point of order when the tubercular children of this District are suffering so immensely for proper school facilities. Of course, it ought to go in beyond all question.

Mr. BLANTON. Will the gentleman yield?

Mr. DAVIS of Minnesota. The money has been appropriated a long time, and this is simply a technicality that was raised because the property owners around there who wanted to build houses did not want a tubercular school in that vicinity. That is why there has been this delay, and I am surprised at the gentleman making the point of order.

Mr. BLANTON. Will the gentleman yield?

Mr. DAVIS of Minnesota. Certainly.

Mr. BLANTON. I want to return the compliment. I was surprised when the gentleman caused a point of order to be made against my proposal to give the 70,000 school children here a 5 instead of an 8 cent car fare. I proposed that, and the gentleman had a point of order made against my amendment and I was awfully surprised when he did that.

Mr. DAVIS of Minnesota. I could make a statement about the gentleman's point of order which was made the other day, but it would take perhaps too long a time. I will just say that he made a speech here on economy a few minutes before making that point of order, and then the question came up about limiting expenditures for draftsmen and other technical assistants in the architect's office, and the gentleman made a point of order that it was new legislation. It no doubt was, but they have always employed and will have to continue to employ special architects to do certain things, and the provision was inserted to put a curb on such expenses. I cut that down to 2½ per cent, and the gentleman made a point of order on the grounds of economy.

Mr. BLANTON. And my point of order did effect economy.

Mr. DAVIS of Minnesota. I am simply telling you the facts.

Mr. BLANTON. Well, both of us are surprised, so we are even.

Mr. DAVIS of Minnesota. I concede the point of order, but I am surprised, I will say, at the gentleman making the point of order.

The CHAIRMAN. The point of order is sustained, and the Clerk will read.

The Clerk read as follows:

None of the money appropriated by this act shall be paid or obligated toward the construction of or addition to any building the whole and entire construction of which, exclusive of heating, lighting, and plumbing, shall not have been awarded in one or a single contract, separate and apart from any other contract, project, or undertaking, to the lowest bidder complying with all the legal requirements as to a deposit of money or the execution of a bond, or both, for the faithful performance of the contract: *Provided*, That no architect's fee shall be paid or obligated for plans, specifications, or any professional services whatever, unless they are such as will enable the Commissioners of the District of Columbia, or those letting a contract, to secure a legal bid within the amount authorized by Congress

for the building or other project: *Provided further*, That nothing herein shall be construed as repealing existing law giving the commissioners the right to reject all bids.

Mr. BLANTON. Mr. Chairman, I make a point of order against the first proviso, beginning in line 25, page 45. This is so worded that it is a veiled authorization seeking to give authority to pay outside architects' fees when we have a municipal architect here, Mr. Chairman, with various assistants in his office paid salaries by the people to do this work. I called attention to this once before and that is the reason this language is put in this bill. About two years ago, when the Eastern High School was built, there were nine buildings contracted for in the District at the same time, and every one of those nine contracts was let to nine outside architects and the architects were paid large fees when that work should have been done by the municipal architect for the District of Columbia. This is just an attempt to put legislation in this bill seeking to get around the point we made against such practice at that time; in other words, to give them authority to employ outside architects, and that ought to be stopped. We have an architect's office here and they have assistants and numerous employees in that office and they ought to do the work or else ought to give it up and let somebody else do it.

Mr. CRAMTON. Mr. Chairman, if the gentleman's point of order should be sustained and the language to which he takes exception stricken out, the result would be that out of the building appropriations for the schools outside architects might be employed without any let or hindrance. It would be entirely up to the Board of Education. There is no law to prevent them employing outside architects instead of the municipal architect, and the only purpose of this language—and it is not new language, because, as I recall, it was framed a year ago by the gentleman from Kentucky [Mr. JOHNSON], and the object of this language is a limitation strictly to prevent the expenditure of these funds to employ outside architects unless the work results in the securing of a legal bid within the amount authorized by Congress for the buildings. The purpose is to prevent, after Congress makes an appropriation of \$100,000 for a building, the hiring of an architect who goes on and makes plans that result in bids of \$150,000 or otherwise above the amount authorized by Congress.

The gentleman from Kentucky desired to stop that, and so put in a plain limitation, and that it is a limitation is shown by the fact that if the language is stricken out there will be no interference by the law with the Board of Education employing architects. With this in, they can only pay them for other work in relation to certain kinds of bids.

Mr. BLANTON. There is no law now that authorizes outside architects, but the trouble is they go beyond the law.

Mr. CRAMTON. Every time we make an appropriation that of itself includes such necessary expense as the pay of architects.

Mr. BLANTON. Not outside architects; we put them on notice, and they have stopped it. You will find that they are trying to pay these outside architects by such language put in on appropriation bills. This language will permit them to do it.

Mr. McSWAIN. Will the gentleman yield?

Mr. BLANTON. Yes.

Mr. McSWAIN. Why would it not be possible to accomplish the aim the gentleman from Texas speaks of and what the gentleman from Michigan desires by striking out this language and putting in a limitation that no part of the appropriation shall be available to pay any outside architect?

Mr. BLANTON. That is a good suggestion; but this ought to come out first.

The CHAIRMAN. The language here is "that no architect's fee be paid or obligated for plans, specifications, or any professional services whatever, unless they are such as will enable the Commissioners of the District of Columbia, or those letting a contract, to secure a legal bid within the amount authorized by Congress for the building or other projects."

Transposing the language, it might be read in this way: "Provided, an architect's fee may be paid or obligated for plans, specifications, or any professional services if the plans are such as will enable the Commissioners of the District of Columbia to secure a legal bid within the amount authorized by Congress for the building or other projects." In other words, by this language under a reasonable and proper construction the commissioners are authorized to do some affirmative act. While it is couched in the negative, it is an authorization for them to do something. Therefore it is legislation, and the point of order is sustained.

Mr. CRAMTON. Does the Chair take into consideration the fact that that which the Chair says they are authorized to do is something they are authorized to do without this? They are authorized to pay for all necessary things incident to the construction of the building, and the architect's services are just as necessary as the lumber or the plaster.

The CHAIRMAN. That may be so; and if true, there is no necessity for the language.

Mr. CRAMTON. That is not for the Chair to decide.

The CHAIRMAN. That may be true; but this gives them authority to do some additional thing. It might be put in the form of a limitation, but the Chair does not think it is, and the point of order is sustained.

Mr. BLANTON. Mr. Chairman, I offer the following amendment:

Page 45, line 25, after the word "contract," insert: "Provided no architect's fee shall be paid or obligated for plans, specifications, or any professional services whatever."

The CHAIRMAN. The gentleman will put his amendment in form.

Mr. CRAMTON. Mr. Chairman, I make the point of order that amendments must be in form when offered. It is not the business of the Clerk to prepare amendments, for he has not the time, especially when he is called upon as often as he is by the gentleman from Texas.

The CHAIRMAN. The gentleman from Texas will put his amendment in proper form.

Mr. CRAMTON. Mr. Chairman, I ask unanimous consent that while the gentleman from Texas is preparing his amendment the Clerk may read and then return to the paragraph where the gentleman's amendment fitted.

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

There was no objection.

The Clerk read as follows:

The total cost of the sites and of the several and respective buildings herein provided for, including heating, lighting, and plumbing, when completed upon plans and specifications to be made previously and approved, shall not exceed the several and respective sums of money herein respectively appropriated or authorized for such purposes, any provision in this act to the contrary notwithstanding.

Mr. BLANTON. Mr. Chairman, I have my amendment at the Clerk's desk.

The Clerk read as follows:

Amendment by Mr. BLANTON: Page 45, line 25, after the word "contract" and the colon insert "Provided, That no architect's fees shall be paid or obligated for plans, specifications, or any professional services whatever."

Mr. CRAMTON. Mr. Chairman, I am only going to make this suggestion: The municipal architect's office has a very small force. There is pressing need for new buildings, so pressing that the bill makes the money immediately available. The gentleman's amendment means that if the architect's office is overcrowded with work no one else can be employed and the school construction must wait accordingly.

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

The question was taken; and on a division (demanded by Mr. BLANTON) there were 4 ayes and 8 noes.

So the amendment was rejected.

Mr. BLANTON. Mr. Chairman, I move to strike out the last word to call attention to the fact that I was seeking to prevent anything from being paid to outside architects, and the gentleman from Michigan [Mr. CRAMTON] indicated that he was with me on that, but claimed that the bill already protected it. Now, when I propose a definite program in language that would absolutely keep them from doing this, I do not find the gentleman with me. As a matter of fact, they have no authority now to do it, and if hereafter they attempt to pay out one dollar for architect fees I am going to have action brought against some of them for violating the laws of the country. The gentleman, by the influence of the committee membership on the floor, is able by the tremendously overwhelming vote of 8 to 4 to strike out a provision that would definitely settle the matter.

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

Mr. BLANTON. Yes.

Mr. CRAMTON. I am sorry that the gentleman finds it as hard to understand me as he does to understand the District auditor.

Mr. BLANTON. Oh, I understand him better than the gentleman does. The only thing about me is that I am plain about

my language while the gentleman has his meaning covered up in a way that an ordinary man can not understand it in reading these bills, and when we try to get them in plain language so the ordinary individual may understand, then he objects.

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

The CHAIRMAN. Is there objection?

There was no objection.

Mr. CABLE. Mr. Chairman, my attention has been called to-day to a clipping wherein Mr. Arthur Henderson, Minister of State for Home Affairs for England, is quoted as complaining about a bill passed by the last Congress granting independent citizenship to American women. The law was passed at the request of the women of the United States and granted them citizenship independent of their husbands. It ill becomes this gentleman in Great Britain to object to a law passed by the United States seeking to protect the citizenship rights of our people. If Great Britain wants to protect the rights of her women, as this Congress has done for the American women, she should take some action, instead of standing on a law that is 40 or 50 years old.

Two American girls, members of our most prominent families, recently attracted national and international attention because of their marriages to eminent Englishmen. In this feature the two marriages were similar, but following this one point deep contrast sets in.

Miss Cornelia Vanderbilt, now Mrs. Cecil, exerted her right as an American and retained her citizenship after her marriage to the Hon. John F. Cecil, a subject of the British King. On the other hand, the daughter of Marshall Field, jr., recently in the Federal court at Chicago made a formal renunciation of her citizenship in this country following her marriage to an Englishman. By the law of Great Britain she became a British subject, and by her action in the court she relinquished her right of citizenship in the United States.

Citizenship carries with it high privileges and obligations too great to be forced on a woman or arbitrarily taken from her through a marriage ceremony. She is entitled to equal rights with her husband in determining the country of her choice, and the Congress of the United States so stated in the act of September 22, 1922, signed by President Harding, which those who backed the measure state "removes the greatest single Federal disability of women left after enfranchisement."

Stated broadly, the purpose of this law was to remove the marriage state from the field of operation of our naturalization and citizenship laws. Under the act marriage after September 22, 1922, does not operate to confer citizenship upon an alien woman whose husband was then or subsequently becomes a citizen; neither does such marriage forfeit citizenship in the case of a woman citizen who marries an alien husband unless the latter is of the class ineligible for naturalization. Citizenship of a woman forfeited by marriage to an alien prior to September 22, 1922, may be regained by simplified naturalization proceedings; and the marriage state no longer constitutes an obstacle to the naturalization, by separate and independent proceedings, of an alien woman married to an alien husband, if he himself is not barred.

This change in our citizenship act and improvements in other laws of the States and Nation have been brought about to a great extent by the influence and work of women's organizations. To-day women are a vital, if not the most important, factor in governmental affairs.

Women wield the most powerful of all influences in the enactment of laws in the States and Nation. It took 80 years of hard work on their part to add the nineteenth amendment to our Constitution. It is less than four years since the Secretary of State issued the proclamation that the required number of States had ratified the proposed amendment, but in that short period of time the lists of accomplishments by the women of this country through their powerful organizations should be most encouraging.

There were in the last two years 287 measures supported by organized women voters that became laws in various States and 30 measures, which the same voters opposed, were defeated.

The women's organizations are not selfish in their motives and concern themselves especially with laws relating to social hygiene, child welfare, education, and efficiency in government.

Women do not seem particularly anxious to secure public office. Notwithstanding the fact that no women have been elected to governorships in any of the States nor occupy positions in the President's Cabinet, we must realize that women have entered politics and public life and are in them to stay. Their great organizations are giving the men officeholders further trial, and unless laws indorsed by women for the betterment of all the people are placed on the statute books it is my

prediction that the women officeholders will increase in large numbers.

Mrs. Maude Wood Park, retiring president of the National League of Women Voters, tells her followers that it is very desirable to "put more women into public office," but adds that "the women to be chosen must be better qualified for office than their men opponents."

Those women who have been elected or appointed to public office have been so honored not so much for political reward as for their own personal qualifications. The excellent work of Dr. Ellen Culver Potter, as secretary of welfare for Pennsylvania, has attracted nation-wide attention. So also has the high character of the work being done in public welfare in North Carolina by Mrs. Kate Burr Johnson, the first woman commissioner of public welfare for any State, attracted favorable comment. Mrs. Johnson was appointed because of her fitness for the post. Her attitude as to welfare work should be followed in my home State because, as she says:

Politics should have no place in work of this kind for unfortunate people. I'd rather see the public welfare work in North Carolina entirely discontinued than see it made the plaything of politics.

The citizenship act is but one of many measures supported by women's organizations. The resolution to submit the child-labor amendment to the States has the backing of these same women and has already passed the House by an overwhelming vote. There are many other constructive measures receiving their support and influence in the States and Nation.

Besides the women who have banded themselves together in great organizations and associations devoted strictly to a membership of women we find them affiliated with organizations, both political and civic, that have heretofore been regarded as strictly limited to man's sphere of operation.

An outstanding example of this is Mrs. Harriet Taylor Upton, of Warren, Ohio, vice chairman of the executive committee of the Republican National Committee, nationally known speaker and a politician of the first class.

The views of Mrs. Upton upon the progress that women have made since their enfranchisement are most encouraging. In a recent statement she said:

Women without a doubt have progressed politically since their enfranchisement. It is idle to assert that they have not. Generally speaking, the women had no responsibility in the 1920 campaign. They were not enfranchised in time to vote at the primaries. What they did was to vote for the men and measures that had been decided upon without their aid.

Women carry on their political activities in their own fashion. They profit by the methods used in their own homes, together with what they have learned in their clubs. They proceed into politics through educational and domestic channels.

There is no question but that women have made an advance as officeholders in the last four years, just as the rank and file of women everywhere have become more politically minded.

It is interesting to note the women who have taken a prominent part in the present administration.

Mrs. Helen H. Gardener is one of the three members of the United States Civil Service Commission.

Mrs. Mabel Walker Willebrandt is an Assistant United States Attorney General, having charge of the division which handles all matters arising under the national prohibition act as well as all questions concerning the conditions and managements of prisons. Six women are now serving as assistant United States district attorneys and there are a number of women holding other important positions under the Department of Justice.

Miss Lucile Atcherson, of Columbus, Ohio, is the first woman to enter the diplomatic corps of this country. She has just completed her first year in the State Department in the division of Latin-American affairs.

Miss Mary Anderson is director of the Women's Bureau, which promotes the welfare of eight and one-half million working women in the United States. This bureau is the only one of its kind in the world created to promote the standards and policies for the employment of women workers.

As director of the Children's Bureau, Miss Grace Abbott works in behalf of the 40,000,000 children in the United States and in our island possessions.

Mrs. Bessie Parker Brueggeman is chairman of the United States Employees' Compensation Commission. In holding this position she is the only woman chairman of a Federal commission. Mrs. Mabel Reinecke is collector of the Internal Revenue Bureau for Illinois. Two women hold positions as Federal merchandise appraisers, one in Cleveland and the other in St. Louis. One woman is serving as assistant trade commissioner in Berlin, and another has just returned from a similar post in Shanghai.

Miss Florence E. Allen is a judge of the Supreme Court of Ohio and one of the great outstanding woman leaders of the country.

Another Ohioan, Miss Belle Sherwin, is the newly elected president of the National League of Woman Voters.

Women officials have taken their places in both great political parties in the State organizations, as well as in the national. Mr. CORDELL HULL, head of the Democratic National Committee, has appointed Mrs. Franklin D. Roosevelt, of New York, as chairman of the committee to frame planks on social-welfare legislation for the national platform. On the Republican side the 29 women members of the national committee's subcommittee on policies and platforms are also making suggestions. These women, prominent in the work of women's organizations, are consulting leaders in club, civic, and political groups to determine what the Republican women want in their platform.

More and more each day we are realizing that women are an important and vital factor in governmental affairs at Washington. The Women's Joint Congressional Committee, organized in 1920, represents 21 national organizations, which have representatives in Washington for the purpose of keeping in touch with Federal legislation of interest to women.

Mrs. Maud Wood Park is the chairman of this organization, which is composed of the following suborganizations:

American Association of University Women, American Federation of Teachers, American Home Economics Association, General Federation of Women's Clubs, Girls' Friendly Society in America, National Congress of Mothers and Parent-Teacher Associations, National Consumers' League, National Council of Jewish Women, National Council of Women, National Educational Association, National Federation of Business and Professional Women's Clubs, National League of Women Voters, National Woman's Christian Temperance Union, National Women's Trade Union League, National Board of Young Women's Christian Association, Service Star Legion, Committee for a Department of Education, National Association of Colored Women, Council of Women for Home Missions, American Nurses Association, and the Medical Women's National Association.

By far the largest organization of women in the United States is the National Council of Women. Mrs. Philip North Moore, of St. Louis, is president, and Mrs. Glen L. Swiggett, of Washington, D. C., legislative representative. It has a combined membership of more than 11,000,000. The National Council acts as a clearing house for 33 organizations, as follows:

General Federation of Women's Clubs, National League of Women Voters, National Women's Relief Society, Young Ladies' National Mutual Improvement Society, National Women's Relief Corps, National Council of Jewish Women, National Florence Crittenton Mission, Ladies of the Maccabees, National Federation of Colored Women, Ladies of the G. A. R., American Association of University Women, National Congress of Mothers and Parent-Teachers Association, National Federation of Music Clubs, Needlework Guild of America, Women's International League for Peace and Freedom, Woman's Christian Temperance Union, Young Women's Christian Association, Woodmen's Circle, National Women's Republican Association, Children of America Loyalty League, Kansas State Council, Rhode Island State Council, Indianapolis Local Council, Medical Women's National Association, International Sunshine Society, National American War Mothers, National Council Administrative Women in Education, National Kindergarten Association, Sons of Veterans' Auxillary, National Auxillary, United Spanish War Veterans, Association of Women in Public Health, May Wright Sewell State Association, Southern Women Educational Alliance.

Within recent days the Women's National Farm Gardens Association and the War Mothers' National Memorial Association have attracted public attention by their national conferences in Washington. Another important association, composed of national organizations, is the Woman's National Committee for Law Enforcement.

