

There are some letters of an Assistant Secretary of War or written by his direction, and other matters referred to, which we do not regard as seriously affecting the conclusion that the Executive has consistently acted on the determination that the United States had no substantial claim to the Isle of Pines under the treaty.

The only significant legislative action is found in the proviso of the act of March 2, 1901, the Army appropriation act (31 Stat. 895, ch. 803), commonly called the Platt amendment (897), which reads:

"Provided further, That in fulfillment of the declaration contained in the joint resolution approved April 20, 1898, entitled 'For the recognition of the independence of the people of Cuba, demanding that the Government of Spain relinquish its authority and government in the island of Cuba and to withdraw its land and naval forces from Cuba and Cuban waters, and directing the President of the United States to use the land and naval forces of the United States to carry these resolutions into effect,' the President is hereby authorized to 'leave the government and control of the island of Cuba to its people' so soon as a government shall have been established in said island under a constitution which, either as a part thereof or in an ordinance appended thereto, shall define the future relations of the United States with Cuba, substantially as follows:"

Then follows eight clauses, of which the sixth is:

"VI. That the Isle of Pines shall be omitted from the proposed constitutional boundaries of Cuba, the title thereto being left to future adjustment by treaty."

It appears that certain American citizens, asserting interests in the Isle of Pines, had contended that it belonged to the United States under the treaty, and the sixth clause of the Platt amendment, while not asserting an absolute claim of title on our part, gave opportunity for an examination of the question of ownership and its settlement through a treaty with Cuba. The Republic of Cuba has been governing the isle since May 20, 1902—the present situation need not be discussed—and has made various improvements in administration at the suggestion of our Government, but Congress has taken no action to the contrary of Cuba's title as superior to ours.

It may be conceded that the action of both the political departments has not been sufficiently definite to furnish a conclusive interpretation of the treaty of peace as an original question, and as yet no agreement has been reached under the Platt amendment. The Isle of Pines continues at least de facto under the jurisdiction of the Government of the Republic of Cuba, and that settles the question before us, because as the United States have never taken possession of the Isle of Pines as having been ceded by the treaty of peace, and as it has been and is being governed by the Republic of Cuba, it has remained "foreign country" within the meaning of the Dingley Act, according to the ruling in *De Lima v. Bidwell*, 182 United States 1, and cases cited; *United States v. Rice*, 4 Wheat. 246. There has been no change of nationality for revenue purposes, but, on the contrary, the Cuban Government has been recognized as rightfully exercising sovereignty over the Isle of Pines as a de facto government until otherwise provided. It must be treated as foreign, for this Government has never taken nor aimed to take that possession in fact and in law which is essential to render it domestic.

Judgment affirmed.

Mr. Justice McKenna concurred in the judgment.

Mr. Justice White and Mr. Justice Holmes concurred specially.

Mr. Justice Moody took no part.

Mr. Justice White, with whom was Mr. Justice Holmes, concurring.

My reasons for agreeing to the conclusion announced by the court are separately stated to prevent all implication of an expression of opinion on my part as to a subject which in my judgment the case does not require and which, as it is given me to see it, may not be made without a plain violation of my duty.

The question which the case raises, by way of a suit to recover duties paid on goods brought from the Isle of Pines is whether that island, by the treaty with Spain became a part of the United States or was simply left or made a part of the Island of Cuba, over which the sovereignty of Spain was relinquished.

I accept the doctrine which the opinion of the court announces, following *Jones v. United States* (137 U. S. 202), that "who is the sovereign de jure or de facto of a territory is not a judicial but a political question, the determination of which by the legislative and executive departments of any government conclusively binds the judges as well as other officers, citizens, and subjects of that government." That the legislative and executive departments have conclusively settled the present status of the Isle of Pines as de facto a part of Cuba and have left open for future determination the de jure claim, if any, of the United States to the island, as the court now declares, is to me beyond possible contention. Thus by the amendment to the act of 1891, which was enacted to determine the de facto position of the island and to furnish a rule for the guidance of the executive authority in dealing in the future with the island, it was expressly provided "that the Isle of Pines shall be omitted from the proposed constitutional boundaries of Cuba, the title thereto being left to future adjustment by treaty."

So, also, when the Island of Cuba was turned over to the Cuban Government by the military authority of the United States, that Gov-

ernment was expressly notified by such authority, under the direction of the President, that whilst the de facto position of the Isle of Pines as a part of Cuba was not disturbed it must be understood that its de jure relation was reserved for future determination by treaty between Cuba and the United States. And this notification and relation was in terms accepted by the President of the Republic of Cuba. If the opinion now announced stopped with these conclusive expressions I should of course have nothing to say. But it does not do so. Although declaring that the de facto position of the Isle of Pines as resulting from legislative and executive action is binding upon courts, and although referring to the conclusive settlement of that de facto status and the reservation by the legislative and executive departments of the determination of the de jure status for future action, the opinion asserts that it is open and proper for the court to express an opinion upon the de jure status; that is, to decide upon the effect of the treaty. In doing so it is declared that all the world knew that the Isle of Pines was an integral part of Cuba, this being but a prelude to an expression of opinion as to the rightful construction of the treaty. To my mind any and all expression of opinion concerning the effect of the treaty and the de jure relation of the Isle of Pines is wholly unnecessary and can not be indulged in without disregarding the very principle upon which the decision is placed; that is, the conclusive effect of executive and legislative action. In other words, to me it seems that the opinion, whilst recognizing the force of executive and legislative action, necessarily disregards it. This follows, because the views which are expressed on the subject of the meaning of the treaty amount substantially to declaring that the past action of the executive and legislative departments of the Government on the subject have been wrong, and that any future attempt by those departments to proceed upon the hypothesis that the de jure status of the island is unsettled will be a violation of the treaty as now unnecessarily interpreted.

Mr. Justice Holmes concurs.

CONFIRMATIONS

Executive nominations confirmed by the Senate January 21 (legislative day of January 20), 1925

AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY

Edgar A. Bancroft to be ambassador extraordinary and plenipotentiary to Japan.

UNITED STATES DISTRICT JUDGES

Charlton R. Beattie to be district judge of the eastern district of Louisiana.

Thomas D. Thacher to be district judge, southern district of New York.

COLLECTOR OF CUSTOMS

Charles N. Hildreth, jr., to be collector of customs for customs collection district No. 18.

INTERNAL REVENUE COLLECTOR

Peter H. Miller to be collector for the district of Florida.

POSTMASTERS

FLORIDA

Milton E. Clark, Pensacola.

ILLINOIS

Paul A. Witte, St. Peter.

MISSOURI

Dorsey F. Waggoner, Brownington.

Ray Streeter, Sturgeon.

Roy E. Dusenberry, Van Buren.

NEBRASKA

Willis L. Stebbins, Gothenburg.

OKLAHOMA

Thomas H. Starnes, Elmer.

PENNSYLVANIA

Fred Montgomery, Curtissville.

Paul J. Kessler, Gilberton.