This committee for law enforcement met in Washington recently and urged the women of the country to put aside all self and selfish desire and devote their service to the problem of saving America through allegiance to the Constitution and observation of law. Their creed is—

For enforcement of all law, with special stress at present on the prohibition law, the front to-day where the battle against lawlessness has to be fought.

Under the leadership of Mrs. Henry W. Peabody, a woman leader with a long life of good works and notable accomplishments, 20 great national organizations allied themselves in the Committee for Law Enforcement. The membership at the present time totals 10,000,000 women.

The Woman's Party is a militant organization. Its present task is the enactment of a United States constitutional amendment providing for equal rights between men and women throughout the United States.

Closely identified with all women movements for the betterment of the people is the National Council of Women of the United States, affiliated with the International Council of Women. The International Council federates all national organizations in Europe and the Orient and is the largest women's association in the world, having a combined membership of approximately 36,000,000.

The International Woman Suffrage Alliance is represented in the United States by the National League of Women Voters. This alliance held its ninth congress in Rome, Italy, during the month of May last year to consider legislation for the benefit of women.

During the meeting they passed a resolution "that this congress declares that a married woman should be given the same right as a man to retain or change her nationality." The United States has taken the lead in granting such independent citizenship to its women. Other nations have not done so, resulting in difficulties international in character, because these countries have failed to protect the rights of their nationals.

It is interesting to note the diversity of the laws of the various nations relating to the citizenship of women. In brief, they are as follows:

Austria: Native woman loses nationality upon marriage with an alien; foreign woman marrying an Austrian becomes an Austrian.

Belgium: Native woman may retain nationality after marrying an alien, provided she declares her intention within six months after marriage; foreign woman takes husband's citizenship.

Bulgaria: Native woman loses nationality except when husband's country will not allow the wife to naturalize; foreign woman becomes Bulgarian.

Canada: An act was passed in 1919 giving women the right to their own nationality after marriage, but it was later repealed.

Chile: Native woman does not lose nationality; foreign woman does not become Chilean.

China: Native woman loses nationality upon marriage with an alien, or if native husband becomes naturalized in another country during married life, unless husband's country will not let her be naturalized.

Congo: Native woman not considered; foreign woman becomes Congolese by marriage if she has lost her nationality by this act.

Denmark: Before 1898 native women kept own nationality after marriage with an alien. Now take the nationality of their husbands, except where the country of the husband will not permit. Bill now being considered to give independent citizenship to residents.

Ecuador: Principle of the law is that a native woman follows the nationality of her alien husband, but if she resides in Ecuador after marriage she may choose her own nationality.

Estonia: Native woman loses her nationality unless within two weeks after marriage she notifies the nearest police officer or, if abroad, the nearest Estonian consul. She must state her intention to remain Estonian. Foreign woman becomes an Estonian.

Finland: Native woman takes the nationality of her husband. No exceptions.

France: Native woman takes the nationality of alien husband unless his country will not permit, in which case she remains French. Bill now being considered to give independent citizenship.

Germany: Native woman loses nationality; foreign woman becomes a German. If both the husband and the wife are German and the husband changes his nationality during marriage, the wife may retain her own nationality.

Great Britain: Native woman loses nationality; foreign woman becomes British.

Greece: Native woman loses nationality; foreign woman becomes Greek, providing the marriage ceremony is solemnized according to Greek law.

Honduras: Native woman loses nationality, but can regain own nationality independent of her husband; foreign woman becomes Hondurian, unless she explicitly states that she wishes to retain her own nationality.

Hungary: Native woman loses nationality, with no exceptions; foreign woman becomes Hungarian upon marriage.

Italy: Native woman loses nationality providing the husband possesses citizenship, which by virtue of his marriage he can grant her; foreign woman becomes Italian.

Latvia: Native woman loses nationality; foreign woman becomes Latvian. Both cases without exception.

Lithuania: Native woman takes the nationality of her alien husband.

Monaco: Native woman loses nationality unless her husband's country will not grant her naturalization; foreign woman becomes Monacoan without exception.

Netherlands: Native woman takes the nationality of her husband.  
Norway: Native woman takes the nationality of her husband; foreign woman becomes a Norwegian.

Panama: Native woman loses nationality; foreign woman becomes Panamanian. Both without exception.

Paraguay: Native woman takes the nationality of her husband; foreign woman becomes Paraguayan. Both without exception.

Persia: A woman takes the nationality of her husband.

Poland: Native woman loses nationality; foreign woman becomes a Pole.

Portugal: Native woman loses nationality unless husband's country will not grant her nationality.

Russia: Native woman does not lose her nationality; foreign woman does not have to become Russian by marriage.

Salvador: Native woman takes nationality of her husband; foreign woman becomes Salvadorian. Both without exception.

Serbs, Croats, Slovenes: Native woman loses nationality; foreign woman takes the nationality of her husband.

Siam: Native woman loses nationality if by husband's national law she acquires his nationality upon marriage; foreign woman becomes a Siamese.

South Africa: Native woman loses here nationality. Bill being proposed to change this law.

Spain: Native woman loses nationality; foreign woman becomes Spaniard. No exceptions to either law.

Sweden: Native woman loses her nationality; foreign woman becomes Swede.

Switzerland: Native woman loses nationality except if the husband has no nationality, if marriage is not valid according to laws of two countries, or if husband's country refuses to grant wife's nationalization. Foreign woman becomes Swiss without exception.

Turkey: Native woman not considered. Foreign man who marries Turkish Mussulman woman must become a Mussulman and change his baptismal name to Mussulman name.

United States of America: Native woman retains her citizenship upon marriage to an alien; foreign woman does not acquire husband's nationality unless she so desires.

Uruguay: Nationality of women, like men, dependent entirely upon country in which born.

Argentina, Brazil, Japan: Alien marrying a woman of the country is naturalized by the act, regardless of his preference.

In Monaco a woman married to an alien can not regain her nationality after her husband's death, except by favor of the reigning sovereign. In Esthonia, Ecuador, and Honduras if a native woman wishes to regain her nationality during the life of her husband she can do so by declaring her intentions and passing through the required steps of naturalization. In 23 countries this privilege is granted only upon the dissolution of the marriage.

The citizenship law of the United States has operated successfully and has aided the immigrant women, besides protecting the American girl and her property. Other countries should pass similar laws and thus eliminate the difficulties often experienced by their women citizens because of marriage to an alien.

In the spring of 1925 the quinquennial of the International Council of Women will meet in Washington, D. C. Delegates will be present from Canada, Germany, Sweden, Great Britain, Ireland, Iceland, Ukraine, Denmark, Holland, New Zealand, Italy, France, Argentina, Switzerland, Hungary, Austria, Norway, Belgium, New South Wales, Tasmania, Victoria, Queensland, West Australia, Greece, Bulgaria, Yugoslavia, Finland, South Africa, Portugal, Uruguay, Russia, Mexico, Esthonia, Rumania, Chili, Latvia, and Cuba.

One of the important questions that will come before that body will be the citizenship of married women throughout the world. I have introduced a resolution authorizing the President to call a conference of the governments of the world to adopt a convention on the nationality of married women embodying the principle that a married woman has the same right as a man to retain or change her nationality, and that the conference be held in the city of Washington, D. C.

According to information at hand, the Governments of Norway, Sweden, and Denmark are about to bring independent citizenship bills before their respective parliaments. The Governments of Sweden, Denmark, Greece, Switzerland, and Hungary have indicated that they would be willing to send delegates to an international conference on the question of the nationality of married women; but so far no government has been willing itself to call such a conference.

My idea is that the delegates to the quinquennial be officially delegated by their respective countries to attend the conference at the time of the meeting in Washington of the quinquennial

and so iron out the difficulties that have arisen because other nations have not seen fit to pass laws similar to that passed by the Congress of the United States as to the citizenship of their subjects. The recommendations of the various delegates could be made to the legislatures or lawmaking bodies of their countries upon their return.

Mr. Raymond F. Crist, Commissioner of Naturalization, in his annual report to the Secretary of Labor, says that the passage of the independent naturalization and citizenship law for married women has made the question of Americanization of more vital interest, with the result that the standards of citizenship are being raised ever higher, and both native and foreign born are being better equipped to discharge their civic duties.

The Clerk read as follows:

#### METROPOLITAN POLICE

##### SALARIES

Major and superintendent, \$4,500; 2 assistant superintendents, at \$3,000 each; 4 inspectors, at \$2,400 each; 12 captains, at \$2,400 each; additional compensation for 35 privates detailed for special service in the detection and prevention of crime, \$16,800; additional compensation for 14 privates detailed for special service in the various precincts for the prevention and detection of crime, at the rate of \$120 per annum, \$1,680; additional compensation for 1 inspector or captain and 1 lieutenant detailed for special service in the detection and prevention of crime, at \$400 each; 21 lieutenants, one of whom shall be harbor master, at \$2,000 each; 56 sergeants, 1 of whom may be detailed for duty in the harbor patrol, at \$1,800 each; privates—633 of class 3, at \$1,600 each; 170 of class 2, at \$1,560 each; 51 of class 1, at \$1,460 each; amount required to pay salaries of privates of class 2 who will be promoted to class 3 and privates of class 1 who will be promoted to class 2 during the fiscal year 1925, \$2,600; motor-vehicle allowance for 2 inspectors at \$480 each; 20 captains, lieutenants, sergeants, and privates, mounted on horses, at \$540 each; 32 lieutenants, sergeants, and privates, mounted on bicycles, at \$70 each; driver-privates—35 of class 2, at \$1,560 each; 3 of class 1, at \$1,460 each; personal services in accordance with the classification act of 1923, \$66,000; in all, \$1,743,000.

Mr. HILL of Maryland. Mr. Chairman, I move to strike out the last word for the purpose of asking a question of the chairman of the committee. Is that a very material increase over the last year's appropriation?

Mr. DAVIS of Minnesota. It is not. This bill does not include the bonus, and the gentleman knows that we are waiting for this new law to come in in respect to the salaries of school-teachers, librarians, policemen, and firemen. This is the old bill without the bonus, but when they add the bonus to this it will be about \$81,000 increase over last year.

The Clerk read as follows:

For miscellaneous and contingent expenses, including rewards for fugitives, purchase of modern revolvers and other firearms, maintenance of card system, stationery, city directories, books of reference, periodicals, telegraphing, telephoning, photographs, printing, binding, gas, ice, washing, meals for prisoners, not to exceed \$200 for car tickets, furniture and repairs thereto, beds and bed clothing, insignia of office, motor cycles, police equipments and repairs to same, repairs to vehicles, van, patrol wagons, and saddles, mounted equipments, and expenses incurred in prevention and detection of crime, and other necessary expense, \$60,000; of which amount a sum not exceeding \$500 may be expended by the major and superintendent of police for prevention and detection of crime, under his certificate, approved by the commissioners, and every such certificate shall be deemed a sufficient voucher for the sum therein expressed to have been expended: *Provided*, That the War Department may, in its discretion, furnish the commissioners, for use of the police, upon requisition, such worn mounted equipment as may be required.

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

The Clerk read as follows:

Amendment by Mr. CRAMTON: Page 49, line 8, strike out "\$60,000" and insert "\$70,000."

Mr. CRAMTON. Mr. Chairman, realizing the necessity for cutting down debate, I ask unanimous consent to extend my remarks in the Record with reference to this amendment.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. CRAMTON. In connection with that I state that I expect to put into the Record some statement of my views with reference to the necessity of the District of Columbia police enforcing the laws of the United States in the District of

Columbia. In connection with that I expect to discuss the pronounced opposition of the Washington Post and of the president of the Association Against the Prohibition Amendment to such enforcement of the prohibition laws in the District. I expect also to discuss the statistics as to crime that were referred to a little while ago by the gentleman from Massachusetts [Mr. TRINKHAM], all of which I know will be extremely interesting to the House, but I shall not take up the time now to present them. I invite the attention of Members to this in the Record. I think I should say that the commissioner of police feels that there should be an increase in this item. I feel the proper way for any increase to come to the attention of Congress is through the Budget, with a proper statement and a justification of the item. That has not come to Congress, and so for the present I shall withdraw the amendment.

Some time ago I noted the following news item in a Washington paper:

**DRUNKEN DRIVING OF MOTOR CYCLES IS HELD LAWFUL**

Persons driving motor cycles while intoxicated can not be prosecuted under the law, according to a ruling made yesterday by Judge Gus A. Schuldt in police court.

Judge Schuldt held section 20 of the Sheppard Act lists every type of vehicle in which it is unlawful to operate while intoxicated, motor cycles not being included.

Revision of the section of the act by Congress to include motor cycles was recommended.

Examination of section 20 of the Sheppard Act, the District of Columbia prohibition act, convinced me of the correctness of Judge Schuldt's decision, and I introduced H. R. 7924 to amend the Sheppard Act in that respect. That bill being referred to the commissioners for report, they made the following response:

APRIL 15, 1924.

HON. STUART F. REED,

*Chairman Committee on the District of Columbia,  
House of Representatives.*

SIR: The Commissioners of the District of Columbia have the honor to submit the following on House bill 7924, Sixty-eighth Congress, first session, entitled—

"A bill to amend section 20 of an act entitled 'An act to prevent the manufacture and sale of alcoholic liquors in the District of Columbia, and for other purposes,' approved March 3, 1917, as amended,"

which you referred to them for consideration and report:

The object of this bill is to amend section 20 of the act of Congress of March 3, 1917, usually called the Sheppard law. This section was designed to punish drivers of motor vehicles while operating the same in a state of intoxication. The only change provided for in the bill is to add the words "or any motor" to the section. These words appear in line 11, page 1. Because of the fact that these words were omitted in the original section, the judges of the police court have ruled that the operator of a motor cycle driving while drunk could not be punished under the section.

The commissioners recommend favorable action on the bill, but suggest that there be added to it a section which would reenact section 11 of the same law. This section provides for the punishment of people appearing on the streets while intoxicated. There has been some question as to whether any section of the Sheppard law, being the act of March 3, 1917, was left in force after the passage of the national prohibition act. If this bill passes, this doubt would be removed by reenacting sections 20 and 11 of the act.

Very respectfully,

THE BOARD OF COMMISSIONERS OF THE  
DISTRICT OF COLUMBIA,  
By CUNO H. RUDOLPH, *President.*

About the same time I saw in the Star a long article on the question of enforcement of dry laws in the District, in which Major Sullivan, chief of police, was quoted as saying that the local police were handicapped in their efforts in this line by the fact that in order to seize liquor, and so forth, they were obliged to secure also the presence of a Federal agent.

Under the Volstead Act, he said, a policeman in Washington may only gather the evidence. The arrest and prosecution must be conducted by prohibition agents of the Government. Although the police superintendent said the Federal authorities had cooperated loyally in every instance, the lack of authority to act on their own initiative is a detriment to the Washington police force.

"If Congress would give us an enabling act permitting us to make an arrest in liquor cases without the assistance of a Federal agent, the task of keeping Washington 'bone dry' would be much simplified. That law has made it possible for General Butler to smash right into crime in Philadelphia, and it would give the same opportunity here."

I did not believe the Sheppard Act had been repealed and do not believe it has been repealed. It is significant that the police court is enforcing it to-day. It seems to me very desirable that all doubt be cleared up on these points. Further, the police should be given powers so clear and complete as to leave no question. Therefore, I expanded the former bill and reintroduced it as H. R. 8845, reading as follows:

A bill (H. R. 8845) to amend sections 20 and 21 of an act entitled "An act to prevent the manufacture and sale of alcoholic liquors in the District of Columbia, and for other purposes," approved March 3, 1917, as amended

*Be it enacted, etc.,* That sections 20 and 21 of an act entitled "An act to prevent the manufacture and sale of alcoholic liquors in the District of Columbia, and for other purposes," approved March 3, 1917, are hereby amended to read as follows:

"Sec. 20. If any person while in charge of a locomotive engine, or while acting as a conductor or brakeman of a car or train of cars, or while in charge of any street car, steamboat, launch, or other water craft, or while in charge of or operating any automobile or any motor, horse, or other vehicle in the District of Columbia, shall be intoxicated, he shall be guilty of a misdemeanor, and if convicted shall be punished by a fine of not less than \$25 nor more than \$300, and in default of payment of said fine shall be imprisoned in the District Jail or workhouse for not exceeding three months, or both fine and imprisonment in the discretion of the court.

"Sec. 21. It shall be the duty of the Commissioners of the District of Columbia to enforce the provisions of this act. They shall detail qualified members of the police force to detect violations of the act, if any, and to report promptly all knowledge or information they may have concerning such violations, together with the names of any witnesses by whom they may be proven to the corporation counsel; but it shall be the duty of all members of the police force to detect violations of the act and to promptly report any information or knowledge concerning the same to the corporation counsel, together with the names of witnesses, by whom such violations may be proven; and the corporation counsel shall bring such alleged violators of the law to trial with due diligence. Such officers shall have the same authority and power to make arrests, serve warrants, and make seizures of intoxicating liquors as is now conferred upon officers and agents under the national prohibition act.

"If any such officer shall fail to comply with the provisions of this section, he shall upon conviction be fined in any sum not less than \$100 nor more than \$500; and such conviction shall be a forfeiture of the office held by such person, and the court before whom such conviction is had shall, in addition to imposition of the fine aforesaid, order and adjudge the forfeiture of his said office. For a failure or neglect of official duty in the enforcement of this act any official herein referred to may be removed by court action.

"All the provisions of the District of Columbia prohibition act entitled 'An act to prevent the manufacture and sale of alcoholic liquors in the District of Columbia, and for other purposes,' approved March 3, 1917, as amended, and all other laws in regard to the manufacture, transportation, sale of, and traffic in intoxicating liquor, and all penalties for violations of the District of Columbia prohibition act and of such other laws as were in force and effect when the national prohibition act was enacted shall be and continue in force, as to both beverage and nonbeverage liquor, except provisions of such laws as are directly in conflict with any provision of the national prohibition act."

In the above the changes proposed in the Sheppard Act are shown in italics. The last paragraph is taken from the supplemental Federal prohibition act and has been approved by the courts.

I was given a hearing before the District Committee and H. R. 8845 was referred to a subcommittee, of which the gentleman from Illinois [Mr. RATHBONE] is the chairman.

This committee has been for a considerable time giving consideration to the question of liquor-law enforcement in the District since the regrettable shooting of Senator GREENE. It is a capable and diligent committee, and I am sure whatever should be done by the Congress will be formulated and recommended by them.

I would not feel it necessary to discuss these details were it not for the fact that the avowed opponents of law enforcement, the Association Against the Prohibition Amendment, and their apparent organ, the Washington Post, have been so actively opposing any program for effective police enforcement and have been so busily misrepresenting the situation.

The Washington Post gave a full column on the front page Thursday, April 24, the purpose of which is to be judged by this:

Fearing that the failure of Federal machinery to make prohibition effective in Washington will react harmfully against their movement elsewhere, supporters of the plan have determined to shift responsibility for enforcement to the District police department.

Once this is done, it is pointed out, District officials will have to bear the brunt of all criticism for the "wetness" of Washington, Federal enforcement authorities will be able to stand clear in public opinion, and prohibition leaders will not be faced with the difficult task of explaining why the expensive Federal enforcement machinery fails to function effectively in Washington.

This story was followed by another full column the next day, still front-page position, the heading of which declared:

Oyster backs plans to dry up District with local police, attitude of two other commissioners not yet revealed, opponents of plan question its efficacy, declare local force can not accomplish task where Federal agents failed.

The unfriendly attitude of the Post toward proposed improvement of conditions here is very apparent in the following excerpt from that article:

Commissioner Oyster yesterday committed himself to the proposal that the District police force shall take over prohibition enforcement in Washington, following another conference with Maj. Sullivan and Representative CRAMTON, of Michigan, one of the dry leaders of the House.

Francis H. Stephens, corporation counsel; Maj. Sullivan and himself, the commissioner said, will act as a committee to draft an outline of the legislation they will ask Congress to enact.

The program, he explained, calls for clothing the District police with all of the powers of Federal prohibition agents so the police may assume the entire burden of prohibition enforcement, which has been a failure, it is asserted, under the Federal prohibition enforcement machinery; appointment of two additional judges to the police court and an enlarged appropriation for use in gathering evidence.

On the second and third proposals there is accord among the three commissioners, but whether Commissioner Rudolph and Engineer Commissioner Bell are willing to assume to ask Congress to give them a task which the whole power of the Federal enforcement machinery has failed to do could not be learned. When the question comes up for decision in the board meeting it is believed the objectionable features of the plan will at least be pointed out.

#### THINK PLAN UNWISE

It is not a question of whether or not they favor the prohibition law or law enforcement, District officials who are opposed to the scheme said, but rather of the wisdom of the proposal. They do not believe, they said, the District government should be saddled with a task which has proved too much for the army of Federal agents, with the millions at the disposal of the prohibition unit. They also predicted the District will not be given any material increase in the police force or in the general law enforcement funds.

It was not until the next day, however, that the deus ex machina appears, although he is not permitted the front page but is confined to page 2, under these heads:

Wet leader fights plan to dry up city with local police—Declares scheme would make them "the goats" in Volstead law enforcement.

And here Capt. W. H. Stayton, presiding genius of the Association Against the Prohibition Amendment, comes boldly into the limelight as an avowed opponent of enforcement of the national law in the National Capital by the police, 40 per cent of whose salaries come from the Federal Treasury, just as he is on record heretofore as demanding repeal of the Federal enforcement act and of any State enforcement laws. The article says in part:

The plan to clothe the members of the District police department with all the powers of Federal prohibition agents is designed to make the department "the goat" for the Federal prohibition unit, and Commissioner Oyster "apparently swallows the scheme hook, line, and sinker," Capt. W. H. Stayton, founder and executive head of the Association Against the Prohibition Amendment, charged in a statement made public last night.

"It is my earnest belief that if this proposed change in enforcement is made, the District officials will ever regret it," he declared.

Representative CRAMTON, of Michigan, House dry leader, Captain Stayton said, "realizing that prohibition can not be enforced in Washington, is seeking to relieve the Federal prohibition unit from criticism of the dries and have the blame placed on the District police department."

These articles abound in misrepresentation and untruths. These articles leave the Post well open to the charge of hostility to better enforcement of the liquor laws in this city. It is quite what we would expect to find Captain Stayton opposing enforcement, but the Post, which has so much else in its recent past it would willingly have forgotten, ought not to let the captain entangle them also.

My statement has already shown that any steps I have taken have been in response to suggestions volunteered by District officials—Judge Schuldt, the board of commissioners, Major Sullivan.

Those officials, when in their efforts to enforce the law they find weaknesses in the law, do well to call them to public attention and to the consideration of Congress. And Congress does well to give careful consideration to such suggestions.

No one has sought to relieve the Federal bureau of responsibility for law enforcement here.

It is sought, in response to suggestions of District officials, to give the police also clear authority and full authority, so that acting by and of themselves they may enforce prohibition in the District vigorously.

We urge that everywhere enforcement of national prohibition is primarily a duty of local police officials. Then why should it not be so in the National Capital? We have here 1,000 police, 40 per cent of whose salaries are paid by the Federal Government. This District was set aside for Capital purposes, under Federal control, in order to insure supremacy of the Federal will in the shadow of the Capitol. Captain Stayton urges these Federal-paid police to fold their arms, close their eyes, in the presence of violation of the fundamental law of the Nation, because Captain Stayton relies on failure of law enforcement to break down the law. It is greatly to the credit of Commissioner Oyster and Major Sullivan that they have clearer conceptions of their duties and that they do not fear responsibility. They are entitled to all the aid that can be given them in the way of proper machinery and a free hand.

Some time ago the gentleman from Massachusetts [Mr. TINKHAM] printed in the RECORD a statement of arrests in the District, 1910 to 1923, inclusive, concerning which he declared:

Statistics of arrests in the District of Columbia, as reported officially by the superintendent and major of police to the subcommittee on the District of Columbia of the Appropriations Committee, disclose a civic depravity and social disintegration under present conditions and laws which are both appalling and unbelievable.

He plainly sought therein to give Congress and the country to understand that the attempt "to produce virtue by law and statute" is largely responsible for this "civic depravity"; that is to say, that national prohibition has caused a cataclysmic increase of crime in our National Capital.

It is of course to be noted that while total arrests have increased from 34,003 in 1910 to 66,758 in 1923, or 96.33 per cent, the arrests for speeding and other traffic violations, which took up only 1,095 of the arrests in 1910, account for 28,176 in 1923, and that the arrests for all other causes which were 32,908 in 1910, had only risen to 38,582 in 1923, or a gain of 17.24 per cent.

How many automobiles there were in 1910, or prior to 1918, can not be told, because an annual license system did not prevail till 1918. The rapid increase in motor vehicles is shown by the following total registration in the District each year beginning with 1918:

1918	36,354
1919	46,412
1920	55,810
1921	63,610
1922	79,546
1923	101,543

As annual registration did not start until January 1, 1918; can not give figures previous to that date.

That will take care of the increase in traffic arrests.

Now, how about the 17 per cent gain in all other arrests since 1910? Note these population figures, furnished by the Census Bureau, for the District of Columbia:

January 1, 1910	331,069
January 1, 1920	437,571
January 1, 1924	486,936

Percentage of increase, 1910 to 1924, 47.1 per cent.

While arrests, other than traffic, increased 17 per cent, the population increased 47 per cent. Not such a "social disintegration" after all. If crime had increased with population there would have been occasion for over 10,000 more arrests, or 25 per cent more in 1923 than did occur.

But what about prohibition and the "social disintegration" and "civic depravity?"

Note that national prohibition was not effective until January, 1920, and hence 1923 must be compared with 1919 to have any connection with the eighteenth amendment. Therefore take

the following figures, 1919 being the last year before the eighteenth amendment was in force and 1923 the last one since:

	1919	1923
Total arrests.....	53,356	66,758
Arrests for speeding.....	8,154	8,970
Arrests, other violations of traffic regulations.....	8,543	19,206
Arrests for all other causes.....	36,659	38,582
Details:		
Murder.....	49	26
Manslaughter.....	14	21
Assault with dangerous weapon.....	282	289
Assault with intent to kill.....	16	9
Robbery.....	323	189
Bigamy.....	5	11
Embezzlement.....	126	71
False pretenses.....	212	292
Forgery.....	156	73
Grand larceny.....	426	343
Housebreaking.....	462	457
Rape and attempt to rape.....	16	24
Total.....	2,087	1,805
Assault.....	1,727	2,431
Disorderly conduct.....	4,847	5,959
Threats of personal violence.....	296	489
Carrying weapons.....	413	371
Petit larceny.....	2,428	1,707
Adultery.....	120	199
Fornication.....	740	777
Disorderly house.....	52	134
Soliciting prostitution.....	63	196
Indecent exposure.....	109	126
Maintaining of nuisance.....	184	324
Nonsupport of wife and children.....	50	59
Incorrigibility.....	73	80
Indigent or dependent children.....	29	27
Total.....	11,129	12,879

The truth is, more men are sober and sobriety does not breed desperation, destitution, or crime, and social degeneration is not upon us.

Mr. Speaker, under the leave given me to extend my remarks in the RECORD I present the following impressive editorial from the Christian Science Monitor, headed "University aid for the saloon." It has reference to the assumption of "wet" leadership in the United States by Dr. Nicholas Murray Butler, president of Columbia University. The recent pronouncement by Doctor Butler to that effect has attracted very general attention throughout the Nation and is the subject of widespread comment. This is not because of anything new in the position he assumes or in the specious arguments he presents. Every would-be nullifier of the eighteenth amendment has mouthed the same things. It is not because of any ability in civic leadership that Butler is hailed as the wet Moses in this hour. He is never a constructive civic leader or political force. He is always a drawback. He is always in more intimate touch with the breeching than with the breastband. No progressive step taken by the American people in his lifetime has had his aid or approval. When he "views with alarm" he calls the roll of all that has changed in his lifetime. All has been done over his protest and his leadership in opposition has accomplished nothing but the front page, top the column, for Butler. As a leader, his batting average is nil.

But his bid for leadership of the wet forlorn hope is widely noted and quickly granted. Why? Simply because everyone, wet or dry, feels the incongruity of the head of a great American university preaching contempt for law and nullification for the Constitution. The picture challenges attention, not because of its effectiveness but because of its singularity.

It is a regrettable thing, nevertheless. What it means needs to be realized by thoughtful Americans. This editorial has reduced the problem to its simplest terms and the presentation is startling. The article reads as follows:

#### UNIVERSITY AID FOR THE SALOON

Nicholas Murray Butler, the president of Columbia University, has set out systematically to overthrow the prohibition policy adopted in due constitutional form by the people of the United States. His eminence in educational circles and his admitted respectability, as evidenced by his very considerable wealth, cause a certain measure of respect to be attached to his efforts that is not conceded to other individuals who seem to be more naturally allied with the liquor forces in their desperate struggle for life. Yet Mr. Butler is quite as reckless in his statements, quite as violent in his proclamations, as any of the purely professional wets.

The spectacle presented by this gentleman now at the head of a great educational institution is not encouraging to those who wish to admire the position of the scholar in politics. Mr. Butler advocates

the repeal of the eighteenth amendment because he insists that it is not uniformly enforced. Famous beyond most college presidents for his extreme conservatism and his determined opposition to the agitation of radical theories in the college of which he is the head, he puts himself thus in a position precisely parallel to that of the most dangerous anarchist. His position is that violations of the law afford a reason for the repeal of the law. This is the essence of anarchism. It is doubtful whether the most earnest and sincere advocate of the destruction of any other clause in the national Constitution would be permitted to address an audience in a hall of Columbia. It is reasonably certain that no instructor in that institution who should apply to other features of the fundamental law of the United States the destructive methods which Doctor Butler is applying to this one would be permitted to retain his connection with the university. The luckless undergraduate who would say of capitalism, for example, what Doctor Butler says of prohibition would doubtless find his connection with the university abruptly and dishonorably terminated.

A not inconsiderable number of trustees and other officials of Columbia have flocked to Doctor Butler's support with interviews and letters to the press. If there be those in the faculty who condemn the president's course, they are naturally restrained by prudence from expressing their opinion. What is being done is to make of Columbia no less a center for antiprohibition and proliquor agitation than is the office of the Association Against the Prohibition Amendment. The wet headquarters that used to be maintained in the central office of the Brewers' Association have apparently been moved to the office of the president of Columbia University.

In a discussion before the Methodist conference now in session at Springfield, Mass., a bishop of that church said that the question might soon come up as to whether all Methodists should not be warned against sending their children to Columbia. The question is one that may well present itself not to members of any church alone but to every believer in prohibition, to every enemy of the saloon, to every opponent of the reestablishment of the political power of liquor, and to every defender of the Constitution of the United States. It can not be possible for Columbia University to be at once an institution for the higher education of youth in ethics, morals, and the humanities, and the principal headquarters of the advocates of the return of the liquor forces to power in the United States.

Mr. POU. Mr. Chairman, I move to strike out the last word for the purpose of preferring a request for unanimous consent. My colleague, Major STEDMAN, has delivered a very interesting and historical address in Greensborough, entitled "North Carolina in the War Between the States," and I ask unanimous consent that I may have the privilege of inserting it in the RECORD.

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

There was no objection.

#### MESSAGE FROM THE SENATE

The committee informally rose; and Mr. CRAMTON having taken the chair as Speaker pro tempore, a message from the Senate by Mr. Welsh, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 2257. An act to consolidate, codify, revise, and reenact the laws affecting the establishment of the United States Veterans' Bureau and the administration of the war risk insurance act, as amended, and the vocational rehabilitation act, as amended.

S. 2430. An act to create a commission to procure a design for a flag for the District of Columbia, and for other purposes.

#### DISTRICT OF COLUMBIA APPROPRIATION BILL

The committee resumed its session.

The Clerk read as follows:

#### MISCELLANEOUS

For repairs and improvements to engine houses and grounds, \$25,000.

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

The Clerk read as follows:

Page 52, line 3, after the figures "\$25,000," insert "for one drill tower, \$16,000."

Mr. DAVIS of Minnesota. Mr. Chairman, I make the point of order against that.

Mr. McLEOD. Mr. Chairman, I desire to say that Washington appears to be the only city in the country with a population of over 125,000 people that is now without a drill tower.

Mr. MADDEN. That is something that would have to be authorized by the District Committee, and I must insist upon the point of order.

The CHAIRMAN (Mr. TEMPLE). Does the gentleman wish to be heard upon the point of order?

Mr. MADDEN. It is legislation on an appropriation bill and not in order, and it is not germane.

The CHAIRMAN. The Chair is in doubt and will be glad to hear anything that may be said upon the point of order.

Mr. BLANTON. Mr. Chairman, the rules of the House provide that where a point of order is made the burden is immediately shifted to the chairman of the committee to show a law. The chairman does not show the law. No one attempts to show a law, and the burden is on the gentleman from Michigan to show the law.

The CHAIRMAN. The Chair understands that.

Mr. BLANTON. And he has not made any attempt to show the law.

The CHAIRMAN. The Chair may be supposed to know something about the law himself, however.

Mr. BLANTON. Oh, yes; if the Chair knows of any.

Mr. MADDEN. I make the point of order it is not germane to the paragraph.

Mr. McLEOD. It is germane to this portion of the bill.

Mr. DAVIS of Minnesota. It is not germane, nor is there any law authorizing this construction.

The CHAIRMAN. The Chair thinks as to the second point of order that it is not germane to the paragraph is good, and the Chair sustains that point of order.

The Clerk read as follows:

For repairs, improvements, and alterations to engine house No. 16, D Street between Twelfth and Thirteenth Streets NW., \$15,000: *Provided*, (That the appropriations made for this purpose in the District of Columbia appropriation acts for the fiscal years ended June 30, 1923, and June 30, 1924, are reappropriated and continued available in addition to the appropriation herein authorized.

Mr. McLEOD. Mr. Chairman, I offer the following amendment: Strike out the figures "\$15,000" and insert in lieu thereof "\$20,000."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 52, line 6, strike out the figures "\$15,000" and insert in lieu thereof "\$20,000."

Mr. McLEOD. Mr. Chairman, I offer that amendment for the reason the architect's report states that the building can not be completed for less than \$20,000. I hold the report in my hand.

Mr. DAVIS of Minnesota. Mr. Chairman, they have already had \$10,000, and there was no application made for an increase.

Mr. McLEOD. The municipal architect's report shows that it can not be done for that amount.

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

The question was taken, and the amendment was rejected.

The Clerk read as follows:

For repairs to apparatus and motor vehicles and other motor-driven apparatus, and for new apparatus, new motor vehicles, new appliances, employment of mechanics, helpers, and laborers in the fire department repair shop, and for the purchase of necessary supplies, materials, equipment, and tools: *Provided*, That the commissioners are authorized, in their discretion, to build or construct, in whole or in part, fire-fighting apparatus in the fire department repair shop, \$35,000.

Mr. McLEOD. Mr. Chairman, I offer an amendment. Page 52, line 20, strike out "\$35,000" and insert "\$40,000."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. McLEOD: Page 52, line 20, strike out the figures "\$35,000" and insert in lieu thereof "\$40,000."

Mr. McLEOD. Mr. Chairman, we have been shown, at least, by the report of the fire department, that the apparatus of the fire department of the District of Columbia is in such a condition that the chief has now ordered that all apparatus do not travel over 12 miles an hour by reason of its oldness and the dilapidation that exists in all the apparatus, and he says it is absolutely important that they have this amount of money.

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

The question was taken, and the amendment was rejected.

The Clerk read as follows:

For two pumping engines, triple combination, motor driven, \$10,000 each.

Mr. McLEOD. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment. The Clerk read as follows:

Page 53, line 10, strike out "two" and insert "three," and in line 11 strike out "\$10,000" and insert "\$12,500."

Mr. BLANTON. Have not we passed that?

Mr. McLEOD. I do not think there will be objection if those people who are objecting want to assume the responsibility that exists with reference to poor apparatus.

Mr. DAVIS of Minnesota. I will state that we have had full hearings on this matter and that is all they desired.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

For house, site, furniture, and furnishings for a truck company to be located in the northeast section of the city in the vicinity of Twelfth and H Streets NE., including the cost of necessary instruments for receiving alarms and connecting said house with fire-alarm headquarters, \$50,000.

Mr. McLEOD. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 53, line 18, strike out "\$50,000" and insert in lieu thereof "\$2,000."

Mr. McLEOD. Mr. Chairman, I would like to make a short statement, and that is according to the architect's figures and according to the prices obtained by this department they find that that building can not be renovated and put in shape for \$50,000, but it will take \$62,000 at the lowest figure.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

#### HEALTH DEPARTMENT

##### SALARIES

For personal services in accordance with the classification act of 1923, \$130,640.

Mr. BLANTON. Mr. Chairman, I offer an amendment. In line 3, page 54, I move to strike out the words "in accordance with," and I want to deliver a lecture on that subject.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. BLANTON: Page 54, line 3, strike out the words "in accordance with."

Mr. BLANTON. Mr. Chairman, under the heads which we have just read—the police department and the fire department—there are six different paragraphs of legislation subject to points of order. In accordance with the rules of the House I could have made a point of order against them and had them stricken out, but I did not want to do it because they were all absolutely necessary for the conduct of the fire department and the police department. Now, I exercised my prerogatives in not making the point of order. I could have made it, any Member could have made it, but I did not want to do it. Now, you have the right at any time to resort to the rules of this House in conducting legislation here on this floor.