HOUSE OF REPRESENTATIVES

WEDNESDAY, January 21, 1925

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:

O Thou whose all-searching eye is upon us, hear us for Thy mercy's sake. Continue to teach us that the performance of righteous duty is the upper way that leads to God. Impress us that he who fails wrongs his own happiness and weakens the privileges of his fellow men. Let Thy word of knowledge and Thy word of wisdom weave themselves in all hearts, and

may they serve as an inspiration to right living. O let Thy guardian care be over us this day to protect, to guide, and to nourish. By faith, by hope, and by love may we hold on to the best that is in the world, and thus promote mutual confidence among men. Amen.

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

CALENDAR WEDNESDAY

The SPEAKER. To-day is Calendar Wednesday. The Clerk will call the roll of committees.

The Clerk proceeded to call the roll of committees.

Mr. SNYDER (when the Committee on Indian Affairs was called). Mr. Speaker, I have several bills which have been favorably reported by the unanimous vote of the Committee on Indian Affairs, a quorum being present, and I ask unanimous consent that all of these bills be considered in the House as in Committee of the Whole.

The SPEAKER. Are they on the Union Calendar?

Mr. SNYDER. Yes.

The SPEAKER. The gentleman from New York asks unanimous consent that these bills be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

INDIANS OCCUPYING RAILROAD LANDS

Mr. SNYDER. Mr. Speaker, I call up the bill, S. 369.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (S. 369) to amend an act entitled "An act for the relief of Indians occupying railroad lands in Arizona, New Mexico, or California," approved March 4, 1913

Be it enacted, etc., That all of the provisions of an act entitled "An act for the relief of Indians occupying railroad lands in Arizona, New Mexico, or California," approved March 4, 1913, and amended by the act of April 11, 1916, and the act of June 30, 1919, be, and the same are hereby, extended to March 4, 1925: *Provided*, That the provisions of this act shall apply only in cases where it is shown that the lands were actually occupied in good faith by Indians prior to March 4, 1913, and the applicants are otherwise entitled to receive such tracts in allotment under existing law, but for the grant to the railroad company.

With a committee amendment, as follows:

Page 1, line 8, strike out "1925" and insert in lieu thereof "1927."

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

The amendment was agreed to.

The SPEAKER. The question is on the third reading of the bill.

The bill was ordered to be read a third time, was read the third time, and passed.

WITHDRAWAL OF CERTAIN LANDS IN NEVADA

Mr. SNYDER. Mr. Speaker, I call up the bill, H. R. 10025.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 10025) to provide for the permanent withdrawal of certain described lands in the State of Nevada for the use and benefit of the Indians of the Walker River Reservation

Be it enacted, etc., That the following-described lands situate in the State of Nevada, temporarily withdrawn from settlement, entry, sale, or other disposition until March 5, 1925, by presidential order dated June 27, 1924, for the use and benefit of the Indians of the Walker River Reservation, be, and they hereby are, permanently withdrawn for the purpose indicated in said order: *Provided*, That this withdrawal shall not affect any existing legal right of any person to any of the withdrawn lands: All of township 14 north, range 30 east, Mount Diablo meridian, west half of township 14 north, range 31 east, Mount Diablo meridian, west half of township 13 north, range 31 east, Mount Diablo meridian, west half of township 12 north, range 31 east, Mount Diablo meridian, east half of township 12 north, range 30 east, Mount Diablo meridian.

With a committee amendment as follows:

Page 2, after line 8, insert "*Provided*, That the foregoing reservation is hereby created subject to exploration, location, and entry under the existing mining laws of the United States."

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

Mr. CARTER. Mr. Speaker, this, as I understand it, is to continue a temporary withdrawal?

Mr. HAYDEN. The withdrawal was made under the law authorizing withdrawals.

Mr. CARTER. Is it to carry out the original intention when the lands were purchased?

Mr. HAYDEN. Yes, sir.

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

The amendment was agreed to.

Mr. HAYDEN. Mr. Speaker, the proviso offered by the committee is a proviso to the proviso, and there should be inserted, I think, the word "further," on page 2, after the word "Provided," on line 8.

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

There was no objection.

The SPEAKER. The question is on the engrossment and third reading of the bill.

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

EXCHANGE OF LANDS IN THE NAVAJO RESERVATION, ARIZ.

Mr. SNYDER. Mr. Speaker, I call up the bill H. R. 11361.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 11361) to provide for exchanges of Government and privately owned lands in the additions to the Navajo Indian Reservation, Ariz., by Executive orders of January 8, 1900, and November 14, 1901

Be it enacted, etc., That the Secretary of the Interior is hereby authorized, in his discretion, under rules and regulations to be prescribed by him, to accept reconveyances to the Government of privately owned and State school lands, and relinquishments of any valid filings under the homestead laws, or of other valid claims within the additions to the Navajo Indian Reservation, Ariz., by Executive orders of January 8, 1900, and November 14, 1901, and to permit lieu selections within the boundaries of the said reservation additions by those surrendering their rights, so that the lands retained for Indian purposes may be consolidated and held in a solid area so far as may be possible: *Provided*, That the title or claim of any person or company who refuses to reconvey to the Government shall not be hereby affected.

The SPEAKER. The question is on the engrossment and third reading of the bill.

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

BRIDGE ACROSS THE COLORADO RIVER, ARIZ.

Mr. SNYDER. Mr. Speaker, I call up the bill H. R. 4114.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 4114) authorizing the construction of a bridge across the Colorado River near Lee Ferry, Ariz.

Be it enacted, etc., That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, not to exceed the sum of \$100,000, to be expended under the direction of the Secretary of the Interior, for the construction of a bridge and approaches thereto across the Colorado River at a site about 6 miles below Lee Ferry, Ariz., to be available until expended, and to be reimbursable to the United States from any funds now or hereafter placed in the Treasury to the credit of the Indians of the Western Navajo Indian Reservation, Ariz., to remain a charge and lien upon the lands and funds of such Indians until paid: *Provided*, That no part of the appropriations herein authorized shall be expended until the Secretary of the Interior shall have obtained from the proper authorities of the State of Arizona satisfactory guarantees of the payment by said State of one-half of the cost of said bridge, and that the proper authorities of said State assume full responsibility for and will at all times maintain and repair said bridge and approaches thereto.

With the committee amendment as follows:

On page 2, line 1, strike out the word "Western," and on line 2, after the word "Reservation" strike out the word "Arizona," and in line 3 strike out the words "lands and."

The SPEAKER. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

Mr. BLANTON. Mr. Speaker, I want recognition for a moment or two. I want first to ask a question of the chairman of the Committee on Indian Affairs and then a question of the gentleman from Arizona [Mr. HAYDEN].

This committee, the Committee on Indian Affairs, is the only committee of the House that can report a bill to build a bridge in the United States that is wholly within a certain State. That is a fact, is it not?

Mr. SNYDER. That is the way I understand it.

Mr. BLANTON. Whereas in the case of a bridge between two States, a party seeking to build a bridge across it with private funds comes here and gets permission through the Committee on Interstate and Foreign Commerce. But the gentleman's committee brings in a bill here to build bridges that are not built with private funds. The question I wanted to ask him is, Is not this a bridge that is to be used by the general public?

Mr. SNYDER. The bridge is to be used by about 800 God-forsaken Indians.

Mr. BLANTON. And by how many white men?

Mr. SNYDER. Well, perhaps, an even number of white men; I hope so, anyway.