When there was a bad bill before this House yesterday, a vicious bill, one of the worst that has been here for the last 20 years or at least since the Adamson bill was passed in 1914, certain Members here, in accordance with the rules of the House, the only way on earth they had of stopping that legislation and keeping it from passing and letting it go to the country as a million-dollar burden each year around the tax-burdened people's necks, they used the rules of the House to keep that bill from passing, and they were lectured here upon the floor by other Members. They were condemned here on the floor by other Members for doing what? Using the rules of this House to stop bad legislation. It is just as much the duty of a Member of this House, and just as legitimate for him to use the rules of this House to keep a bad bill from passing as it is for a Member to expedite the passage of a good bill—good legislation. Now, I am glad that there were enough Members here to use the rules of this House to keep that bill from passing yesterday. I hope there will be enough Members here on the floor who will stand together and use the rules of the House in the future to keep that bill from ever passing or ever coming to a final vote. It would be the worst thing that ever happened for the people of this country to be hog-tied with any such legislation as that; and in accordance with the rules of the House I have made these few remarks.

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

Mr. BLANTON. Yes.

Mr. McLEOD. That argument also holds good for voting down these amendments?

Mr. BLANTON. I did not vote against the gentleman's amendments. The gentleman's amendments were good and

ought to pass. Every one of these items that the gentleman suggested will be put in in the Senate. The Senate will put them in. They will go into conference and the conferees of the Senate will induce the House conferees to incorporate every one of them in the law. Every one of them will be put in.

Mr. CHAIRMAN, I withdraw the pro forma amendment.

The CHAIRMAN (Mr. TEMPLE). The pro forma amendment is withdrawn. The Clerk will read.

The Clerk read as follows:

For establishing and maintaining a child hygiene service, including the establishment and maintenance of child-welfare stations for the clinical examination, advice, care, and maintenance of children under 6 years of age, payment for personal services, rent, fuel, periodicals, and supplies, \$18,000: *Provided*, That the commissioners may accept such volunteer services as they may deem expedient in connection with the establishment and maintenance of the service herein authorized: *Provided further*, That this shall not be construed to authorize the expenditure or the payment of any money on account of any such volunteer service.

Mr. DAVIS of Minnesota. Mr. Chairman, I desire to offer an amendment.

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

The Clerk read as follows:

Amendment offered by Mr. DAVIS of Minnesota: Page 58, line 5, strike out "establishing and."

Mr. DAVIS of Minnesota. It is absolutely unnecessary. I wish the passage to read: "For maintaining a child hygiene service," and so forth.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. CHINDBLOM. Mr. Chairman, in line 13, page 58, strike out the word "further" after the word "Provided" in the second proviso. It is a proviso under the first proviso, not a proviso under the main paragraph.

Mr. BLANTON. That is the usual language.

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

The Clerk read as follows:

Amendment offered by Mr. CHINDBLOM: Page 58, line 13, strike out the word "further."

Mr. CHINDBLOM. That is the usual language, and the second proviso is a proviso under the second proviso.

Mr. BLANTON. That ought to stay in, to make it clear.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

#### COURTS AND PRISONS

##### JUVENILE COURT

Salaries: For personal services in accordance with the classification act of 1923, \$41,516: *Provided*, That the court shall have authority in the absence of an employee to deputize another employee to act in the capacity of the absent employee.

Mr. BLANTON. Mr. Chairman, I make a point of order on the language beginning with the word "Provided," in line 20, and embracing line 23 as being legislation on an appropriation bill, unauthorized by law. All this language is new legislation that has not been in previous appropriation bills.

Mr. CRAMTON. Mr. Chairman, I make the point of order that the point of order came too late.

Mr. BLANTON. I made it immediately after the Clerk read it.

The CHAIRMAN. The Clerk was still reading when the gentleman made it.

Mr. BLANTON. Yes. I made it on time.

The CHAIRMAN. The Chair sustains the point of order. The Clerk will read.

The Clerk read as follows:

For compensation of jurors, \$6,500: *Provided*, That deposits made on demands for jury trials in accordance with rules prescribed by the court under authority granted in section 11 of the act approved March 3, 1921 (41 Stat. L. p. 1312), shall be earned unless, prior to three days before the time set for such trials, including Sundays and legal holidays, a new date for trial be set by the court, cases be discontinued or settled, or demands for jury trials be waived.

Mr. BLANTON. Mr. Chairman, reserving the point of order, beginning with the word "Provided," embracing lines 24 and 25, on page 60, and from lines 1 to 16, inclusive, on page 61, it is new legislation on an appropriation bill. But it being such salutary legislation, Mr. Chairman, I think it ought to stay in the bill, and I shall not make a point of order against it. But it does occur to me, Mr. Chairman, that these District Commissioners, when they want a law, ought to come to the law committee of the House; and the Committee on Appropriations, when they think that a certain piece of legislation ought to be passed, ought to suggest it to the legislative committee and let that committee attend to it, and not just keep sticking these items of legislation in the appropriation bill. But this is such a salutary law that I am not going to make a point of order against it.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Probation system: Probation officer, \$2,200; two assistant probation officers, at \$1,400 each; stenographer and typewriter and assistant, \$900; contingent expenses, \$325; maintenance of motor vehicle used in performance of official duties, at not to exceed \$26 per month, \$312; in all, \$6,537.

Mr. BLANTON. Mr. Chairman, in line 9 on page 62 I make a point of order against the language "two assistant probation officers, at \$1,400 each." The law provides for only one. I have no objection if the gentleman from Minnesota will amend that by letting it correspond with the law and provide for only one. I would have no objection. But this is legislation that is unauthorized in attempting to provide an additional probation officer here. I make the point of order.

Mr. DAVIS of Minnesota. I concede the point of order; but they made a very strong case that they needed these two officers. I concede that it is subject to a point of order.

Mr. BLANTON. I insist on the point of order and ask unanimous consent that the following language be restored there, "one assistant probation officer, at \$1,400." I ask unanimous consent that that be inserted.

Mr. DAVIS of Minnesota. I have no objection.

The CHAIRMAN. The Chair sustains the point of order. Is there objection to the request that the language be inserted as indicated by the gentleman from Texas?

Mr. DAVIS of Minnesota. It should be "assistant probation officer, at \$1,400."

The CHAIRMAN. Is there objection to the request that the item indicated be inserted?

The was no objection.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

#### COURT OF APPEALS

Salaries: Chief justice, \$9,000; two associate justices, at \$8,500 each; clerk, \$4,250, and \$250 additional as custodian of the Court of Appeals Building; two assistant or deputy clerks, at \$2,250 each; reporter, \$1,500: *Provided*, That the reports issued by him shall not be sold for more than \$5 per volume; crier, who shall also act as stenographer and typewriter in the clerk's office when not engaged in courtroom, \$1,200; three messengers, at \$720 each; three stenographers, one for the chief justice and one for each associate justice, at \$1,200 each; necessary expenditures in the conduct of the clerk's office, \$950; in all, \$44,410.

Mr. BLANTON. Mr. Chairman, I make the point of order to the language, beginning in line 7, on page 63, as follows: "Two assistant or deputy clerks, at \$2,500 each." That is legislation on an appropriation bill unauthorized by law. The law authorizes only one, and they attempt to put in a new one here without authority of law. Of course, I have no objection to the chairman inserting "one assistant."

Mr. DAVIS of Minnesota. If the gentleman makes that motion, I will consent to it.

The CHAIRMAN. The Chair sustains the point of order.

Mr. BLANTON. Mr. Chairman, I ask unanimous consent that the following language be inserted: "One assistant or deputy clerk, at \$2,250."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. BLANTON: Page 63, line 7, after the word "building," insert "one assistant or deputy clerk, at \$2,250."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

For construction of sewer to the combined system of sewer on B Street SE., \$1,800.

Mr. BLANTON. Mr. Chairman, I make a point of order against the paragraph just read embraced in lines 17 and 18, page 65, on the ground that it is legislation on an appropriation bill unauthorized by law. There is no authority for this new construction.

Mr. DAVIS of Minnesota. I think it is a part of the sewer system and work in progress and is not subject to a point of order at all.

Mr. BLANTON. This is new construction entirely.

The CHAIRMAN. Is the sewer constructed on the jail property?

Mr. DAVIS of Minnesota. It leads from the jail property right into the sewer system of the District.

The CHAIRMAN. And is it for the disposal of sewage from the jail?

Mr. DAVIS of Minnesota. That is what it is for.

The CHAIRMAN. It seems to the Chair that it is a continuation of an already existing work, and the Chair overrules the point of order.

The Clerk read as follows:

For brickmaking plant, including structure, machinery, and installation, \$15,150.

Mr. BLANTON. Mr. Chairman, I make a point of order against the paragraph just read between lines 13 and 14, which lines read as follows:

For brickmaking plant, including structure, machinery, and installation, \$15,150.

The same being legislation on an appropriation bill unauthorized by law. There is no law for a brickmaking plant.

Mr. DAVIS of Minnesota. I think, Mr. Chairman, there is authority for it. They have a very large and immense brick plant there and have had it for many years, and this simply provides for some repairs.

Mr. BLANTON. I challenge the gentleman to show any law authorizing any brickmaking plant.

Mr. DAVIS of Minnesota. I think we will. They make a large part of the brick used in the schools. For instance, there are 5,000,000 bricks in the Central High School and that brick was made there. They make a large share of the brick—and have for years—that goes into all our school buildings.

Mr. BLANTON. I challenge the gentleman to show any law for it.

Mr. DAVIS of Minnesota. We will look it up. There is a law about that brickyard down there. I wish to say this is a reformatory and workhouse and is one of the grandest institutions we have. If the gentleman would go down there—

Mr. BLANTON. The gentleman is discussing the merits but I am not discussing the merits. I am talking about an unauthorized appropriation.

Mr. DAVIS of Minnesota. I think, perhaps, we can find the law.

Mr. CRAMTON. Mr. Chairman, in 35 Statutes, page 717, is found this authority:

The Commissioners of the District of Columbia are hereby authorized and directed to purchase two tracts of land, widely separated, of not less than one thousand acres each, either or both of which to be situated in the State of Maryland, or in the State of Virginia; one of said tracts shall be used as a site for the construction and erection of a reformatory of sufficient capacity to accommodate at least one thousand inmates, and the other for the construction and erection of a workhouse of sufficient capacity to accommodate at least five hundred prisoners, and to build necessary temporary structures on each tract; the said commissioners are hereby authorized and directed to appoint a commission to consist of three persons, one of said commissioners shall be chairman, which commission shall employ an architect skilled in the construction of such buildings, to prepare all plans, specifications, and estimates deemed necessary or required by said commission, and which shall first be approved before acceptance by the Commissioners of the District of Columbia, who are hereby required to construct said reformatory and workhouse—

I repeat—

who are hereby required to construct said reformatory and workhouse.

And then—

and on their direction the prisoners at the time confined in any existing workhouse of said District shall clear and prepare any or all such tracts of land for building and assist in the construction of any or all of said buildings.

The statute, therefore, not only authorizes but requires the commissioners to build a workhouse.

Mr. BLANTON. Right there—

Mr. CRAMTON. I do not yield, because I think my statement will be more intelligible if I make it myself.

The commissioners are directed and required to build a workhouse. There is no limitation of cost fixed—no limitation as to the number of buildings. The only limitation is as to the number of inmates. They are required to have it large enough to take care of 1,000 inmates. It is a "workhouse." Necessarily that contemplates that the inmates shall work.

Mr. DAVIS of Minnesota. And they do work.

Mr. CRAMTON. And they do work. One of the means that has been used for many years to keep them employed—a very humane proposition—is the making of bricks, so that now an appropriation is provided here for this additional brickmaking machinery and plant.

I call further attention to this: That in Thirty-sixth Statutes, page 1004, is found this proviso:

That the Commissioners of the District of Columbia are hereby authorized, under such regulations as they may prescribe, to sell to the various departments and institutions of the government of the District of Columbia the products of said workhouse, and all moneys derived from such sales shall be paid into the Treasury—

In a certain way. That is to say, we have authorized and required them to build a workhouse, which means that those confined there shall do work, and we have authorized the sale of the products of their labor. So I contend—there being no limitation on the cost of the construction of that plant—that the item is amply justified by existing law.

Mr. BLANTON. Mr. Chairman, I would like to be heard a moment. The rules of the House are the most important tools we have to work with and they ought not to be set aside for expediency.

I want to call the Chair's attention to a precedent that should be decisive against the gentleman's contention. We have a penitentiary system for the United States, where men are sent to work. When the Congress got ready to supply that working place—at Leavenworth and the one down in Georgia, with a shoe factory, a broom factory, and a brush factory—did they go to the Appropriations Committee? No. They went to the Judiciary Committee to provide the law, and the Judiciary Committee brought on the floor of this House a bill from the proper legislative committee authorizing the Department of Justice to establish a broom factory, a brush factory, and a shoe factory in these penitentiaries so that the convicts might have places to work. Here is a smaller penitentiary out here known as a reformatory and workhouse, not for the United States Government but just for the District of Columbia and authorized nearly 20 years ago. Incidentally they have boys confined out there and because of that fact the gentleman from Michigan [Mr. CRAMTON], who wants this item of legislation to go through—through expediency and exigency—wants the Chair to hold that the Appropriations Committee has the authority to put legislation in this bill authorizing the construction of a brickmaking plant, to build it and establish it, when it is legislation pure and simple.

It is just as much legislation with respect to this little reformatory for the District as the brush-making plant and the broom-making plant and the shoemaking plant constituted legislation for the penitentiary system of the United States. It is clear. The gentleman said what he would read would be a little more intelligent than what I might read from the same book.

Mr. CRAMTON. No; it was our respective remarks.

Mr. BLANTON. I submit that the way he twists things when he reads them and writes them in bills, makes them dovetail more propositions of legislation to get them in an appropriation bill than anyone else could accomplish, and he is more skillful about that than any man I ever saw operate out of the Appropriations Committee; but we now have a distinguished parliamentary in the chair, who is conscientious, and he is not going to set aside the rules of this House just because the gentleman from Michigan wants him to do so.

Mr. CHINDBLOM. If the Chair will permit, of course, the Chair will not be affected by the argument ad hominem of the last speaker. If the Congress saw fit to pass a general piece of legislation authorizing the establishment of a workhouse at Leavenworth or Atlanta, of course, Congress would have the power to do it; and if Congress did that, I submit to the Chair that the money appropriated for that workhouse could be used for almost any purpose within the purview of a workhouse. So I do not think the gentleman's remarks are at all applicable here. We chose to pass special legislation for the penitentiaries at Leavenworth and Atlanta, indicating the kind of in-

dustrial establishments we wanted there, but Congress has already passed a general law with reference to this reformatory, and because it is so much smaller, I have no doubt Congress concluded at that time it was not necessary to designate the particular kind of industrial plant.

Mr. DAVIS of Minnesota. Mr. Chairman, I do not care to take up the time of the committee, but we have here an immense brickyard already constructed, which has been there for many years. This is simply an addition to it and for repairing it, including certain small structures, and appropriates \$15,000. This brickyard furnishes, as I have said, millions and millions of brick for use all over the District and has been in operation now for 10 or 15 or 20 years. They have over 300 prisoners down there working every day, and over in the reformatory 300 more. They have 2,600 acres of land, and there is one railroad running down there now and there is to be another constructed. It is a very large institution, and this is simply something that is incidental which they have asked for to add to the plant somewhat. It is a continuation of work in progress, and hence is not subject to a point of order.

The CHAIRMAN. The statement made before the committee is:

That plant has been running, as you know, since about 1913, the second year after we got down there, and there are too frequent breakdowns, and we have no reserve machinery. When the present engineer commissioner came here he went down there and went over the plant, and he was much impressed with the need of the brick. By the way, we can not begin to supply the brick that the District could use.

The work seems to have been going on for a number of years under the act authorizing the establishment of the workhouse. This seems to be an extension of an existing work, and the Chair overrules the point of order.

The Clerk read as follows:

Hereafter pay patients may be admitted to the tuberculosis hospital for care and treatment at such rates and under such regulations as may be established by the Commissioners of the District of Columbia.

Mr. BLANTON. Mr. Chairman, I reserve a point of order against the paragraph. I would not make a point of order against this paragraph except for two reasons: One is that pay patients admitted here could cause the exclusion of those who are unable to pay by taking up all the room. That is one reason; and the other reason is that of all the places that a tuberculosis hospital ought not to be, Washington is the place. If they have the interest of the tubercular patients at heart, it occurs to me they ought to put the hospital somewhere else and send the patients to it. This ought to be merely a receiving hospital, and they ought to be sent to Fort Bayard, N. Mex., or Prescott, Ariz., where they would have a chance to get well and not die. For those two reasons, Mr. Chairman, I make the point of order that the paragraph is legislation on an appropriation bill unauthorized by law. The Chair will note it begins: "Hereafter pay patients may be admitted to the tuberculosis hospital." That is not authorized now by law.

Mr. DAVIS of Minnesota. What part of the paragraph does the gentleman refer to? Lines 23 and 24?

Mr. BLANTON. Lines 23 and 24, on page 69, and lines 1 and 2, on page 70.

Mr. DAVIS of Minnesota. I admit that is subject to a point of order.

Mr. CRAMTON. Will the gentleman yield before conceding the point of order?

Mr. DAVIS of Minnesota. Yes.

Mr. CRAMTON. Of course, both of the suggestions of the gentleman from Texas can not very well be met, because we are not in a position to provide for the care of the District tubercular in the southwest; but if the other suggestion should be met by language providing for the admission of these pay patients in so far as such admission will not interfere with the admission of indigent patients—

Mr. BLANTON. If the gentleman will offer that, I shall not make a point of order against it.

Mr. CRAMTON. I offer then an amendment, and I hope the chairman—

Mr. DAVIS of Minnesota. I will accept it. That is the case now, and would not interfere.

Mr. CRAMTON. Then if the gentleman withdraws the point of order I offer an amendment, on page 70, after the word "Columbia" strike out the period, insert a comma, and add the following, "in so far as such admissions will not interfere with admission of indigent patients."

Mr. BLANTON. You will have to put in the balance of it.

Mr. CRAMTON. No; this is offered at the end of the paragraph.

Mr. BLANTON. Mr. Chairman, I shall not insist that we stop proceedings so that the gentleman from Michigan may put his amendment in writing, because I think expedition requires that we go along as we are doing now.

Mr. CRAMTON. Of course, if the gentleman will give me advance notice of his points of order—

Mr. BLANTON. That is what the gentleman required a moment ago.

The CHAIRMAN (Mr. GRAHAM of Illinois). The gentleman from Michigan offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. CRAMTON: Page 70, line 2, after the word "Columbia" strike out the period, insert a comma, and add the following, "in so far as such admissions will not interfere with admission of indigent patients."

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

The amendment was agreed to.

The CHAIRMAN. The reservation of the point of order is withdrawn, and the Clerk will read.

The Clerk read as follows:

For the purchase of a microscopic and chemical outfit for the pathological laboratory, \$760.

Mr. BLANTON. Mr. Chairman, I make the point of order that this is legislation unauthorized on an appropriation bill.

Mr. CRAMTON. Mr. Chairman—

The CHAIRMAN. The Chair does not care to hear any argument. The point of order is overruled.

The Clerk read as follows:

For furniture, furnishings, instruments, and appliances, and other necessary articles, \$5,000.

Mr. BLANTON. Mr. Chairman, I make the point of order against the following language in line 16. "And other necessary articles." That is opening altogether too wide a construction—that will take in anything in the world that some fantastic-minded person might want to buy.

The CHAIRMAN. It would take in most any kind of article, but if Congress wants to appropriate for this purpose, it can do it. The point of order is overruled.

Mr. BLANTON. Mr. Chairman, I move to strike out on page 70, line 16, the words "and other necessary articles."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. BLANTON: Page 70, line 16, strike out the words "and other necessary articles."

Mr. BEGG. If that language is stricken out it might preclude them from getting medicine or bandages.

Mr. BLANTON. Does not the gentleman think that language too broad?

Mr. BEGG. I think the hospital ought to have that privilege.

The CHAIRMAN. The question is on the amendment.

The question was taken, and the amendment was rejected.

Mr. BLANTON. Mr. Chairman, there not being enough here to get tellers, I will not ask for them.

The Clerk read as follows:

Hereafter pay patients may be admitted to the psychopathic ward of the Gallinger Municipal Hospital for care and treatment at such rates and under such regulations as may be established by the Commissioners of the District of Columbia.

Mr. BLANTON. Mr. Chairman, I make the point of order against the paragraph as being legislation on an appropriation bill and unauthorized.

Mr. CRAMTON. Mr. Chairman, there is no doubt about this being subject to a point of order.

The CHAIRMAN. The point of order is sustained.

Mr. CRAMTON. Mr. Chairman, I am going to ask the gentleman to consent to the same amendment that I offered before.

Mr. BLANTON. There will be no objection to that.

The Clerk read as follows:

Amendment by Mr. CRAMTON: Page 70, after line 18, insert: "Hereafter pay patients may be admitted to the psychopathic ward of the Gallinger Municipal Hospital for care and treatment at such rates and under such regulations as may be established by the Commissioners of the District of Columbia, in so far as such admission will not interfere with the admission of indigent patients."

The CHAIRMAN. The question is on the amendment.

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

The Clerk read as follows:

HOME AND SCHOOL FOR FEEBLE-MINDED

For continuing construction, \$30,000; for maintenance, salaries, and other necessary expenses, \$20,000; in all, \$50,000: *Provided*, That the commissioners are authorized to proceed with such construction by day labor or otherwise as in their judgment may be most advantageous to the District of Columbia and to enter into contracts or otherwise to incur obligations on account of such construction not to exceed \$232,000.

Mr. BLANTON. Mr. Chairman, I make a point of order on the proviso, lines 17 to 22 on page 72, as being legislation on an appropriation bill. I doubt very seriously whether the commissioners can go more advantageously on day labor.

Mr. CRAMTON. Will the gentleman withhold his point of order?

Mr. BLANTON. I will reserve it.

Mr. CRAMTON. I am going to pass the question whether it is subject to a point of order. Even if it should be, I will ask the gentleman not to make it, because it is clearly in the interest of economy to have the language in the bill. Let me say this to the gentleman: The feeble-minded greatly enjoy doing that which they like to do and which they can do.

Mr. BLANTON. Are they doing this work?

Mr. CRAMTON. It is planned to have them do it in part. These boys who have the strength will be taken out there.

Mr. BLANTON. If it was limited to them, I would not object. But here is \$232,000 to be expended. Has the gentleman from Michigan seen any day-labor work in Washington? I have. I have seen them leaning on a spade handle 15 minutes carrying on conversation.

Mr. CRAMTON. There is to be only \$92,000 available to expend the coming year. I do not know to what extent the inmates will be utilized, but to whatever extent they are utilized it will be an economy. I hope the gentleman will not make the point of order.

Mr. BLANTON. I will state that if they are going to use some of these unfortunate individuals and they are going to get the benefit of it I would not feel like objecting. But I want to say that it would not surprise me to see half of the sum wasted. I withdraw the point of order.

The Clerk read as follows:

All moneys received at said school as income from sale of products and from payment of board or of instruction or otherwise shall be paid into the Treasury of the United States to the credit of the United States and to the credit of the District of Columbia in the same proportions as the appropriations for such institutions are paid from the Treasury of the United States and the revenues of the District of Columbia.

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

The Clerk read as follows:

Amendment offered by Mr. CRAMTON: Page 73, line 11, after the word "Columbia," strike out "in the same proportions as the appropriations for such institutions are paid from the Treasury of the United States and the revenues of the District of Columbia" and insert in lieu thereof the following: "in the proportion required by law."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

TEMPORARY HOME FOR FORMER SOLDIERS AND SAILORS

For personal services in accordance with the classification act of 1923, \$2,760; maintenance, \$5,000; in all, \$7,760, to be expended under the direction of the commissioners; and ex-soldiers, sailors, or marines of the Spanish War, Philippine insurrection, or China relief expedition, and soldiers and sailors of the World War shall be admitted to the home.

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

The Clerk read as follows:

Amendment offered by Mr. JEFFERS: Page 75, line 1, after the word "war," insert "or who served prior to February 9, 1922."

Mr. JEFFERS. Mr. Chairman, this is a little amendment which I think I can explain in just a moment and I think I can show very clearly that it is really needed. This bill provides that soldiers and sailors of the World War may be taken care of in the way of meals and in some other ways that other ex-service men who are in need are taken care of. But the language "soldiers and sailors of the World War," if interpreted literally, might exclude such needy soldiers and sailors who served, for example, in the army of the occupa-

tion after the armistice; who enlisted after the armistice, and who have been returned to this country and who may now be temporarily in hard luck and in need of a meal. They might not be able to get it under a strict interpretation of the language of the bill, and if the Congress will allow it to extend to February 9, 1922, it will then include any such needy boys as enlisted for service in the army of occupation, for example; or who served prior to February 9, 1922.

Mr. BEGG. Does the gentleman's amendment say "enlisted prior to February 9, 1922?"

Mr. JEFFERS. It says, "who served prior to February 9, 1922."

Mr. BEGG. In other words, if they served a week they are eligible?

Mr. JEFFERS. Yes; of course, the same as if the soldier served a week during the World War he would be eligible.

Mr. BEGG. I understand, but if a man were enlisted just a week before or a day before he is eligible.

Mr. JEFFERS. I suppose he would be, but permit me to call attention to the fact that, under the old law which has been in force here, Public Act 457, they are so taken care of in cases of Spanish-American War veterans, and veterans of other wars and engagements.

Mr. DAVIS of Minnesota. Mr. Chairman, as far as I am concerned, I accept the gentleman's amendment.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

For payment to beneficiaries named in section 3 of an "An act making it a misdemeanor in the District of Columbia to abandon or willfully neglect to provide for the support and maintenance by any person of his wife or his or her minor children in destitute or necessitous circumstances," approved March 23, 1906, \$1,500, to be disbursed by the disbursing officer of the District of Columbia on itemized vouchers duly audited and approved by the auditor of said District.

Mr. BLANTON. Mr. Chairman, I reserve the point of order. Why was this legislation put in this bill?

Mr. DAVIS of Minnesota. The item is really transferred from another place in the bill.

Mr. BLANTON. Where is it in the last year's act? I have overlooked it.

Mr. DAVIS of Minnesota. It was in the last year's bill, but this has been transferred from another place in the bill.

Mr. BLANTON. Yes; but was it in the last year's bill?

Mr. DAVIS of Minnesota. It was under the "workhouse" in the last year's bill.

Mr. BLANTON. The gentleman is sure of that?

Mr. DAVIS of Minnesota. Yes.

Mr. BLANTON. The clerk of the committee remembers it?

Mr. DAVIS of Minnesota. Yes.

Mr. BLANTON. I withdraw the point of order.

The Clerk read as follows:

BURIAL OF EX-SERVICE MEN

For expenses of burying in the Arlington National Cemetery, or in the cemeteries of the District of Columbia, indigent ex-Union soldiers, ex-sailors, or ex-marines, of the United States service, either Regular or Volunteer, who have been honorably discharged or retired, and who die in the District of Columbia, to be disbursed by the Secretary of War, at a cost not exceeding \$45 for such burial expenses in each case, exclusive of cost of grave, \$500.

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

The Clerk read as follows:

Amendment offered by Mr. JEFFERS: Page 77, line 5, after the comma at the end of line 5, insert "or in near-by Maryland cemeteries."

Mr. JEFFERS. Mr. Chairman, my attention has been called to this matter by members of the American Legion here in the District. Those legionnaires often handle the burial of ex-service men who die here in the District. The amount appropriated here is very small. Now the cemeteries in the District are crowded and cemetery space is difficult to get, and also high in price, and they find that if they could bury them at, say, some near-by cemetery outside of the District line, it would possibly be much cheaper, and consequently this little amount appropriated would go much farther in this work.

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

Mr. JEFFERS. Yes; certainly.

Mr. BLANTON. Would the gentleman mind embracing in his amendment after the word "Maryland" the words "or

Virginia." For instance, right here across from Anacostia, within 10 minutes ride of this Capitol, there is a Virginia cemetery.

Mr. JEFFERS. That suits me, and so far as I know there would not be any objection to that modification. They feel that with such a small appropriation it would be the sensible and practical thing to do to write it into the law that they can go over the line to some near-by cemetery where they can provide just as nice a burial and do it at less expense.

The CHAIRMAN. Without objection, the amendment of the gentleman from Alabama will be modified by the insertion of the words "or Virginia."

There was no objection.

Mr. BEGG. Mr. Chairman, if that amendment is adopted, they can take a body to the very farthest point in Virginia and charge the expense to the Government.

Mr. BLANTON. Oh, no; it said "near by."

Mr. BEGG. But what is "near by"?

Mr. JEFFERS. Well, so far as I am concerned, we will leave that to my friend from Ohio. This is an absolutely bona fide proposition. All they want is to have the law provide that they can go to these near-by cemeteries. I do not know of anyone who wants to skin the Government on this matter. This \$500 will not cover more than a few cases during the year, anyway, and of course it is desired to make it go just as far as it will.

Mr. BEGG. I think the language ought not to be so broad. Let the gentleman add "within a radius of 10 miles of the District of Columbia."

Mr. BLANTON. Make it within 5 miles of the District of Columbia.

Mr. BEGG. If the gentleman will accept that, I think it will be all right.

Mr. JEFFERS. That suits me; make it within 5 miles of the District line, if you wish.

The CHAIRMAN. Without objection, the Clerk will again modify the amendment by inserting that language. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the amendment as modified for the information of Members.

The Clerk read as follows:

Modified amendment offered by Mr. JEFFERS: Page 77, line 5, after the comma at the end of line 5, insert "or any near-by Maryland or Virginia cemeteries within 5 miles of the District line."

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

Mr. JEFFERS. Mr. Chairman, I have another amendment to offer.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. JEFFERS: Page 77, line 6, after the word "ex-marines," insert the words "or indigent wife or mother of indigent ex-service men."

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

Mr. JEFFERS. Mr. Chairman, all I wish to say is that I realize the technical strength of that point of order, and I do not intend to cause the time of the committee to be consumed in a technical argument against it; but I just want to say to my colleagues here that there have been actual cases where the poor wives or mothers of ex-soldiers have spent their last cent in coming to local hospitals, or near-by hospitals, to visit their husbands or sons who have been confined and suffering in these hospitals, and in some cases those poor wives or mothers have fallen ill themselves and have passed away while they were here on their mission of love, and these burial benefits certainly ought to be extended to cover such pitiable cases wherever there is no one to take care of the proper burial of such deceased wife or mother of such a suffering ex-soldier.

Mr. MADDEN. I think it is legislation, and the gentleman should withdraw it.

Mr. JEFFERS. I wanted to make at least that much of a statement about this amendment that I have offered and to say that in some cases it may be that there is no place where such deceased wives or mothers of indigent ex-service people may be taken for burial, except to the potter's field, and this little amendment was intended to relieve such cases.

Mr. McLAUGHLIN of Michigan. Why, Mr. Chairman, legislation ought not to interfere with this bill which comes in loaded down with legislation. The gentleman from Texas has been up all the afternoon and every day since this bill was first taken up making points of order because the bill contained legislation, and in almost every instance the chairman of the committee or some Member admitted that there is stuff in the bill in the nature of legislation.

The CHAIRMAN. The point of order is sustained.

Mr. McLAUGHLIN of Michigan. It seems to me it is pretty raw here for the committee that talks so much about the beneficial and helpful manner in which legislation is now framed and put through this House and then bring in a bill jam chock full of items subject to the point of order because they are legislation.

Mr. MADDEN. Of course, I do not think most of these items are subject to a point of order.

Mr. McLAUGHLIN of Michigan. The chairman of the subcommittee has acknowledged it in almost every instance.

Mr. DAVIS of Minnesota. Excuse me, only in three or four since we began reading the bill five days ago.

Mr. McLAUGHLIN of Michigan. There have been three or four in the last half hour.

Mr. DAVIS of Minnesota. Oh, no.

Mr. JEFFERS. Mr. Chairman, I would like to offer another amendment, and if the point of order is made then I shall withdraw it. I have not written it. Page 77, line 9, where it says "disbursed by the Secretary of War," as a matter of fact it ought to be "disbursed by the commissioners." The Secretary of War is old legislation, and now that should be "disbursed by the commissioners." I offer an amendment to insert the word "commissioners" instead of the words "Secretary of War," and if anybody objects to it I will withdraw it.

Mr. MADDEN. The Secretary of War has the records of these men, and I think we had better let it stay there.

Mr. JEFFERS. Very good; I withdraw the amendment.

The Clerk read as follows:

#### TRANSPORTATION OF PAUPERS

For transportation of paupers, \$1,500.

Mr. DAVIS of Minnesota. Mr. Chairman, I send an amendment to the Clerk's desk.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Committee amendment: Page 77, strike out all of lines 12 and 13 and insert in lieu thereof "transportation of indigent persons. For transportation of indigent persons, including indigent veterans of the World War and their families, \$1,500."

The question was taken, and the amendment was agreed to. Mr. JEFFERS. Mr. Chairman, I offer an amendment in line 13 as it now stands. Strike out "\$1,500" and insert in lieu thereof "\$2,000."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment to the amendment offered by Mr. JEFFERS: Strike out "\$1,500" and insert in lieu thereof "\$2,000."

Mr. DAVIS of Minnesota. That is all that was recommended for this matter.

Mr. CHINDBLOM. I make the point of order that the amendment has been adopted and can not be amended after it is adopted. You must amend an amendment before it is adopted and not after. However, I do not care, and I withdraw the point of order.

Mr. JEFFERS. I would like to refer to the old law, No. 457, where \$2,000 is the amount provided and they need at least \$2,000 or more for this purpose, especially as it has been broadened, as it has been broadened by the gentleman's amendment.

Mr. ALLEN. Mr. Chairman, I move to strike out the last word for the purpose of asking a question. I would like to ask if this amount will be sufficient?

Mr. DAVIS of Minnesota. That is all that is demanded by the commissioners or by anybody else, and we have always had the service.

Mr. JEFFERS. Then it will not hurt them.

Mr. ALLEN. I know it takes quite a lot to pay transportation.

Mr. MADDEN. If they need money, they can come and get it. The CHAIRMAN. 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 rent of armory and drill hall, \$6,000.

Mr. SPEAKS. Mr. Chairman, on line 11, page 78, I move to strike out "\$6,000" and insert "\$7,000."

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Ohio.

The Clerk read as follows:

Amendment offered by Mr. SPEAKS: On line 11, page 78, strike out "\$6,000" and insert "\$7,000."

Mr. SPEAKS. Mr. Chairman, my attention was called to this matter by newspaper reports early in the week that the local organizations were about to be deprived of their armory, the drill hall particularly. I took the trouble to go down and investigate it, and saw the commanding officer. Now, the appropriation for the District of Columbia National Guard or militia this year is about \$8,000 below that of last year, but if they have \$1,000 additional they will be well provided for.

Mr. DAVIS of Minnesota. Mr. Chairman, I am willing to accept that amendment. When we had our hearings on the subject I thought the amount here was rather small, but that is all they asked for at the time, so I let it go.

The CHAIRMAN (Mr. GRAHAM of Illinois). The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

#### ANACOSTIA RIVER AND FLATS

For continuing the reclamation and development of Anacostia Park, \$150,000, to be expended below Benning Bridge.

Mr. BLANTON. Mr. Chairman, I make a point of order against the paragraph. This is legislation, regardless of the manner in which the language is framed. This is to buy land over there, known as the Anacostia Flats. There has been an attempt here for years to do this. There is a legislative bill pending right now to accomplish this very purpose, but instead of waiting for the legislative bill to pass, they sneak in here to the Committee on Appropriations and get them to put the money in.

Mr. BEGG. That bill was passed for this purpose in 1911.

Mr. BLANTON. No. This is to buy new property.

Mr. BEGG. It is to develop parks.

Mr. BLANTON. This is not for the purchase of additional land?

Mr. DAVIS of Minnesota. No.

Mr. MADDEN. It is to develop where they are dredging.

Mr. BLANTON. Mr. Chairman, I withdraw the point of order.

The CHAIRMAN. The point of order is withdrawn.

Mr. BEGG. Mr. Chairman, I offer an amendment: On line 23 after the words "\$150,000" strike out the balance of the line.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Ohio.

The Clerk read as follows:

On line 23, after the words "\$150,000" strike out the remainder of the line.

Mr. BEGG. Now, Mr. Chairman, I offer this amendment because I believe in the park-development system, and I think that anybody who has been down along the Mall will agree. I will ask the chairman if he will accept that amendment. It does nothing except to leave those responsible to spend the money where they want to in the reclamation.

Mr. DAVIS of Minnesota. I wish to make a very brief statement. This bill calls for \$150,000 for Anacostia Flats. It is below Benning Bridge. There is a positive law authorizing this from Anacostia Bridge up to the District line. The appropriations heretofore made amount to \$1,610,607.45. This is, as I said, below Benning Bridge. It requires \$900,000 to complete the job below Benning Bridge. The estimate of the cost above Benning Bridge is \$861,000. For several years they did not ask for more money. One hundred and fifty thousand dollars is all they want. They got \$50,000 below for the park. That goes every year. They do not ask for any more money this year, but there is quite a contention to the effect that if the engineer commissioner wishes to start a little below the bridge you must not cut this out.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

#### PARK POLICE

Salaries: Lieutenant, \$1,900; first sergeant, \$1,700; 5 sergeants, at \$1,580 each; privates—14 at \$1,440 each; 31 at \$1,360 each; nine at \$1,280 each; in all, \$85,340.