Mr. BLANTON. It is to be used by an even number of white men who live in Arizona and who pass that way, is not that true?

Mr. SNYDER. Yes.

Mr. CARTER. Has the gentleman from Texas ever been over the Navajo Reservation?

Mr. BLANTON. I am trying to find out something from the chairman of the committee and not from these Indian men. I know the Indian men are in favor of it.

Mr. CARTER. I think the chairman has been over the Navajo Reservation, and I think he will agree with me that outside of a few Government employees we did not meet many white people on that reservation.

Mr. BLANTON. I think the gentleman from New York can take care of himself without help from the distinguished gentleman from Oklahoma.

Mr. SNYDER. I would like to answer the gentleman in this way: This is a bridge that is thoroughly needed by both the Indians and white men.

Mr. BLANTON. By both the Indians and white men?

Mr. SNYDER. Yes.

Mr. BLANTON. That is the point I am coming to.

Mr. SNYDER. Will the gentleman let me answer him?

Mr. BLANTON. I want to ask some questions. The gentleman says this bridge is needed by both the white men and the Indians, and there are only 800 Indians involved. We are proposing to take the money out of the Treasury, let it be Indian money or public money, it does not make any difference, because all the Indian money was at one time public money, which came out of the general funds of the Treasury.

Mr. SNYDER. Of course, the gentleman overlooks one part in this measure, and that is that this money is reimbursable.

Mr. BLANTON. Oh, yes; I know that may be so.

Mr. SNYDER. The Indians undoubtedly within a short number of years, on account of the discovery of oil and minerals, will have sufficient money with which to reimburse the Government.

Mr. BLANTON. Suppose they do not discover oil and minerals?

Mr. SNYDER. They have already discovered them.

Mr. BLANTON. But suppose they do not discover any more?

Mr. SNYDER. If they do not discover any more, there is sufficient there now to reimburse the Government.

Mr. BLANTON. What I want to ask the distinguished gentleman from New York—because I follow him on many matters which involve just such subjects as these, as he is an active worker on these Indian matters—is this: Does he believe in the policy of the Government that every time 800 Indians and a lot of white men in a whole State want a bridge built that they may come to Congress and get the money?

Mr. SNYDER. But the gentleman overlooks the fact that the State pays one-half the value of the bridge and the Indians eventually will pay the other half.

Mr. BLANTON. Eventually may be so and eventually may be not. In the gentleman's State, when a bridge is built, the people do not pay just one-half, but all of it, and in the State of Oklahoma, where the distinguished gentleman, our friend, Mr. CARTER, lives, when the people want to build a bridge they pay not half, but they pay all. In the State of Arizona, usually, when the white men want to build a bridge, the people of Arizona pay for it, but in this case the people of Arizona are paying half of it and the Government pays the other half, and some day, maybe so, the Government will be reimbursed.

Mr. CARTER. Will the gentleman yield?

Mr. BLANTON. I do not want to take up any more time, but I will yield.

Mr. CARTER. Let me say this: That in Oklahoma we have treaties with the Indians defining how their funds shall be spent.

Mr. BLANTON. Yes; and if you can spend their funds for a bridge for the white men, all right.

Mr. CARTER. This bill could not apply in the State of Oklahoma, because it provides that the payment shall be reimbursable from tribal funds. You can not do that in the State of Oklahoma under the treaties we have with the Five Civilized Tribes.

Mr. BLANTON. Will the gentleman yield?

Mr. CARTER. Yes; but the gentleman has the floor.

Mr. BLANTON. I was through, and I was going to sit down. Does not the gentleman know this: That if he and I and the gentleman from Arizona [Mr. HAYDEN], our friend, whose bills we always like to pass, were to get in our cars to-day and go out in that neighborhood, we would like to have this bridge to cross when we got to that particular place, would we not?

Mr. CARTER. I have never crossed at this particular place, but I always like to have a bridge to cross upon.

Mr. HAYDEN. Will the gentleman from Texas yield?

Mr. BLANTON. Yes.

Mr. HAYDEN. Does the gentleman think it fair that the Federal Government, on behalf of the Indians, should reserve an area greater than the State of Maine, greater than the State of South Carolina, and greater than the State of West Virginia, over 22,000 square miles of land, not 1 acre of which can be taxed, containing oil, coal, and timber? Does he not believe that the Indians should not contribute their fair share toward building roads across their reservation and in building a bridge which they will use?

Mr. BLANTON. There is not any Democrat here who serves with the gentleman from Arizona who could answer any argument the gentleman from Arizona would make in behalf of one of his pet measures, and therefore I yield the floor, Mr. Speaker.

Mr. CARTER. Mr. Speaker, I would like to get a little information about this bill. I notice on page 2 that the bill, as introduced, provided that the amount authorized in this bill should remain a charge and lien upon the lands and funds of such Indians, to wit, the Navajo Indians, and I notice the words "lands and" are struck out, which leaves it applying only to the funds of the Navajos. The question is, what funds have the Navajos?

Mr. HAYDEN. The Navajos have in the Treasury of the United States at the present time nearly \$100,000, obtained through bonuses and rentals and royalties on oil discovered a year or so ago. The reason for striking out the words "lands and" was because it was brought to our attention by some of the eminent lawyers on our committee that there was no practical way of enforcing a lien against the lands of the Indians unless the lands were taken away from them, and Congress evidently does not intend to do that. In this instance the committee was satisfied that the security for the payment of this amount was ample because, as I stated a moment ago, oil of very high gravity has been discovered on the reservation and we are confident the oil development will be extended. There are billions of tons of coal in the Navajo country, and they have great timber resources. Whenever such resources are disposed of the money will be deposited in the Treasury and the United States will be reimbursed for this expenditure. The security being ample and there being no practical way of enforcing a lien on the land, the committee thought there was no necessity for including the words to which the gentleman from Oklahoma has referred in the bill.

Mr. CARTER. They have now less than \$100,000?

Mr. HAYDEN. Yes.

Mr. CARTER. But the amount from their royalty is increasing and accruing?

Mr. HAYDEN. The amount will increase if the development continues. There is another bill which we hope to pass to-day in reference to the production of oil and other minerals on Indian reservations.

Mr. CARTER. Have not a good many of the wells that have been drilled been found to be artesian wells rather than oil wells?

Mr. HAYDEN. That is the happiest part of the situation so far as the Navajo Indians are concerned. The Navajos hope that the oil driller will not find oil but an artesian well, because that means that they will have more water for their sheep and other livestock.

The SPEAKER. The question is on the engrossment and third reading of the bill.

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

ALIENATION OF LANDS OF KANSAS OR KAW INDIANS IN OKLAHOMA

Mr. SNYDER. Mr. Speaker, I call up the bill (H. R. 11359) to authorize the Secretary of the Interior to issue certificates of competency removing the restrictions against alienation on

the inherited lands of the Kansas or Kaw Indians in Oklahoma.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized, in his discretion, to issue certificates of competency removing the restrictions against alienation covering all or any part of the inherited lands of the Kansas or Kaw Indians in Oklahoma, upon the request therefor of the legal heirs to the estates of the deceased allottees: *Provided*, That these certificates shall be of the same form and legal effect as those issued to members of that tribe for their original homesteads and surplus land allotments, under section 10 of the act of Congress of July 1, 1902 (32 Stat. L. pp. 630-639).