Mr. BLANTON. Mr. Chairman, I move to strike out the period on line 19 of page 79 and insert a colon and insert the following: "Provided, That the 11 policemen for the Zoological Park shall receive the same salary as that drawn by the Metropolitan police." And I want to submit that matter to the chairman of the committee.

Mr. CRAMTON. Mr. Chairman, I reserve a point of order. The CHAIRMAN. The Clerk will report the amendment. The Clerk read as follows:

Amendment offered by Mr. BLANTON: Page 79, line 19, "Provided, That the 11 policemen for the Zoological Park shall receive the same salary as that received by the Metropolitan police."

Mr. CRAMTON. Mr. Chairman, I have a point of order reserved on that.

The CHAIRMAN. The gentleman from Michigan reserves a point of order on the amendment.

Mr. BLANTON. I think when I explain this matter to the chairman and the chairman's generalissimo, Mr. CRAMTON, he will not make a point of order.

Mr. CRAMTON. That is too rough language. [Laughter.] I will have to make the point of order. It is not germane to this part of the bill. There is nothing in this paragraph about Zoological police. But I will reserve it.

Mr. BLANTON. Mr. Chairman, there is a great injustice being done 11 men, without intention by Congress. The House has passed a salary bill for the policemen of this city, embracing nearly 1,000 police.

We overlooked the park police and the park police went to the Senate and had themselves taken care of. But I find now that we have overlooked 11 policemen out here in the Zoological Park, who serve there in every kind of weather and their service is just as arduous as any service performed by any other policemen in this city. Gentlemen, what do you think they get? They get \$100 a piece a month, and out of that \$100 they have to furnish their uniforms and all of their equipment. It is not right, and we just overlooked them; that is all.

Mr. CRAMTON. If the gentleman will yield, we will compromise. The gentleman's amendment is not germane to this part of the bill and ought not to go in here, so that I will have to make a point of order against it. However, if the gentleman will offer it at the proper place in the bill and will not speak at undue length I shall not make any point of order. Of course, I do not know what the gentleman from Minnesota will do.

Mr. BLANTON. I will withdraw it, Mr. Chairman, and will not speak at undue length.

The CHAIRMAN. Without objection the amendment will be withdrawn.

There was no objection.

The Clerk read as follows:

#### ROCK CREEK AND POTOMAC PARKWAY COMMISSION

To enable the commission created by section 22 of the public buildings act approved March 4, 1913 (37 Stat. L. p. 885), to continue the acquisition of lands for a connecting parkway between Potomac Park, the Zoological Park, and Rock Creek Park, \$75,000: *Provided*, That the total area finally to be acquired shall not exceed the areas heretofore authorized as shown within the taking lines indicated on the map in four sheets marked "R. C. & P. P.-1; R. C. & P. P.-2; R. C. & P. P.-3; R. C. & P. P.-4" on file in the office of the executive and disbursing officer of the Rock Creek and Potomac Parkway Commission and known as "The Map of the Rock Creek and Potomac Parkway," dated May 1, 1923: *Provided further*, That in order to protect Rock Creek and its tributaries, none of the moneys herein or heretofore appropriated for the opening, widening, or extending of any street, avenue, or highway in the District of Columbia shall be expended for the opening, widening, or extension of any street, avenue, or highway which shall or may in the judgment of the District Commissioners permanently injure or diminish the existing flow of Rock Creek or any of its tributaries, nor shall permission so to do at private expense be granted to any private person or corporation except by the joint consent and approval of the Commissioners of the District of Columbia and the officer in charge of public buildings and grounds, dated May 1, 1923.

Mr. CRAMTON. Mr. Chairman, I move to strike out the last word for the purpose of calling attention to the fact that on page 82 is carried an appropriation for the maintenance of a tourist's camp in East Potomac Park, the amount being \$5,000. I call attention to the fact that the appropriation designates where that camp is to be located and is an expression by Congress that that camp is to be maintained in that park. The Secretary of War has no authority, if that appropriation goes through in the form it is set forth, either to discontinue the camp or to move it elsewhere. I make this statement for the reason that during the past year the Secretary of War at one time announced his purpose of discontinuing the camp, although Congress had appropriated for it, and I want to direct attention here and now to the fact that Congress has designated that that camp shall be maintained and designated where? I withdraw the pro forma amendment.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn.

There was no objection.

The Clerk read as follows:

For laying in the National Zoological Park approximately 1,550 feet of 6-inch water main and installing two fire hydrants, \$3,250.

Mr. BLANTON. Mr. Chairman, I offer an amendment.

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

The Clerk read as follows:

Amendment offered by Mr. BLANTON: Page 85, line 8, insert a new paragraph as follows:

"That hereafter the 11 police in the National Zoological Park shall receive the same salaries as are drawn by other park policemen in the District of Columbia."

Mr. MADDEN. Mr. Chairman, I reserve a point of order against the amendment for this reason: That the classification act fixes the pay of these policemen.

Mr. BLANTON. Mr. Chairman, the gentleman from Illinois [Mr. MADDEN] is one of the fairest men in the United States when you put a proposition up to him that has merit; so is the gentleman from Minnesota [Mr. DAVIS], just like the gentleman from Michigan [Mr. CRAMTON]. When you put a proposition up to them that has merit it appeals to them and they are willing to acknowledge it. And the assistant whip, the gentleman from Ohio [Mr. BEGG], is just like them in that respect.

Mr. Chairman, under the reclassification act these 11 park policemen, who have wives and little children to support, will get only \$1,320 a year.

Mr. MADDEN. Will the gentleman yield?

Mr. BLANTON. Yes.

Mr. MADDEN. I would like to say this: That every man or woman who comes within the classification act, who has been classified and feels aggrieved has the right to appeal to the board. Such appeal ought to be made to the board first; then if they do not grant the appeal there might be some reason why we should modify the law.

Mr. BLANTON. But let me suggest this to the gentleman from Illinois: We are going to adjourn in June and the Senate and House leaders have already agreed upon it. We will be at home and out on the hustings seeing the people, and these park policemen will be drawing \$1,320 a year. They draw now only \$100 a month, and they have to furnish all their equipment out of that, and they can not live. They have told me they can not pay their expenses; that they can not support their wives and little children, and it is not fair. We ought to take care of them.

Mr. BEGG. Will the gentleman yield?

Mr. BLANTON. Yes.

Mr. BEGG. I am in sympathy with the gentleman's proposition, but I can not see why the reclassification board took 11 policemen in one park and put them in a different classification than they did the other policemen.

Mr. BLANTON. It is under a law that is so archaic that it has cobwebs on it.

Mr. MADDEN. But they have been taken out from under that law and they have the right of appeal. I would like to help them appeal to the board.

Mr. BLANTON. But the gentleman will be in Illinois.

Mr. MADDEN. They can do it this week.

Mr. BLANTON. It was an inadvertence on the part of the committee that the policemen in that park were left out, because we did not know about them at all.

Mr. MADDEN. The gentleman can ask them to appeal.

Mr. BLANTON. Yes; and I will ask them to appeal.

Mr. MADDEN. And I will join in the appeal with them.

Mr. BLANTON. I am going to ask every one of them to camp in the gentleman's office until they get relief.

Mr. MADDEN. As I say, I shall be glad to join with them in their appeal.

Mr. BLANTON. But we could so easily help them right here.

Mr. CRAMTON. The gentleman will recall our little understanding.

Mr. BLANTON. I remember. He is not doing it, but somebody else is doing it for him.

Mr. O'CONNOR of Louisiana. Mr. Chairman, I move to strike out the last two words.

Mr. BEGG. Is the gentleman from Louisiana going to speak against the amendment?

Mr. O'CONNOR of Louisiana. No; I want to ask two questions.

Mr. BEGG. I want to say a word on this proposition.

Mr. O'CONNOR of Louisiana. I merely want to ask two questions.

The CHAIRMAN. Does the gentleman from Illinois [Mr. MADDEN] insist on his point of order?

Mr. BEGG. If he does not, I will make the point of order.

Mr. MADDEN. Yes; I am going to insist on my point of order.

The CHAIRMAN. The point of order is sustained.

Mr. O'CONNOR of Louisiana. Mr. Chairman, I move to strike out the necessary number of words in order to get the floor. I take the floor largely for the purpose of asking two questions, one of which I know the distinguished gentleman from Illinois, chairman of the Committee on Appropriations, will be pleased to answer. What has been done, Mr. Chairman of the Appropriations Committee, with respect to the reclassification bill and its extension to the field service?

Mr. MADDEN. The Classification Board is accumulating the evidence upon which it may make up the schedules of rating. It is not sufficiently complete to enable it to make the ratings. At any rate, they have not the power under the law to make the ratings effective as to the field without further legislation, and what has been done is that the ratings have been made, allocations have been made, compensation fixed, different classes within the different grades have been adjusted as to the District, and I have requested all the departments to furnish information to the Committee on Appropriations, giving the base pay of every employee in the field, in all branches of the Government service, the amount now paid as a bonus to each one, and the amount that will be required to put the field service on a parity with the District service.

Mr. AYRES. Will the gentleman from Illinois yield?

Mr. MADDEN. Yes.

Mr. O'CONNOR of Louisiana. Would the gentleman permit him to answer the question?

Mr. AYRES. I do not think we ought to be taking up the time of the committee in explanations of the classification act.

Mr. O'CONNOR of Louisiana. I have not taken up any of the time of this committee during the whole day. Perhaps it would be just as well and save time to let him answer the question.

Mr. MADDEN. Let me finish, please.

Mr. O'CONNOR of Louisiana. I will be glad to do so.

Mr. MADDEN. I have requested this information and I expect to submit it to the House before we leave, in the form of a bill for appropriation, which will enable the House to act on the matter of the field employees and put them on a parity with the District employees who have been classified, until the classification for the field service is completed.

Mr. O'CONNOR of Louisiana. Do you hope that will go into effect before adjournment?

Mr. MADDEN. By the 1st of July. None of this goes into effect until the 1st of July, but we expect this will be enacted before we adjourn.

Mr. O'CONNOR of Louisiana. That is very satisfactory and I believe will be good tidings of great joy to a great many people throughout this country.

Now, before taking my seat, I would like to ask the gentleman from Michigan [Mr. CRAMTON] a question. I have not been in so fortunate a position as to be able to attend all the committee meetings recently as a result of other committee sessions, and I want to know if the gentleman has ever extended his remarks or made an address upon the subject of the \$8,000,000 that he wants the Federal Government to contribute to the support of the District, in order that we might thoroughly understand how he has arrived at the judgment that \$8,000,000 would be a proper contribution from the Government to the District?

Mr. CRAMTON. Without taking too much time, I will simply say that I made a brief but fairly comprehensive presentation of the case when I offered the amendment on Thursday and you will find it in the RECORD of that day. I still feel that the statements I made deserve the favorable support of the House.

Mr. O'CONNOR of Louisiana. Thank you. I withdraw the pro forma amendment.

The Clerk read as follows:

#### WATER SERVICE

For continuing work on the project for an increased water supply for the District of Columbia, adopted by Congress in the Army appropriation act for the fiscal year 1922, as modified by the District of Columbia appropriation acts for the fiscal years 1923 and 1924, and as further modified by the report submitted to Congress by the Secretary of War December 4, 1923, and for each and every purpose connected therewith, to be immediately available and to remain available until expended, \$800,000: *Provided*, That the Secretary of War may enter

into contracts for materials and work necessary to the construction of said project, to be paid for as appropriations may from time to time be made, not to exceed in the aggregate the sum of \$8,900,000, including all appropriations and contract authorizations herein and heretofore made: *Provided further*, That no bid in excess of the estimated cost for that portion of the work or plant covered by the bid shall be accepted, nor shall any contract for any portion of the work, material, or equipment to constitute a part of the plant for which this appropriation is available be valid unless the Chief of Engineers of the United States Army shall have certified thereon and that all its terms are within the requirements of the authorization and the revised estimates for the work.

Mr. BLANTON. Mr. Chairman, I move to strike out the paragraph.

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

Mr. BLANTON. Mr. Chairman, this is just a pro forma amendment. I want to tell the gentleman from Louisiana a few facts about this water system. The gentleman seems to have been stung by these editorial bees that have been appearing in the papers for the last day or two against the Cramton amendment.

Mr. O'CONNOR of Louisiana. No; I have not been stung at all.

Mr. BLANTON. Does the gentleman know that the main water conduit of this city belongs to the Government? The Government paid out every dollar for it, owns it, and the District has never contributed one dollar for it. Does the gentleman know that? Does the chairman of this committee know it? That is the fact. This Government owns the main water conduit, and every dollar for it was paid out of the people's Treasury; and in addition to the other sums we have expended on this water system here is a paragraph that appropriates \$800,000 more for it, and what else does it do?

It authorizes the Secretary of War to enter into additional contracts for \$8,900,000 more for this water system here. This is paid 40 per cent out of the people's Treasury. Forty per cent of this \$800,000, and 40 per cent of the \$8,900,000 is to be paid out of your people's Treasury, and then you talk about opposing this Cramton amendment. The Cramton amendment does not increase the taxes of the people of the District of Columbia more than 10 cents on the \$100.

Mr. UNDERHILL. Will the gentleman yield?

Mr. BLANTON. I yield.

Mr. UNDERHILL. It will increase them in the course of time as they ask for improvements and extensions.

Mr. BLANTON. How will it increase them? They pay \$1.20 now. If they get several more bills passed like that one passed yesterday in another body giving them \$4,500,000 as a so-called surplus out of the Treasury—if they succeed in getting bills like that passed every once in a while, their taxes are going to be decreased below \$1.20 instead of being increased. At the worst, the Cramton amendment would only cause them to pay about \$1.30 on the \$100, whereas they now pay only \$1.20.

The papers said there would be a roll call to strike out the Cramton amendment. If there is a roll call—and it ought not to be stricken out without a roll call—every man who votes to strike out the Cramton amendment ought to go on record in order to let the people of the United States know who is doing it.

Mr. O'CONNOR of Louisiana. Will the gentleman yield?

Mr. BLANTON. Yes.

Mr. O'CONNOR of Louisiana. I was not stung by the editorials in the Washington newspapers.

Mr. BLANTON. That was only a facetious remark.

Mr. O'CONNOR of Louisiana. Nor am I incensed. I was wondering why the gentleman from Michigan was so generous.

Mr. BLANTON. He is generous with the District. He increased the tax only from \$1.20 to \$1.30.

Mr. CRAMTON. My purpose is to continue substantially the present contribution, and if the people of the District want more schools, more pavements, and so forth, badly enough to be willing to pay more, they should have them.

Mr. BLANTON. I am for the gentleman's amendment as far as it goes, but it does not go far enough. It would be an outrage to vote it down. It ought to be adopted. It is a little advanced step in the right direction. It is ridiculous to talk about voting it out.

Mr. UNDERHILL. Mr. Chairman, I move to strike out the last word. I take the floor to say a word of approval of the so-called Cramton amendment. One who has served on the District Committee for the past few years realizes the difficulty that we have in that committee because of the difference of

opinion continually expressed to us through the various organized bodies in the city of Washington regarding the policy of the Government in making appropriations. It has been in my mind that an inventory should be taken of all the property owned by the United States Government, a generous valuation placed thereon, and a tax assessed on the Government pro rata.

Mr. MADDEN. But the gentleman knows that we can not assess a tax upon the property of the Government of the United States.

Mr. UNDERHILL. Yes; I know that. I mean for the purpose of arriving at the proper amount which the Government should contribute. Possibly that is what has been done by the gentleman from Michigan.

Mr. MADDEN. What we ought to do more than anything else is to allow the people of the District to have such improvements as they think they ought to pay for and to the extent that they are willing to pay for. For every \$100 of property that I own outside of the District of Columbia I pay \$4 tax. Here I pay \$1.20, although I am willing to pay more.

Mr. UNDERHILL. We pay \$33 a thousand in Massachusetts, and I doubt if you find many places where the tax rate is as low as it is here in the District. What we ought to do is to have a specified amount appropriated annually for the District of Columbia and then give more power to the District Commissioners. Congress should hold enough power to say to the District that they shall do such and such things. For instance, the \$4,000,000 that the gentleman from Texas speaks about. If Congress gives that to the District they ought to specify that it shall be used entirely for the lighting of this city. It is the worst-lighted city that I have known anywhere. It is almost impossible to drive an automobile safely after dark. I want to emphasize the value and importance of the Cramton amendment, and I trust that the Members of Congress will take it seriously, spread the gospel, and pass it unanimously.

Mr. O'CONNOR of Louisiana. Mr. Chairman, I move to strike out the paragraph.

Mr. BEGG. A point of order, Mr. Chairman.

Mr. BLANTON. Mr. Chairman, I withdraw my pro forma amendment.

The CHAIRMAN. Without objection, the gentleman from Texas withdraws his pro forma amendment and the gentleman from Louisiana moves to strike out the paragraph.

Mr. O'CONNOR of Louisiana. I desire to make it clear that I am in thorough accord with the gentleman from Michigan [Mr. CRAMTON] in suggesting a contribution of \$8,000,000 for the operation of the District, although I think he is extremely generous. I might say, however, I have always felt that if the property of the National Government were assessed at anything like a fair valuation and subjected to taxation, and the Government paid only its own share of District operation, as a great taxpayer and employer of thousands of employees, in all probability it would get off with about one-fifth of the amount that it is to-day contributing to the support of the District of Columbia. The amendment is undoubtedly a step in the right direction. I wanted to make that clear. I believe the gentleman from Michigan, in his desire to do full and ample justice to the Capital, in all probability has arrived at a more than fair adjustment to them, considering all of the obstacles in the road to a reform in the way of interests that believe themselves wards of the Nation and who look upon the privileges and favor they have enjoyed as vested rights, and has come to a proper conclusion; but he is extremely generous in his attitude. I feel, as does the gentleman from Texas [Mr. BLANTON], that in all probability no one will question the amendment that Mr. CRAMTON has proposed. On the anvil of discussion the spark of truth may fly. Some day when the other big cities find how soft it is for Washington and therefore how much harder for themselves, there is going to be a howl throughout the land.

The Clerk concluded the reading of the bill.

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

The CHAIRMAN. Is there objection?

There was no objection.

Mr. DAVIS of Minnesota. Mr. Chairman, I move that the committee do now rise.

The CHAIRMAN. Before making that motion, the Chair calls the attention of the gentleman from Minnesota to the fact that on page 3 there is pending a point of order to line 9, "for temporary additional assistant inspectors, \$15,000." That matter was brought up and the point of order was urged against it by the gentleman from Texas [Mr. BLANTON], and while the Chair tentatively ruled upon it, finally it was passed with the right to recur to it and take the matter up later. In

the meantime can the gentleman from Minnesota inform the Chair as to the legal authority for this item?

Mr. CRAMTON. Mr. Chairman, a similar point of order was made to another paragraph relating to inspectors of buildings, and the decision of the Chair, found on page 7888 of the Record, if I am correct, shows that the same reasoning will apply with equal force. These inspectors are necessary to carry out and make effective the regulations that have been promulgated by direct authority of Congress.

The CHAIRMAN. The recollection of the Chair about the matter is that afterwards in succeeding sections similar questions were raised and legal authority was found, in the opinion of the Chair.

Mr. CRAMTON. And later on a point was raised and the statute was presented to give the commissioners full authority to promulgate regulations for the construction of buildings.

The CHAIRMAN. The point of order is overruled.

Mr. DAVIS of Minnesota. Mr. Chairman, I move that the committee do now rise and report the bill with the amendments to the House, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. GRAHAM of Illinois, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 8839, the District of Columbia appropriation bill, and had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. DAVIS of Minnesota. Mr. Speaker, I move the previous question on the bill and all amendments to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded upon any amendment?

Mr. BACON. Mr. Speaker, I demand a separate vote on the so-called Cramton amendment.

The SPEAKER. Is a separate vote demanded on any other amendment?

Mr. CRAMTON. Mr. Speaker, will the gentleman consent to joining with the Cramton amendment the amendment on page 30, lines 20 to 26, which is joined with the Cramton amendment?

Mr. BLANTON. Mr. Speaker, I make the point of order that the previous question has been ordered, and that is out of order. The gentleman is proposing to amend his amendment in the House.

The SPEAKER. As the Chair understands the gentleman is trying to join two amendments.

Mr. CRAMTON. Mr. Speaker, I ask unanimous consent that the vote may be taken upon the so-called Cramton amendment on page 1, and also join with that the amendment on page 30, lines 20 to 22.

Mr. BLANTON. Which one is that?

Mr. CRAMTON. It is with reference to the distribution of returns. They are hooked up together.

Mr. BLANTON. Mr. Speaker, I reserve the right to object to find out what this is. I object, Mr. Speaker.

Mr. CRAMTON. Then I demand a separate vote on the amendment on page 30.

The SPEAKER. Is a separate vote demanded on any other amendment?

Mr. BEGG. Mr. Speaker, in view of the statement made to me by the chairman of the Committee on Appropriations I withdraw the request.

Mr. CRAMTON. I withdraw my request also.

Mr. GARRETT of Tennessee. I renew the request for the moment.

Mr. MADDEN. We do not want to call the Members back here just for this. The Senate is still existing. If it is desired to amend this, it can go to conference.

The question was taken, and the amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time; was read the third time, and passed.

On motion of Mr. DAVIS of Minnesota, a motion to reconsider the vote by which the bill was passed was laid on the table.

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

#### NORTH CAROLINA IN THE WAR BETWEEN THE STATES

Mr. POU. Mr. Speaker, under the leave to extend my remarks in the Record, I include an address delivered by Hon. CHARLES M. STEDMAN, which is as follows:

United Daughters of the Confederacy, ladies and gentlemen: I esteem it a high privilege to deliver an address before a convention of the United Daughters of the Confederacy.

Their history is one resplendent with great deeds, many of them gilded with romantic luster which has cast its radiance throughout the world. This organization owes its origin and life to an association of Southern women beginning in the days of the War between the States for the purpose of caring for the wounded, and after the war was over in providing cemeteries for the Confederate dead, many of whom slept upon the battle fields where they fell. When it was not possible to bring them home, they buried many of them at the same spot and erected a monument that the stranger might know he was treading on hallowed ground.

After the formation of the Confederate Veterans' Association, many of these associations became known as the Daughters of the Confederacy.

Their fidelity and loyalty to the memory of the Confederate soldier has scarcely a parallel in history, and is and will be an inspiration to the people of every land who recognize those great qualities as essential to the moral grandeur of mankind.

When I received an invitation from the distinguished president of the North Carolina Division of the United Daughters of the Confederacy to deliver an address this evening it was accompanied with a request that I adopt as the theme of my discourse "North Carolina in the war between the States." The same request was made in connection with an address recently delivered by me at the Confederate reunion held at Winston. I adopted without hesitancy the suggestion as to my address at Winston and shall do likewise as to the address I shall deliver this evening, for North Carolina and the Confederate soldier will ever be inseparably connected in a record of glory. A subject so splendid in itself, so replete with great and heroic action, seldom falls to the lot of any speaker. When I reflect upon the self-denial and the unshaken fortitude of the people of North Carolina during that unhappy period, when the splendid and unexcelled achievements of North Carolina soldiers during that same era pass in review before my mental vision, I can but feel my inadequacy to so great an undertaking. If aught I say shall seem to detract in the slightest degree from the merit of any Confederate soldier from any State or from my loyalty to this great Republic, whose flag protects and shields all its citizens, I ask that you do not so construe my words but ascribe them to the enthusiasm which characterizes all the children of North Carolina for her great name. The character and reputation of every Confederate soldier will ever be near to my heart, and the glory and honor of our common country will ever command my sincere and unchanging fealty.

The part acted by North Carolina in the greatest drama of modern times—the war between the States—history will preserve without blemish upon its pages. It has long since passed beyond the pale of legitimate controversy that in the number of troops furnished to the Southern Confederacy, in proportion to its white population and in the losses sustained by those troops, she stands first of all the States which make up that galaxy of great names.

It is likewise true that no troops in any corps of the Confederate Army were more thoroughly equipped and provided for in every way necessary to their efficiency and comfort, both as to arms, food, and clothing, than were the soldiers from North Carolina.

In considering the number of troops furnished by North Carolina to the Confederate Army, her attachment to the Union of the States will ever demand your consideration and attention, and her loyalty to her sister States of the Confederacy when once her faith was pledged will claim the admiration of all who have an honest pride in national honor wherever it may be found. North Carolina was next to the last State to secede from the Union, and in February, 1861, voted against secession by more than 30,000 majority; yet with a white population of 629,942 and a military population of 115,369, being one-ninth of the military population of the 11 seceded States, she sent to the Confederate Army 125,000 men, one-fifth of its entire enrollment, which was 600,000, according to the accepted estimate approved by General Cooper, the adjutant general of the Confederacy. Maj. A. Gordon, who was on the staff of the adjutant general of North Carolina, and who was thoroughly conversant with the organization of the North Carolina troops, estimated her contribution to the Confederate Army at 127,000. Governor Vance, after a thorough examination of the records of the adjutant's office, stated that number to be 125,000, and Capt. S. A. Ashe, who, at the request of the State Literary and Historical Association of North Carolina, gave to the consideration of this subject careful research, adopted the figures given by Governor Vance, and in his report says they are as correct as it is possible to make them. Lieut. Gen. Stephen D. Lee, in an address delivered at Asheville, N. C., stated North Carolina furnished 22,942 more troops than any other State. Of the troops furnished to the Confederate Army by North Carolina four regiments of infantry and one of cavalry were sent to the Army of Tennessee.

Of the soldiers present for duty, North Carolina had a larger proportion than naturally fell to her lot. They were ever ready in camp

or upon the field of battle. Of the 92 regiments which assailed and defeated the right flank of McClellan's Army in front of Richmond, 46 were from North Carolina. Of the 16 brigades engaged in the first day's fight at Gettysburg, 7 were from North Carolina.

The First North Carolina Regiment, commanded by Col. D. H. Hill, later a lieutenant general, was the first regiment sent by the Government to Yorktown and the first to arrive at Bethel. Over 800 of the 1,200 present when the action commenced were from North Carolina.

The first Confederate soldier killed in battle was Henry L. Wyatt, of the Edgewcombe Guards, Company A, of that regiment, who fell at Bethel on the 10th of June, 1861.

At Reams Station, on the 25th of August, 1864, after a previous assault by other troops had failed, the three North Carolina brigades of Cooke, Lane, and McRae, in number less than 2,000 men, drove the Federal troops from the field, capturing their breastworks, with 2,150 prisoners, 2,100 stands of small arms, 12 stands of colors, 9 guns and caissons. The result of this brilliant engagement was hailed with great rejoicing throughout the South and shed a declining luster upon the Confederate battle flag, upon which the sun of victory was about to go down forever. Gen. R. E. Lee, publicly and repeatedly stated that not only North Carolina but the whole Confederacy owed a debt of gratitude to Lane's, Cooke's, and McRae's brigades which could never be repaid. He also wrote to Governor Vance expressing his high appreciation of their services. I will read his letter:

HEADQUARTERS ARMY NORTHERN VIRGINIA,  
August 29, 1864.

His Excellency Z. B. VANCE,  
Governor of North Carolina, Raleigh, N. C.:

I have been frequently called upon to mention the services of the North Carolina soldiers in this army, but their gallantry and conduct were never more deserving of admiration than in the engagement at Reams Station on the 25th ultimo.

The brigades of Generals Cooke, McRae, and Lane, the last under the temporary command of General Conner, advanced through the thick abatis of felled trees, under a heavy fire of musketry and artillery, and carried the enemy's works with a steady courage that elicited the warm commendation of their corps and division commanders and the admiration of the Army.

On the same occasion the brigade of General Barringer bore a conspicuous part in the operations of the Cavalry, which were no less distinguished for boldness and efficiency than those of the Infantry.

If the men who remain in North Carolina share the spirit of those they have sent to the field, as I doubt not that they do, her defense may be securely intrusted in their hands.

I am with great respect,

Your obedient servant, R. E. LEE, General.

The regiments from North Carolina engaged in this battle again illustrated those high qualities which will perpetuate the name and fame of the Confederate soldier in years to come. Unshaken by the fall of Vicksburg and the disaster of Gettysburg, undismayed amidst the general gloom which was settling upon the fortunes of the South, they exhibited the same enthusiasm and valor which had marked their conduct upon every field where they stood for the honor, glory, and renown of their State.

The greater part of the Confederate Infantry who were engaged in the last battle fought at Appomattox were from North Carolina. They were commanded by Maj. Gen. Bryan Grimes, a North Carolinian.

The last charge made and the last volley fired at Appomattox was made by a North Carolina brigade, commanded by Gen. W. R. Cox, of North Carolina.

The last capture of cannon by the Army of Northern Virginia was made by Roberts's brigade of North Carolina Cavalry.

No State stacked so many muskets at Appomattox as did North Carolina.

These facts are beyond dispute. The accuracy of the first two just mentioned in connection with the fight at Appomattox has been established by a statement made in writing in the year 1879 by General Grimes, which will be found in volume 11 of Moore's History of North Carolina, and which has never been contradicted. The statement of General Grimes is corroborated by a statement made by Gen. William R. Cox, which was published during the same year, in volume 11, Moore's History of North Carolina. If more evidence could possibly be needed, it is furnished by the statements of Brig. Gen. W. L. London, of the Second Brigade in the North Carolina Division of the United Confederate Veterans, who was serving on General Grimes's staff on the morning of the surrender, and of Hon. Henry A. London, of the Thirty-second North Carolina Regiment, who carried the last orders at Appomattox.

Wherever the flag of North Carolina floated on land or sea it was without tarnish, the emblem of honor, of courage, and unchanging fortitude which endured to the end.

The *Shenandoah*, commanded by James Iredell Waddell, a North Carolinian, flew the Confederate battle flag at its masthead more than six months after General Lee's surrender.

Shall their immortality be reckoned by their blood? Forty thousand two hundred and seventy-five soldiers from North Carolina gave their lives to the Confederacy, more than one-third of her entire military population, and a loss more than double in percentage than that sustained by the soldiers from any other State.

The entire Confederate loss during the Civil War, killed on the battle field and died of wounds, was 74,524. The loss of North Carolina soldiers was 19,762, more than one-fourth of the whole.

Of the 10 regiments of either side which sustained the heaviest loss in any one engagement during the war, Georgia, Alabama, Tennessee, Illinois, New York, Pennsylvania, and New Jersey furnished one each, and North Carolina furnished three.

The Confederate loss at Gettysburg was 2,592 killed and 12,707 wounded. Of the killed, 770 were from North Carolina, more than one-fourth.

Wherever the tide of battle was strongest and the harvest of death greatest on that field of carnage, there could be seen the battle flag of North Carolina. Her dead sons were found far up its blood-stained slopes. The three brigades at Gettysburg suffering the heaviest loss were Pettigrew's, from North Carolina, with 190 killed; Davis's, from Mississippi, composed of three regiments from Mississippi and one regiment from North Carolina, with 180 killed; and Daniels's, from North Carolina, with 165 killed. No brigade in Pickett's division, whose laurels won upon that field I trust may grow brighter with each revolving year, suffered so great a loss as the Twenty-sixth North Carolina Regiment. Its loss was 86 killed and 502 wounded, the largest sustained by any regiment on either side during the Civil War; Company F of that regiment, with 3 officers and 84 men, lost every officer and 83 of the 84 men in killed and wounded. Thirteen standard bearers of the regiment were shot down. Upon that same field one company in the Eleventh North Carolina Regiment lost 2 of its 3 officers killed and 34 of 38 men killed or wounded. The color company of the Thirty-eighth North Carolina Regiment had every man either killed or wounded. At Sharpsburg the Third North Carolina Regiment lost 330 in killed and wounded of 520 men which it carried into action, and upon that field Company C of the Fourteenth North Carolina Regiment lost every man, either killed or wounded. At Chancellorsville the same company, which carried into the fight 43 men, lost every one in killed or wounded but one.

The charge of the Fifth North Carolina Regiment at Williamsburg ranks in military history with that of the Light Brigade at Balaklava. The regiment lost 197 killed and wounded of 240 men which it carried into action. That charge gave to immortality its illustrious commander, Col. D. K. McRae.

At Seven Pines the Fourth North Carolina Regiment went into the fight with 25 officers and 520 noncommissioned officers and men and lost in killed and wounded every officer and 462 men.

At Bristoe Station the Twenty-seventh North Carolina Regiment lost 291 of 426 men in less than half an hour.

The four regiments of North Carolina Infantry—the Twenty-ninth, the Thirty-ninth, the Fifty-ninth, and the Sixtieth—and the Sixth Regiment of North Carolina Cavalry, upon the field of Chickamauga, rivaled the deeds of their brothers in the East and linked their names forever with imperishable renown. It has been established by the highest and most impartial testimony that "the point where the topmost wave of the tide of southern battle broke nearest to the unbroken line of Thomas's defense" was reached by the Fifty-eighth North Carolina Infantry. This was the unanimous report made by five commissioners appointed by Governor Carr, of North Carolina, to locate the position of the North Carolina regiments upon the field of Chickamauga. One of the commissioners was an officer of high reputation in the Federal Army, who afterwards made his home in North Carolina and won the friendship and esteem of all who knew him. I allude to Judge Clinton A. Cilley.

When stating the exceptionally great losses sustained by the troops from North Carolina there is no intention to assert that they were braver or better than those of any of her sister States. The soldier from North Carolina desires no praise, no laudation, no eulogy at the expense of his brother Confederate soldiers. The fortune of battle on many different fields furnished North Carolina soldiers the opportunity for their great achievements, and they ever proved themselves equal to the occasion.

Lieut. Gen. A. P. Hill, when asked what troops he preferred to command, replied: "Unquestionably North Carolinians; not that they are braver where all are brave; but, brave as the bravest, they are the most obedient to command." To this trait of character—obedience to orders—has been ascribed their preeminence.

Without underestimating this great quality in a soldier, it will be found upon scrutiny that a higher, nobler, and more exalted virtue than even the spirit of obedience to orders gave to the Confederate soldier, from whatever State he came, his superiority on the battle field.

A supreme sense of duty was the cardinal trait of character which gave him that moral power against which it is vain to hurl trained legions and endless battalions. It was the dauntless moral resolution of the soldiers of the South which made their great deeds possible.

Without that moral power to sustain them, the incomparable legions of Lee would have in vain struggled for so long a time to roll back the tide of invasion across the banks of the Potomac, and the marvelous campaigns of Stonewall Jackson would have found no place in history to adorn its pages with a halo of glory which will live through ages yet unborn. Neither famine nor pestilence nor mighty armies carrying in their track the destruction of all that was near and dear to them could subdue their invincible will. In the splendid future which awaits the southern portion of this Republic there is no character the study of which will more elevate its citizens and fit them for its blessings than that of the Confederate soldier. The capstone of the arch of his glory was the moral power which sustained him upon the battle field and which will forever perpetuate his fame.

An incident which illustrates the supreme sense of duty which can only be imparted by moral firmness, as exhibited by a North Carolina soldier, deserves to be recorded amidst the feats of heroes. The conduct of a private by the name of Tillman, in the Forty-fourth North Carolina Regiment, had attracted the favorable notice of his brigade commander, and he was, at his request, attached to the color guard. Tillman's name was also honorably mentioned in orders of the day from brigade headquarters. Soon thereafter, in front of Petersburg, the regiment became severely engaged with the enemy and suffered heavy loss. The flag several times fell, as its bearers were shot down in quick succession. Tillman seized it and again carried it to the front. It was but an instant, and he, too, fell. As one of his comrades stooped to raise the flag again the dying soldier touched him and in tones made weak by the approach of death said: "Tell the general that I died with the flag." The tender memories and happy associations connected with his boyhood's home faded from his vision as he rejoiced in the consciousness that he had proved worthy of the trust which had been confided to him.

Wolfe died on the Heights of Abraham the death of a hero, and as his spirit took its flight to another world, left as a legacy to his countrymen words which will forever live.

Nelson at Trafalgar illustrated by his conduct and speech his supreme sense of duty to England and her glory.

The Scotchman who died at Waterloo with his bagpipe in his hand, by the saber of the cuirassier of the guard, has been immortalized by Victor Hugo; but which of these three—who, of all those who live in song and story—is more worthy of the crown of immortality than this boy from North Carolina, whose grave is unnoticed and unknown.

It would be idle for me to attempt this evening to give a record of the achievements of North Carolina soldiers upon the different fields of their glory. There was not an engagement in which the Army of Northern Virginia participated in which they did not contribute to its immortal renown. The day has come when our whole united country accords to them the full measure of praise to which they are entitled as representing the highest and best type of American manhood.

I am greatly indebted to Chief Justice Walter Clark, of North Carolina; to Hon. Henry A. London; and to Capt. S. A. Ashe for assistance in securing as far as it can be furnished with accuracy a statement of the number of troops furnished by North Carolina and their losses. I have used for reference the History of North Carolina Regiments, edited by Chief Justice Clark, to which work he gave great and unstinted labor without remuneration or reward, except the gratitude of the Confederate soldier. I have also been aided by information gained from an eloquent speech of Hon. Henry A. London, of North Carolina, delivered by him a few years ago, which was reproduced in the fifth volume of the History of North Carolina Regiments, and by the report of Capt. S. A. Ashe, of North Carolina, made to the North Carolina Library and Historical Association.

For the splendid organization which equipped and supplied North Carolina troops, they are largely indebted to the provident foresight, practical business ability, and untiring efforts of Gov. Z. B. Vance, the great war governor of their State, who thereby endeared himself forever to all North Carolinians.