The SPEAKER. The question is on the engrossment and third reading of the bill.

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

ADJUDICATION OF CLAIMS OF ASSINIBOINE INDIANS

Mr. SNYDER. Mr. Speaker, I call up the bill (H. R. 7687) conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and enter judgment in any claims which the Assiniboine Indians may have against the United States, and for other purposes.

The Clerk read the bill, as follows:

Be it enacted, etc., That jurisdiction be, and is hereby, conferred upon the Court of Claims, notwithstanding the lapse of time or statutes of limitation, to hear, examine, and adjudicate and render judgment in any and all legal and equitable claims arising under or growing out of any treaty or agreement between the United States and the Assiniboine Indian Nation or Tribe, or arising under or growing out of any act of Congress in relation to Indian affairs, which said Assiniboine Nation or Tribe may have against the United States, which claims have not heretofore been determined and adjudicated on their merits by the Court of Claims or the Supreme Court of the United States.

SEC. 2. Any and all claims against the United States within the purview of this act shall be forever barred unless suit be instituted or petition filed as herein provided in the Court of Claims within five years from the date of approval of this act, and such suit shall make the Assiniboine Nation or Tribe party plaintiff and the United States party defendant. The petition shall be verified by the attorney or attorneys employed to prosecute such claim or claims under contract with the Assiniboinies approved by the Commissioner of Indian Affairs and the Secretary of the Interior; and said contract shall be executed in their behalf by a committee chosen by them under the direction and approval of the Commissioner of Indian Affairs and the Secretary of the Interior. Official letters, papers, documents, and records, or certified copies thereof, may be used in evidence, and the departments of the Government shall give access to the attorney or attorneys of said Indian nation to such treaties, papers, correspondence, or records as may be needed by the attorney or attorneys of said Indian nation.

SEC. 3. In said suit the court shall also hear, examine, consider, and adjudicate any claims which the United States may have against said Indian nation, but any payment which may have been made by the United States upon any claim against the United States shall not operate as an estoppel, but may be pleaded as an offset in such suit.

SEC. 4. That from the decision of the Court of Claims in any suit prosecuted under the authority of this act, an appeal may be taken by either party, as in other cases, to the Supreme Court of the United States.

SEC. 5. That upon the final determination of any suit instituted under this act, the Court of Claims shall decree such amount or amounts as it may find reasonable to be paid the attorney or attorneys so employed by said Indian nation for the services and expenses of said attorneys rendered or incurred prior or subsequent to the date of approval of this act: *Provided*, That in no case shall the aggregate amounts decreed by said Court of Claims for fees be in excess of the amount or amounts stipulated in the contract of employment, or in excess of a sum equal to 10 per cent of the amount of recovery against the United States.

SEC. 6. The Court of Claims shall have full authority by proper orders and process to bring in and make parties to such suit any or all persons deemed by it necessary or proper to the final determination of the matters in controversy.

SEC. 7. A copy of the petition shall, in such case, be served upon the Attorney General of the United States, and he, or some attorney from the Department of Justice to be designated by him, is hereby directed to appear and defend the interests of the United States in such case.

With the following committee amendment:

Page 3, line 6, after the word "suit" insert "and the United States shall be allowed credit for any and all payments including gratuities made to or for the benefit of the Assiniboine Indians."

Page 3, strike out all of section 5 and insert the following:

"That upon final determination of any suit or suits instituted under this act the Court of Claims shall have authority to decree such amount or amounts as it may find reasonable to be paid the attorney or attorneys employed by the Indians as herein provided, which fee or fees shall not exceed 10 per cent of any recovery made, and in no case shall they amount in the aggregate to more than \$25,000, together with all necessary and proper expenses incurred in preparation and prosecution of the suit, and shall be paid out of the judgment."

Page 3, line 25, strike out the words "or all persons" and insert in lieu thereof "other tribe or band of Indians."

Mr. CARTER. Mr. Speaker, I would like to get the gentleman from New York [Mr. SNYDER] or the gentleman from Montana [Mr. LEAVITT], who introduced the bill, to explain to the House the nature of the claims that the Assiniboine Indians have and the amount of them.

Mr. SNYDER. They are just the regular claims that usually follow a straggling band of Indians. These lands have never been recognized as belonging to them and were never formally relinquished by treaty or agreement. The committee after giving this matter full consideration and discussing all of the merits of the case, as well as the rights of the Indians decided to report the bill, the Indians having made sufficient showing to have their claims referred to the Court of Claims. This bill is in the regular form and protects the interests of the Government in every way.

Mr. CARTER. Yes; I notice that the interests of the Government are properly protected, but what I am interested in is knowing just what the claims are.

Mr. SNYDER. The gentleman from Montana [Mr. LEAVITT] can explain the details.

Mr. LEAVITT. The lands the Assiniboinies are now occupying on the reservation are not in all respects the same lands that they claimed ownership of in the old tribal days before they went on the reservation. They believe they have some just claims against the Government in connection with some old treaties that have not as yet been adjudicated. The whole purpose of the bill is to allow them to present their case in the Court of Claims and have them determine what their rights are and what they should have.

Mr. CARTER. They have made treaties and they want an adjudication of the claims based on those treaties?

Mr. LEAVITT. Yes; that is the entire purpose of the bill.

The SPEAKER. The question is on the committee amendment.

The committee amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

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

WINNEBAGO INDIAN RESERVATION

Mr. SNYDER. Mr. Speaker, I call up the bill (H. R. 11358) to authorize the Secretary of the Interior to cancel restricted fee patents covering lands on the Winnebago Indian Reservation and to issue trust patents in lieu thereof, which I send to the desk and ask to have read.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized, in his discretion, to cancel any restricted fee patents that have been issued to Indians of the Winnebago Reservation in Nebraska, under the provisions of the act of Congress of February 21, 1863 (12 Stat. L. p. 658), and to issue in lieu thereof, to the original allottees, or heirs, trust patents of the form and subject to all the provisions set out in the general allotment act of February 8, 1887 (24 Stat. L. p. 388), as amended: *Provided*, That the trust period shall be 10 years from the date of issuance of the lieu trust patents.

The SPEAKER. The question is on the engrossment and third reading of the bill.

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

DISPOSITION OF RENTALS, ETC., FROM UNALLOTTED INDIAN LANDS

Mr. SNYDER. Mr. Speaker, I call up the bill (S. 876) to provide for the disposition of bonuses, rentals, and royalties received under the provisions of the act of Congress entitled "An act to promote the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain," approved February 25, 1920, from unallotted lands in Executive order In-

plan reservations, and for other purposes, which I send to the desk and ask to have read.

The Clerk read as follows:

Be it enacted, etc., That all moneys received under the provisions of the act of Congress approved February 25, 1920 (41 Stat. L. 437), entitled "An act to promote the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain," from bonuses, rentals, and royalties in connection with unallotted lands in Indian reservations not affected by the proviso to section 3 of the act of Congress approved February 28, 1891 (26 Stat. L. 795), shall be deposited in the Treasury of the United States to the credit of the particular tribe of Indians for whose benefit the reservation was created and shall draw interest at the rate of 4 per cent per annum. Such moneys shall be available for appropriation by Congress for the expense of administration and for the use and benefit of such Indians.

With the following committee amendment:

Page 2, after line 9, insert:

"That the provisions of said act, approved February 25, 1920, shall apply to unallotted lands within Indian reservations except that such lands may only be leased and patents shall not be issued for the same.

"That the production of minerals on said lands may be taxed by the State wherein the same are produced in all respects the same as minerals produced on privately owned lands, and the Secretary of the Interior is hereby authorized and directed to cause to be paid from out of the tribal funds in the Treasury the tax so assessed: *Provided*, That such tax shall not become a lien or charge of any kind or character against the land or other property of such Indians.

"SEC. 2. That there is hereby authorized an appropriation of \$15,000 from the money on deposit in the Treasury to the credit of the Navajo Tribe of Indians derived from bonuses on oil and gas leases, and from oil and gas royalties for expenditure, in the discretion of the Secretary of the Interior, for necessary expenses in connection with the supervision of the development and operation of the oil and gas industry on the Navajo Indian Reservation in Arizona and New Mexico."

The SPEAKER. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

Mr. CARTER. Mr. Speaker, I offer the following amendment, to follow the committee amendment which has just been adopted. Strike out the period and insert:

Provided, That the provisions of this act shall not apply to the Five Civilized Tribes in Oklahoma.

I do not think that this does, and the gentleman from Oklahoma [Mr. HASTINGS] assures me that in his opinion as a lawyer it does not; but out of an abundance of caution, and in view of the fact that this in the future may be passed on somewhat in the course of the proceedings of the House by men who are not lawyers, I think it better to have that amendment adopted.

Mr. HAYDEN. Mr. Speaker, I think the gentleman should offer it as a third section to the bill rather than as a proviso to section 2, which is merely the authorization of an appropriation.

Mr. CARTER. I have no objection to that.

The SPEAKER. The gentleman from Oklahoma offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. CARTER: Page 3, after line 6, insert:

"SEC. 3. That the provisions of this act shall not apply to the Five Civilized Tribes in Oklahoma."

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

Mr. CARTER. Yes.

Mr. HASTINGS. Mr. Speaker, I have no objection to the amendment, but as my colleague has already stated, I do not think it is necessary. In the first place, this act is an amendment of the act of February 25, 1920. That act does not, of course, refer to the Five Civilized Tribes, and hence this amendment could not possibly refer to them. Then, attention being invited to lines 5, 6, and 7, page 1, it will be noted that the title of the act of February 25, 1920, is "An act to promote the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain." No lands of the Five Civilized Tribes are public domain, and therefore it could not apply to them.

Mr. CARTER. But the provisions of this act also apply to Indian lands outside of the public domain, and their lands are Indian lands.

Mr. HASTINGS. Those were created by Executive order.

Mr. CARTER. Mr. Speaker, the fact about it is this: There are provisions of this act which will be passed on by the comptroller without any court decision. Other decisions may

be made by a Chairman of the Committee of the Whole or by the Speaker of this House, which are not judicial determinations. In view of that fact I think we had better be safe about it and proceed on safe grounds. The amendment will do no harm. The gentleman from New York does not intend to include the Five Civilized Tribes.

Mr. SNYDER. Mr. Speaker, there is no objection to the amendment on the part of any member of the committee so far as I know. There was no intention to include the Five Civilized Tribes when the bill was drawn. As far as I am concerned as chairman of the committee, the amendment is agreeable to me.

Mr. HASTINGS. Mr. Speaker, I simply want to reemphasize the fact that I have no objection to the amendment, although I feel that I ought to state that I do not believe it necessary.

Mr. CARTER. Perhaps the gentleman may be right, but I think we better be safe.

Mr. HOWARD of Oklahoma. I think this amendment is a perfectly proper one and might estop future litigation.

The SPEAKER. The question is on agreeing to the amendment offered by the gentleman from Oklahoma.

The amendment was agreed to.

The SPEAKER. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read the third time, and passed.

USE OF TRIBAL FUNDS TO REPAIR AGENCY BUILDINGS

Mr. SNYDER. Mr. Speaker, I call up the bill (H. R. 7888) to provide for expenditures of tribal funds of Indians, for construction, repair, and rental of agency buildings, and related purposes, which I send to the desk and ask to have read.

The Clerk read the bill, as follows:

Be it enacted, etc., That any tribal funds or Indian moneys, which are now or may hereafter be authorized by law for expenditure for support and civilization of Indians shall, in the discretion of the Secretary of the Interior, be available also for construction, repair, and rental of agency buildings, including heating, lighting, power, water, and sewer systems in connection therewith.

The SPEAKER. The question is on the engrossment and third reading of the bill.

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

ALLOTMENTS OF LANDS TO INDIANS OF THE MENOMINEE RESERVATION, WIS.

Mr. SNYDER. Mr. Speaker, I call up the bill H. R. 6869.

The SPEAKER. The gentleman from New York calls up a bill, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 6869) to authorize allotments of lands to Indians of the Menominee Reservation in Wisconsin, and for other purposes

Be it enacted, etc., That the Secretary of the Interior is hereby authorized, under such rules and regulations as he may prescribe, to allot on the Menominee Reservation, Wis., 80 acres of land to each Indian entitled to allotment thereon, living on the date of this act, or who may be born prior to the completion of the allotment work hereunder: *Provided*, That the patents to be issued hereunder shall be of the legal effect and declare that the United States does and will hold the land thus allotted for the period of 25 years in trust for the sole use and benefit of the Indians to whom such allotment shall be made, or, in case of his decease, of his heirs, according to the laws of the State of Wisconsin, and that at the expiration of said period the United States will convey the same by patent to said Indian, or his heirs as aforesaid, in fee, discharged of said trust, and free of all charge or incumbrance whatsoever (except as hereinafter provided): *Provided further*, That the President of the United States may in his discretion extend the period: *And provided further*, That the patents herein authorized, both trust and fee, shall contain a clause reserving to the United States the right to cut and market the merchandise timber on the lands embraced in any such patent in the manner now provided by law for the sale of timber on the Menominee Reservation, and the proceeds received therefrom shall be deposited and used for the benefit of the Menominee Indians as the Secretary of the Interior may direct: *And provided further*, That when the merchantable timber has been cut from the land so allotted the title to any timber remaining on said allotments shall thereupon pass to the respective allottees.

SEC. 2. That the Secretary of the Interior may, in his discretion, reserve from allotment lands chiefly valuable for the timber thereon, or that may, in his opinion, be needed for reforestation.

SEC. 3. That all minerals, oil, and gas are reserved during the period of trust as the common property of the tribe; and no lands

valuable for power-site or reservoir purposes shall be subject to allotment.

SEC. 4. That the Secretary of the Interior may reserve such lands as may be deemed necessary for agency and school purposes; and, with the consent of the Indians, nontimbered land not exceeding 10 acres in any one tract for religious purposes; all to remain so reserved so long as used for the purposes indicated: *Provided*, That the Secretary of the Interior is hereby authorized to issue a patent in fee simple to the duly authorized missionary board or other proper authority of any religious organization engaged in mission or school work on the Menominee Reservation for such lands not within any town site herein provided for as have been heretofore set apart to and are now being used and occupied by such organization for mission or school purposes.