North Carolina not only clothed her own troops during the entire war, but furnished clothing for troops from other States, and when Lee's army surrendered had in store and ready for use 92,000 suits of uniform, with many thousand blankets and a large amount of leather. During the winter succeeding the Battle of Chickamauga, North Carolina sent to General Longstreet's corps 14,000 suits of clothing, and when the great drama was drawing to a close, North Carolina was furnishing food and supplies to a large part of Lee's army.

Governor Vance, in a memorable speech delivered at White Sulphur Springs, W. Va., August 18, 1875, stated that he was told by Gen. Joseph E. Johnson that—

"When his army was surrendered at Greensboro he had in his depots in North Carolina, gathered in the State, five months' supplies for 65,000 men, and that for many months previous General Lee's army had been almost entirely fed from North Carolina."

For the comfort of her soldiers when at home sick, wounded, or traveling to and from the army, North Carolina established hospitals and inns at many different points in the State along the lines of railway.

She did more than this: For the helpless wives and children of soldiers who might be in distress she established depots of grain, salt, and provisions for their subsistence and appointed committees to provide for them and see that they were not neglected.

The soldier who was sleeping upon some field afar off under the stars in northern Virginia rested calmly as he dreamed of his loved ones at home, for he knew if he fell in the conflict of to-morrow, that they would be cared for by the great State which sent him to the battle field.

My friends, can you wonder that North Carolina is still to all her children the well-beloved mother and sovereign, whose name ever brings to them, when exiled from home by the decree of fate, that poetry of youth and memory of early happy days which neither gold nor power nor place can buy?

If commemorative words were needed to perpetuate the fame of the Confederate soldier, I should be all unhappy here to-night; but it is not so. It will live, transmitted from generation to generation, when the costliest tombs erected by the love of their countrymen have perished by decay and crumbled into dust.

It may not seem proper for me to make this prediction, but I do so with a reverent love for all portions of this great Republic. The day will come, though I trust it may not be far distant, when the intentions and ideas of the founders of this Government will be disregarded by those who, in the wild greed for money and amidst the dissolute luxury engendered by the vast accumulation of wealth, have forgotten the teachings of better and purer days, and the very existence of a constitutional form of government as framed by our ancestors will be in jeopardy. Then will be found amongst a people regenerated by fire and blood that high and broad and lofty patriotism which shall constitute them the strongest, safest, and best defenders of the land of our fathers in its entirety, and as the suffering and oppressed of every land and every clime shall still turn their steadfast gaze toward this Western Hemisphere, they will rise up and call you blessed.

Have we learned naught from the silent endurance, the patient agony, the deathless valor of the Confederate soldier? It can not be. His life and conduct have taught us the lesson over again which history has ever repeated.

It is neither on the greatest fields of battle nor places where the most calamitous bloodshed has taken place that the recollection of future ages is chiefly riveted. It is moral grandeur which produces a durable impression. It is patriotic heroism which permanently attracts the admiration of mankind. The day may come when the memory of the fields of Gettysburg and Chancellorsville, of Fredericksburg and Sharpsburg shall be dimmed by the obscurity of revolving years and recollected only as a shadow of ancient days; but even then the enduring fortitude and patriotic valor of the Confederate soldier who followed the banners of Robert E. Lee and Stonewall Jackson will stand forth in undecaying luster amidst the wreck of ages and survive unshaken above the floods of time.

Friends and comrades, let us never fail to defend the fame and achievements of the brave men whom the South sent to the battle field.

Death, which destroys the pomp and power of this world, has only placed the seal of immortality upon their lives. The sacred charge of their fame is intrusted to you, my countrymen and countrywomen. Guard it devotedly, bravely, justly, and truly, that it may remain untarnished in its pristine glory; not alone with this generation but with all those who may come after us until time shall be no more. Let the glorious example left by them be preserved for untold ages and for every people from the rising to the setting sun. If history be false, let tradition preserve it, and on every anniversary of our memorial days let eloquence proclaim it as a heritage for all humanity, which it has elevated and adorned with a pathos and glory which belongs to the civilized world.

"Let us cheer for those boys to the ends of the earth,  
From the mountain heights to the sea,  
In the land where freedom had its birth,  
Where manhood still is the highest worth,  
In the hearts of the noble free.

"Let us drink to those boys who march no more  
To the call of the drum and fife,  
Who sail the sea with the soundless shore,  
Far out from the harbor of life."

#### ADJOURNMENT

Mr. DAVIS of Minnesota. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 1 minute p. m.) the House adjourned until to-morrow, Wednesday, May 7, 1924, at 12 o'clock noon.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. MADDEN: Committee on Appropriations. S. J. Res. 119. A joint resolution making appropriation for contingent expenses

of the United States Senate, fiscal year 1924; without amendment (Rept. No. 664). Referred to the Committee of the Whole House on the state of the Union.

Mr. FITZGERALD: Committee on World War Veterans' Legislation. H. R. 6484. A bill making eligible for retirement under certain conditions officers and former officers of the World War, other than officers of the Regular Army, who incurred physical disability in line of duty while in the service of the United States during the World War; without amendment (Rept. No. 665). Referred to the Committee of the Whole House on the state of the Union.

Mr. ALDRICH: Committee on Foreign Affairs. S. 2998. An act providing for a study regarding the equitable use of the waters of the Rio Grande below Fort Quitman, Tex., in cooperation with the United States of Mexico; without amendment (Rept. No. 666). Referred to the Committee of the Whole House on the state of the Union.

Mr. ALDRICH: Committee on Foreign Affairs. H. R. 8371. A bill providing for a study regarding the equitable use of the waters of the Rio Grande below Fort Quitman, Tex., in cooperation with the United States of Mexico; without amendment (Rept. No. 667). Referred to the Committee of the Whole House on the state of the Union.

#### REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. WOODRUFF: Committee on Naval Affairs. H. R. 7167. A bill for the relief of George A. Berry; without amendment (Rept. No. 668). 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. 8834) granting an increase of pension to Florence A. Rathbun; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

A bill (S. 2998) providing for a study regarding the equitable use of the waters of the Rio Grande below Fort Quitman, Tex., in cooperation with the United States of Mexico; Committee on Irrigation and Reclamation discharged, and referred to the Committee on Foreign Affairs.

#### PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

[Omitted from the Record of January 3, 1924]

By Mr. WILLIAMS of Texas: A bill (H. R. 4527) to provide for the purchase of a site and the erection of a public building thereon at Graham, Tex.; to the Committee on Public Buildings and Grounds.

[Submitted May 6, 1924]

By Mr. THOMPSON: A bill (H. R. 9091) authorizing the erection of a Federal building at Napoleon, Ohio, and for other purposes; to the Committee on Public Buildings and Grounds.

By Mr. HAUGEN: A bill (H. R. 9092) to authorize the transportation at public expense of the remains of officers and employees of the Department of Agriculture who die while away from their official stations; to the Committee on Agriculture.

By Mr. MILLER of Washington: A bill (H. R. 9093) declaring pistols, revolvers, and other firearms capable of being concealed on the person nonmailable, and providing penalty; to the Committee on the Post Office and Post Roads.

By Mr. HILL of Washington: A bill (H. R. 9094) to provide for free homesteads on the public lands for bona fide settlers in the diminished Colville Indian Reservations, State of Washington, and for other purposes; to the Committee on the Public Lands.

By Mr. GRAHAM of Pennsylvania: A bill (H. R. 9095) to incorporate the American War Mothers; to the Committee on the Judiciary.

By Mr. ROGERS of Massachusetts: A bill (H. R. 9096) to facilitate the naturalization of aliens who served in the armed forces of the United States during the World War; to the Committee on Immigration and Naturalization.

By Mr. BACON: A bill (H. R. 9097) authorizing an exchange of lands between the United States and the State of New York; to the Committee on Interstate and Foreign Commerce.

By Mr. CARTER: Joint resolution (H. J. Res. 258) creating a joint committee of three Members of the Senate and three

Members of the House to investigate the administration of Indian affairs in the State of Oklahoma; to the Committee on Indian Affairs.

By Mr. MacGREGOR: Resolution (H. Res. 292) to pay six months' salary and funeral expenses to relatives or representatives of deceased employees of the House of Representatives; to the Committee on Accounts.

Also, resolution (H. Res. 293) to pay one year's salary and funeral expenses to widows of deceased employees of the House of Representatives; to the Committee on Accounts.

By Mr. HAUGEN: Resolution (H. Res. 294) for the consideration of H. R. 8942, a bill to amend the packers and stockyards act, 1921, and for other purposes; to the Committee on Rules.

Also, resolution (H. Res. 295) for the consideration of H. R. 9033, a bill declaring an emergency in respect of certain agricultural commodities, to promote equality between agricultural commodities and other commodities, and for other purposes; to the Committee on Rules.

By Mr. WHITE of Kansas: Resolution (H. Res. 296) for the consideration of S. J. Res. 22, proposing an amendment to the Constitution of the United States fixing the commencement of the terms of the President and Vice President and time of assembling of Congress; to the Committee on Rules.

By Mr. TREADWAY: Memorial of the Legislature of the State of Massachusetts, in favor of the passage of legislation to prevent the manufacture of shoes in factories owned by the Federal Government; to the Committee on the Judiciary.

By Mr. ROGERS of Massachusetts: Memorial of the Legislature of the State of Massachusetts, favoring the enactment by Congress of legislation to prevent the manufacture of shoes in factories owned by the Federal Government; to the Committee on the Judiciary.

#### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DAVEY: A bill (H. R. 9098) granting a pension to Mamie Gilland; to the Committee on Pensions.

By Mr. DRANE: A bill (H. R. 9099) granting a pension to Almira Washburn; to the Committee on Invalid Pensions.

By Mr. FAUST: A bill (H. R. 9100) granting a pension to Orba A. White; to the Committee on Pensions.

By Mr. MANLOVE: A bill (H. R. 9101) granting a pension to Clarinda Holder; to the Committee on Invalid Pensions.

By Mr. MAPES: A bill (H. R. 9102) granting a pension to Carl A. Dickinson; to the Committee on Pensions.

Also, a bill (H. R. 9103) granting a pension to Archie McDonald; to the Committee on Pensions.

By Mr. NEWTON of Missouri: A bill (H. R. 9104) for the relief of Anna Osburg; to the Committee on Claims.

By Mr. SHERWOOD: A bill (H. R. 9105) granting a pension to Augusta C. Harris; to the Committee on Invalid Pensions.

By Mr. TINCHER: A bill (H. R. 9106) granting an increase of pension to Joseph Alton; to the Committee on Pensions.

By Mr. THOMPSON: A bill (H. R. 9107) granting a pension to Ella Wallace; to the Committee on Invalid Pensions.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

2684. By Mr. BARBOUR: Petition of Kern County (Calif.) Association of Graduate Nurses, urging the modification of the report of the Personnel Reclassification Board so that all regularly graduated nurses shall be classed as "professionals"; to the Committee on the Civil Service.

2685. By Mr. CONNOLLY of Pennsylvania: Papers in support of the bill (H. R. 1001) for the relief of Walter H. Smith; to the Committee on Claims.

2686. By Mr. DARROW: Petition of the Lumbermen's Exchange of Philadelphia, protesting against the present consideration of the Howell-Barkley railroad labor bill; to the Committee on Interstate and Foreign Commerce.

2687. Also, petition of the Philadelphia Wholesale Lumber Dealers' Association, protesting against the consideration of the Howell-Barkley railroad labor bill; to the Committee on Interstate and Foreign Commerce.

2688. Also, petition of the Philadelphia Board of Trade, opposing the enactment of Senate bill 2327, proposing to amend the interstate commerce act; to the Committee on Interstate and Foreign Commerce.

2689. By Mr. GALLIVAN: Petition of Michael H. Crowley, superintendent of police, Boston, Mass., recommending the establishment of a national police bureau in Washington, D. C.,

as provided for in H. R. 8580; to the Committee on the Judiciary.

2690. By Mr. GIFFORD: Petition of the board of directors of the Cape Cod Chamber of Commerce at Hyannis, Mass., urging the Government to obtain control of the Cape Cod Canal; to the Committee on the Merchant Marine and Fisheries.

2691. By Mr. GRIFFIN: Petition of the magazine called "Life," of New York City, granting to Congress a special award in its recent war contest for the best plan for the promotion of international ill will; to the Committee on Immigration and Naturalization.

2692. By Mr. VARE: Petition of the Board of Trade of Philadelphia, opposing the several so-called farm-relief bills before the House; to the Committee on Agriculture.

## SENATE

WEDNESDAY, May 7, 1924

(Legislative day of Monday, May 5, 1924)

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

### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks, announced that the House had passed a bill (H. R. 8839) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1925, and for other purposes, in which it requested the concurrence of the Senate.

### PETITIONS AND MEMORIALS

Mr. ROBINSON presented telegrams and a letter in the nature of petitions from J. E. W. Clark, department commander, Civil War Veterans, of Little Rock, Ark.; of Gaylord M. Saltzger, commander in chief, Grand Army of the Republic, of Washington, D. C.; of Albert D. Alcorn, national commander in chief, United Spanish War Veterans, of Washington, D. C.; and of Press Waggoner, of Johnstown, Pa., praying for the passage of the so-called Bursum pension bill over the veto of the President, which were referred to the Committee on Pensions.

Mr. NEELY presented the petition of Rev. S. K. Arbutnot, pastor, and the congregation of the First Methodist Episcopal Church, of Sutton, W. Va., praying that the United States participate in the Permanent Court of International Justice, which was referred to the Committee on Foreign Relations.

Mr. WILLIS presented resolutions adopted by the Jackson-Jefferson Club, of Ashland County, Ohio, protesting against the adoption of the so-called Mellon plan of tax reduction and favoring a substitute therefor in pending legislation, which were referred to the Committee on Finance.

Mr. CAPPER presented a petition of sundry citizens of St. John, Kans., praying an amendment to the Constitution regulating child labor, which was referred to the Committee on the Judiciary.

### FREIGHT RATES ON FARM PRODUCTS

Mr. SHEPPARD. I present a memorial of representatives of the American National Livestock Association, favoring the passage of the joint resolution (S. J. Res. 107) declaring agriculture to be the basic industry of the country, and for other purposes. I ask that it be referred to the Committee on Interstate Commerce and printed in the RECORD.

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

#### Memorial of the Livestock Producers

##### To the Senate of the United States:

The American National Livestock Association, Texas and Southwestern Cattle Raisers' Association, Arizona Cattle Growers' Association, Arizona Wool Growers' Association, California Cattlemen's Association, Corn Belt Meat Producers' Association, Idaho Cattle and Horse Growers' Association, Kansas Livestock Association, Montana Stock Growers' Association, Nebraska Stock Growers' Association, Nevada Land and Livestock Association, New Mexico Cattle and Horse Growers' Association, Oregon Cattle and Horse Raisers' Association, Utah Cattle and Horse Growers' Association, Wyoming Stock Growers' Association, Wyoming Woolgrowers' Association.

In behalf of the livestock producers of the of the western half of the United States present this memorial to the Senate of the United States urging the passage of the resolution reported by the Committee on Interstate Commerce (S. J. Res. 107) declaring agriculture to be a basic industry, and that the products thereof should be accorded the lowest possible freight rates that can be lawfully

made, and directing the Interstate Commerce Commission to speedily prescribe the lowest possible rates on agricultural products and livestock.

These petitioners would point to the fact that the value and amount received by the producer out of the price obtainable at the markets or elsewhere is so small that, in the case of cattle and hogs, it is not equal to the cost of production and anything like a substantial return for the labor, or interest on the capital employed by the producer, and under the standard of the transportation act the production of these animals—the meat supply of the country—can not survive and pay the enormously increased rates now prevailing.

The existing distress and threatened destructions of the once profitable stockraising industry and agriculture connected therewith demand that this resolution be enacted so as to untie the hands of the commission in order that the commission may, by the construction that Congress shall give to the act and the duty of the commission thereunder, make rates on these products commensurate with the ability of the producer to pay and live rather than to be bound by the general rule of the standard of the transportation act, which standard creates rates so unreasonable to the producer that these great industries, stockgrowing and agriculture, must bear an unjust and unreasonable burden, to their great detriment and even destruction.

While the commission is directed by the resolution, Senate Joint Resolution 107, to make the lowest possible rates that are lawful on the products, it must be borne in mind that under the decision of the United States Supreme Court in the Dayton-Goose Creek case, January 7, 1924, the commission fixing rates on particular commodities, like these named in the resolution, is not under the transportation act bound to give consideration to the standard return upon the value of the property of carrier, and it is entirely within the province of Congress to direct the commission as is done in the resolution.

We appeal to Congress to pass the resolution to afford the opportunity for relief to agriculture and livestock that will make rates reasonable for the producers and shippers to pay.

Respectfully submitted,

AMERICAN NATIONAL LIVESTOCK ASSOCIATION,  
FRED BIXBY, *President*.  
T. W. TOMLINSON, *Secretary*.  
S. H. COWAN, *General Counsel*.

WASHINGTON, D. C., May 7, 1924.

Mr. SHEPPARD. I ask the Senator from South Carolina [Mr. SMITH], who is the author of the joint resolution, what is its status at present?

Mr. SMITH. The joint resolution is on the calendar awaiting an opportunity to be considered. It has been on the calendar for some time, and I shall take advantage of the very first opportunity to bring it before the Senate.

#### SERGEANT ALVIN C. YORK

Mr. SHEPPARD. From the Committee on Military Affairs I report back favorably without amendment the bill (S. 412) authorizing the President of the United States to appoint Sergeant Alvin C. York as a captain in the United States Army and then place him on the retired list, and I submit a report (No. 506) thereon.

The PRESIDENT pro tempore. The bill will be placed on the calendar.

Mr. SHEPPARD. I ask that the report may be printed in the RECORD as a part of my remarks.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the report will be printed in the RECORD. The report this day submitted by Mr. SHEPPARD is as follows:

Your committee, to which was referred the bill (S. 412) authorizing the President of the United States to appoint Sergeant Alvin C. York as a captain in the United States Army and then place him on the retired list, begs leave to report to the Senate the bill without amendment with the recommendation that it do pass. The bill is as follows:

"Be it enacted, etc., That the President of the United States be, and he is hereby, authorized, by and with the advice and consent of the Senate, to appoint Sergeant Alvin C. York, late of Company G, Three hundred and twenty-eighth Infantry, United States Army, an officer with the rank of captain in the United States Army and then to place him on the retired list in that grade."

The Adjutant General in giving the record of Sergeant York, said:

WAR DEPARTMENT,  
THE ADJUTANT GENERAL'S OFFICE,  
Washington.

STATEMENT OF THE MILITARY SERVICE OF SERGEANT ALVIN C. YORK  
The records of this office show that Alvin C. York, S. N. 1910421, was inducted into the military service November 14, 1917, by the local board for Jamestown, Tenn., was assigned to the Twelfth Com-