SEC. 5. That the Secretary of the Interior is authorized to set aside and reserve for town-site purposes such lands as may be needed for the future public interests, to cause necessary surveys thereof to be made, and to dispose of the lands therein at such time and under such rules and regulations as he may deem proper: *Provided*, That any lands disposed of hereunder shall be subject to all the laws of the United States prohibiting the introduction of intoxicants into the Indian country until otherwise provided by Congress.

SEC. 6. That \$10,000 or so much thereof as may be necessary of any tribal money now on deposit in the Treasury of the United States to the credit of the Menominee Indians is hereby appropriated to carry out the provisions of this act.

SEC. 7. That so much as may be necessary of the tribal funds of the Menominee Indians of Wisconsin arising under the act of March 28, 1908 (35 Stat. L. p. 51), is hereby appropriated to enable the Secretary of the Interior to make therefrom a per capita payment or distribution of not to exceed \$500 to such Indians who receive allotments under authority of this act, under such rules and regulations as he may prescribe.

The committee amendments were read, as follows:

Page 2, line 18, strike out the word "merchandise" and insert the word "merchantable."

Page 2, line 16, after the word "reservation," strike out "and the proceeds received therefrom shall be deposited and used for the benefit of the Menominee Indians as the Secretary of the Interior may direct."

Page 4, line 7, after the word "hereby," insert the words "authorized to be."

Page 4, line 14, strike out the word "such."

Page 4, line 15, after the word "act," insert "to be paid or expended for their benefit."

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.

ADJUDICATION OF CLAIMS OF THE CHIPPEWA INDIANS OF MINNESOTA

Mr. SNYDER. Mr. Speaker, I call up the bill H. R. 9343.

The SPEAKER. The gentleman from New York calls up the bill, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 9343) authorizing the Chippewa Indians of Minnesota to submit claims to the Court of Claims

Be it enacted, etc., That jurisdiction is hereby conferred upon the Court of Claims, with right of appeal to the Supreme Court of the United States by either party, to consider and render judgment in any and all claims, both legal and equitable, not heretofore adjudicated by the Court of Claims, which the Chippewa Tribe of Indians of Minnesota, or any band or bands thereof, may allege against the United States under any treaty, agreement, or act of Congress relating to Indian affairs.

SEC. 2. If any suit or suits are filed under the provisions of this act, the court shall determine and settle the rights therein, both legal and equitable, of all parties thereto, notwithstanding lapse of time or statutes of limitation. The court shall consider the claims, if any, asserted by any band or bands of the said tribe, a party to such suit, against any other band or bands thereof arising under any treaty, agreement, or act of Congress relating to the affairs of the Chippewa Indians of Minnesota, and shall render judgment therein and settle the rights of the parties in interest as the law and the facts shall require. In any suit or action brought hereunder the United States shall be allowed credit for all moneys, including gratuities, paid by the Government to or expended for the benefit of the Indians party to any such suit or suits.

SEC. 3. The claim or claims of the said tribe of Indians and the various bands thereof to be adjudicated hereunder may be filed jointly or separately, suit to be filed within five years from the date of the approval of this act; and any band or bands of the Chippewa Tribe of Indians of Minnesota deemed necessary to a final determination of any suit or action shall be joined therein as the court may order. Such suit or

suits shall be commenced by petition, subject, however, to amendment, to be filed in the Court of Claims by the attorney or attorneys employed as herein provided; and such petition or petitions shall be verified by the attorney or attorneys employed on behalf of the said Indians and shall make the tribe or band or bands on whose behalf the action is brought party plaintiff, and the United States shall be the party defendant. Such petition shall set forth all the facts on which the claims for recovery are based and shall be signed by the attorney or attorneys for the Indians, and no other verification than as above stated shall be necessary. Official papers, letters, documents, and public records, or certified copies thereof, may be used in evidence; and the departments of the Government shall give access to the attorney or attorneys employed in any suit or action instituted to any such treaties, papers, correspondence, or records that may be needed in such suit or suits by such attorney or attorneys.

SEC. 4. The attorney or attorneys selected to prosecute the claims of the Indians in any suit, cause, or action hereunder shall be employed under contract to be executed and approved in accordance with existing law: *Provided*, That if the Indians fail within a reasonable time to agree in the selection of suitable counsel in any case, the Secretary of the Interior shall select a proper attorney or attorneys for the tribe or bands in interest: *Provided further*, That no attorney or firm of attorneys shall be allowed more than one contract hereunder.

The fees to be paid the attorneys shall be stated in such contracts, but in no event shall the fee in any one contract exceed the sum of \$5,000 per annum, and shall be paid from the tribal funds of the Chippewa Tribe of Indians of Minnesota, and the Secretary of the Interior is hereby authorized to pay the fees of attorneys so employed out of the tribal funds on deposit in the Treasury of the United States to the credit of the said Indians of Minnesota. In addition to the fees herein provided for the attorneys having an approved contract in any suit hereunder shall be allowed such reasonable and necessary expenses incident to prosecuting the suit as may be provided for in their contract; such expenses to be paid also from the tribal funds of the Chippewa Indians of Minnesota: *Provided*, That before payment such expenses shall be itemized and verified by the attorney or attorneys and submitted upon vouchers approved by the Court of Claims.

SEC. 5. Any moneys found due the Chippewa Tribe of Indians of Minnesota, or any band or bands thereof, under judgment rendered in any suit, cause, or action instituted under the provisions of this act shall be deposited in the Treasury of the United States to the credit of the Indians entitled thereto, where it shall draw interest at the rate of 5 per cent per annum.

The committee amendment was read, as follows:

Page 3, after the word "verification," insert "than as above stated."

The amendment was agreed to.

The SPEAKER. The question is on the third reading of the bill.

Mr. BLANTON. Mr. Speaker, I ask recognition on the bill. I want to ask the gentleman a question about the change in policy that is shown in this bill. This bill provides that where the Chippewa Indians themselves can not agree upon an attorney that the Secretary of the Interior shall appoint one. Why should not the Indian Commissioner appoint him?

Mr. SNYDER. The reason for that is that the Indian Commissioner has tried on several occasions to get the Indians to agree and has not been able to accomplish it.

Mr. BLANTON. Why should we take the appointing power he now has away from him and give it to the Secretary of the Interior, who ought not to be chargeable with these little affairs of appointing attorneys for the Indians?

Mr. SNYDER. That is a matter they agree upon themselves.

Mr. BLANTON. I was wondering—does the author of the bill want to take this power away from the Indian Commissioner? I was wondering whether this situation brought about such a bill. The gentleman has been conducting a hearing here.

Mr. SNYDER. For nearly 10 years.

Mr. BLANTON. But the gentleman has been conducting a more recent and particular hearing here with respect to charges against the Indian Commissioner. I do not know whether there is any ground for any charges or not. I am not concerned about that because the gentlemen of the committee can take care of it, but I happen to know this since I have been here. In every other controversy the Indian Commissioner has the power to appoint an attorney, and the Indian Commissioner ought to have that power. He is charged with the exercise of performing all the duties of the bureau with respect to Indians. He ought to be prepared and qualified to appoint a proper attorney for them. I was wondering whether the evidence that has been before the gentleman's committee showing where attorneys have been appointed at high salaries from time to time, and that one particular attorney named

Mott has been interested many times in the fees which have been paid, has had anything to do with taking this appointive power away from the Commissioner of Indian Affairs?

Mr. SNYDER. Will the gentleman permit me to answer?

Mr. BLANTON. Certainly.

Mr. SNYDER. This matter was presented on May 29, 1924, and the charges against the Indian Commissioner were made about the 18th or 20th of November.

Mr. BLANTON. The gentleman understands I am not saying either yea or nay about those charges?

Mr. SNYDER. I want to show the suspicion the gentleman has—

Mr. BLANTON. So far as I am concerned I have every confidence in the Commissioner of Indian Affairs, until evidence in full hearings shakes it, and I am jealous of his being allowed to perform his duties under the organic law which created his bureau and of not depriving him of his rights.

Mr. SNYDER. I am trying to tell the gentleman that the effect of those charges had nothing to do with selecting the Secretary of the Interior to appoint this attorney for Indians in the event they could not agree among themselves.

Mr. BLANTON. I am not going to delay the passing of these 16 bills, which the gentleman's committee has prepared to pass—one every two or three minutes—but I want to make this suggestion to the gentleman: The Congress, in its wisdom, and it was wise, saw fit to appoint one executive officer of this Government, whom we call the Comptroller General. We tried to make him just as immune from political influence as was possible by words to frame the law. We gave him power to pass upon the disposition of money by every department of the Government. We made him amenable only to the Congress itself, and not to the President or any other power except to the power of the Congress, because we wanted him to do his duty unbiased and uninfluenced by politics.

The Comptroller General passes upon the improper payments of money by any department, as to whether they are in accordance with the law or not. I want to call the attention of the gentleman from New York [Mr. SNYDER] and the attention of the House to this: Various departments from time to time have been stopped in the payment of money through their disbursing officers by orders of the Comptroller General, who says they have not been complying with the law, and these departments have been coming to Congress from time to time lately, having us pass bills, this bill and that bill, to clip the wings of the Comptroller General and stop him in the performance of his duty. They have succeeded in passing bill after bill in Congress when the Congress did not understand the purpose of them, which has been to stop the Comptroller General in the performance of his duty. We passed a bill yesterday when the Members did not understand it; a bill specially prepared by the heads of departments for the purpose of infringing on the power of the Comptroller General. The time is coming when, if we are to get the advantage of the splendid work that General McCarl is now doing, thereby saving this Government hundreds of millions of dollars that have been paid out improperly, we shall have to stop enacting such bills. I have checked up the items in my office, showing a tremendous amount of money in the aggregate that he has caused to be paid back to the Treasury of the United States. But the bill that we passed yesterday will, if it becomes a law, do more to stop him in the proper performance of his duty than anything else that Congress has passed for years.

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

Mr. BLANTON. Mr. Speaker, I understood I was recognized for an hour, although I was about through.

The SPEAKER. The gentleman is mistaken.

Mr. BLANTON. I just want one minute more.

Mr. SNYDER. Mr. Speaker, I yield to the gentleman one minute more.

Mr. BLANTON. The time will come when every Member of Congress who is watchful over the expenditure of money and whom in accordance with law is going to come in here and ask for the repeal of these various measures and demand that we uphold the Comptroller General. Mr. Secretary Denby on one occasion told the Comptroller General to "go to." You can not stop these money-spending administrative officers ordinarily, but the Secretary of the Navy eventually found out that General McCarl had been given extreme power by Congress, even to pass upon his office. I hope the membership of this House will watch that point and that we will sustain the action and purpose of Congress in creating his office an independent one, and protect Comptroller General McCarl in his rulings.

The SPEAKER. The question is on the engrossment and third reading of the bill.

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

WITHDRAWAL OF LANDS IN NEW MEXICO FOR THE BENEFIT OF THE NAVAJO INDIANS

Mr. SNYDER. Mr. Speaker, I call up the bill H. R. 11360.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 11360) to provide for the permanent withdrawal of a certain 40-acre tract of public land in New Mexico for the use and benefit of the Navajo Indians.

Be it enacted, etc., That the following-described tract in the State of New Mexico, temporarily withdrawn from settlement, entry, sale, or other disposition until March 5, 1927, by presidential order dated October 24, 1924, in aid of proposed legislation, be, and it hereby is, permanently withdrawn for the use and benefit of Navajo Indians residing in that immediate vicinity: Southeast quarter southeast quarter, section 8, township 11 north, range 3 west, New Mexico principal meridian, New Mexico.

The SPEAKER. The question is on the engrossment and third reading of the bill.

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

TIMBER OPERATIONS ON THE MENOMINEE RESERVATION, WIS.

Mr. SNYDER. Mr. Speaker, I call up the bill S. 3036.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (S. 3036) to amend the law relating to timber operations on the Menominee Reservation in Wisconsin.

Be it enacted, etc., That section 2 of the act approved March 28, 1908 (35 Stat. L. p. 51), entitled "An act to authorize the cutting of timber, the manufacture and sale of lumber, and the preservation of the forests on the Menominee Indian Reservation in the State of Wisconsin," be, and is hereby, amended to authorize the making of contracts with white men for any work connected with the logging and milling operations on the said reservation, to authorize the employment of white men by Indian contractors, and to exempt from the requirements of sections 3709 and 3744 of the Revised Statutes all contracts for labor or supplies necessary for the carrying on of such operations.

The SPEAKER. The question is on the third reading of the bill.

The bill was ordered to be read a third time, was read the third time, and passed.

Mr. SNYDER. Mr. Speaker, I call up the bill H. R. 8356 for the purpose of asking that it be laid on the table on account of the fact that it is a duplicate of a bill which has been passed.

The SPEAKER. The gentleman from New York asks unanimous consent to lay on the table the bill H. R. 8356, being a duplicate of a Senate bill just passed. Is there objection?

There was no objection.

The SPEAKER. Without objection, the following other bills will be laid on the table, similar Senate bills having been passed: The bills H. R. 9178, H. R. 6426, and H. R. 2574.

There was no objection.

BRIDGE ACROSS THE SAN JUAN RIVER

Mr. SNYDER. Mr. Speaker, I call up the bill S. 1665.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (S. 1665) to provide for the payment of one-half the cost of the construction of a bridge across the San Juan River, N. Mex.

Be it enacted, etc., That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$6,620, or so much thereof as may be necessary, to defray one-half the cost of a bridge across the San Juan River near Bloomfield, N. Mex., under rules and regulations to be prescribed by the Secretary of the Interior, who shall also approve the plans and specifications for said bridge: *Provided*, That the State of New Mexico or the county of San Juan shall contribute the remainder of the cost of said bridge, the obligation of the Government hereunder to be limited to the above sum, but in no event to exceed one-half the cost of the bridge.

With committee amendments, as follows:

Line 3, after the word "hereby," insert the words "authorized to be," and on line 10 insert "and to be reimbursable to the United States from any funds now or hereafter placed in the Treasury to the credit of the Navajo Indians, to remain a charge and lien upon the funds of such Indians until paid."

The SPEAKER. The question is on agreeing to the committee amendments.

The amendments of the committee were agreed to,

THE SPEAKER. The question is on the third reading of the bill.

The bill was ordered to be read a third time, was read the third time, and passed.

PURCHASE OF LOTS IN CEDAR CITY, UTAH, FOR THE BENEFIT OF PIUTE INDIANS

MR. SNYDER. Mr. Speaker, I call up the bill H. R. 11362.

THE SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 11362) to authorize an appropriation for the purchase of certain lots in the town of Cedar City, Utah, for the use and benefit of a small band of Piute Indians located thereon

Be it enacted, etc., That the sum of \$1,275 is hereby authorized to be appropriated, out of any moneys in the United States Treasury not otherwise appropriated, to enable the Secretary of the Interior to purchase nine lots or parts of lots in the town of Cedar City, Utah, for the use and occupancy of a small band of Piute Indians now residing thereon: *Provided*, That the title to said lots is to be held in the United States for the benefit of said Indians.

THE SPEAKER. The question is on the engrossment and third reading of the bill.

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

ORDER OF BUSINESS

MR. SNYDER. Mr. Speaker, that is the last of the bills which the committee has for presentation here to-day from the Union Calendar. But the gentleman from Arizona [Mr. HAYDEN] desires to submit a unanimous-consent request, to which I am perfectly willing to agree, if the House will permit us. This is due to the fact that we have used so little time on account of the courtesy extended by the membership of this House to this committee.

MR. HAYDEN. Mr. Speaker, I ask unanimous consent for the present consideration of three Senate bills on the Private Calendar.

THE SPEAKER. The Chair does not think the rules of the House will permit the Chair to recognize the gentleman for that purpose. It would be a violation of the rules.

MR. BEGG. Mr. Speaker, a parliamentary inquiry.

THE SPEAKER. The gentleman will state it.

MR. BEGG. The gentleman can not make the request unless the bills are on the calendar that we are operating on to-day.

MR. HAYDEN. Anything can be done by unanimous consent.

THE SPEAKER. The Chair does not think he is authorized to entertain the request.

Does that complete the business of the Committee on Indian Affairs?

MR. SNYDER. Yes.

THE SPEAKER. The Clerk will call the roll of committees. The Clerk called the Committee on the Territories.

THE SPEAKER. The Chair was informed that the Committee on the Territories had business for the consideration of the House.

MR. BEGG. Mr. Speaker, the representative of the Committee on the Territories will be here with two bills in just a minute. We telephoned to him a minute ago.

PROPOSED RENTAL LEGISLATION FOR THE DISTRICT OF COLUMBIA

MR. LAGUARDIA. Mr. Speaker, I ask unanimous consent to address the House for five minutes out of order.

THE SPEAKER. The gentleman from New York asks unanimous consent to address the House for five minutes out of order. Is there objection?

There was no objection.

MR. LAGUARDIA. Mr. Speaker and gentlemen, this is an opportunity I have long sought. It is very rare that a Member gets a chance to break in edgewise, as was presented to me just a few seconds ago and, indeed, I welcome this opportunity.

During the last session, when certain bills were before the House, the test of regularity was applied to Members of the majority party and some of us who differed with the party were branded as irregulars.

MR. LINEBERGER. Will the gentleman yield?

MR. LAGUARDIA. Not just now. I have only five minutes but I will yield in a moment. Now, gentlemen, before long an important measure will be before this House, a measure of national interest although applying only to the District of Columbia.

President Coolidge has taken a courageous stand and has made specific recommendations in his letter sending a proposed draft of the so-called rent bill to Congress. This rent bill, which is the result of seven years' experience in emergency rent laws in the various States of the Union to regulate the

housing situation, is up to date, is in keeping with existing conditions and has the necessary teeth in it to make even a landlord obey the law. Why, gentlemen, in some of the States emergency rent laws have been construed by the courts, and so distorted that instead of protecting the tenants they are guaranteeing an income on an investment to speculative owners of property.

MR. CHINDBLOM. Will the gentleman yield?

MR. LAGUARDIA. I will in just a moment. As I read my mail I find numerous protests coming from real estate associations and landlords from all over the country. As I read the comments in the press I find that the same crowd of landlords in New York City and in other large centers, who have defied the legislatures of their States and who have sought to control the courts, are now lining up against the President's rent law which affects only the District of Columbia.

I want to say that the same test of regularity which was applied to us with regard to the Mellon tax bill should apply to the majority Members of the House in standing back of President Coolidge on this great issue. [Applause.]

MR. CHINDBLOM. Will the gentleman yield now?

MR. LAGUARDIA. In just a moment. The fight now, gentlemen, is between President Coolidge and organized landlords. You will remember that the distinguished gentleman from Illinois in his last appeal to the House with respect to the Mellon plan, in explaining his amendment, cried: "Vote the Republican ticket." So, now, the few of us who are outcasts and branded as irregulars are saying to you that we are going to stand by the President. Are you going to stand by him on the rent bill? I now yield to the gentleman from Illinois.

MR. CHINDBLOM. First, I want to ask the gentleman whether he believes he is altogether reliably informed when he says the President has made this the *sine qua non* for the solution of this problem?

MR. LAGUARDIA. The President's letter was short and concise. He says, "I submit here a rent law which is necessary for the proper functioning of the Government and the country." Oh, the President was well advised. It might have taken him a long time to get it, but he has got it right, and I am going to stand by him when he is right. [Applause.]

MR. CHINDBLOM. I will say to the gentleman that I do not believe the President takes the position that this is the only solution. Secondly, I will ask the gentleman whether he thinks that upon a local District matter of this sort he can establish regularity as against matters of national importance?

MR. LAGUARDIA. Oh, I see now that the gentleman is finding a way of escape.

MR. CHINDBLOM. No; I mean as for himself. The gentleman is establishing his own regularity by this local bill.

MR. KNUTSON. Will the gentleman yield?

MR. LAGUARDIA. Yes.

MR. KNUTSON. Is not the gentleman's main concern in providing housing for the minority of the minority in this House?

MR. LAGUARDIA. We are asking no quarter. My concern is in establishing a national law for the District of Columbia so perfect, so complete, and so constructive that it may be the model for other States, and I do not hesitate to say so.

THE SPEAKER. The time of the gentleman from New York has expired.

THE CONSENT CALENDAR

MR. BEGG. Mr. Speaker, I desire to present a unanimous-consent request. Before doing so I want to say that we have run into an unexpected condition, due to the speed with which the gentleman from New York has gotten through with his calendar. The request I desire to submit is that we be permitted to begin where we left off on Monday on the Consent Calendar before taking up the bridge bills. There are a great many important bills on that calendar, and it is absolutely essential that the calendar be gone through. Rather than adjourn at 1:15, we can do some profitable work by beginning there and taking up that calendar. Mr. Speaker, I make that unanimous-consent request.

THE SPEAKER. The gentleman from Ohio asks unanimous consent that the Consent Calendar be taken up where we ended on Monday before taking up the bridge bills. Is there objection?

MR. CHINDBLOM. Mr. Speaker, I shall not object to the request, but I want to say to the gentleman from Ohio that, in view of the fact that the House has been without notice and a great many Members are absent, in case nobody else does it, I shall raise the point of no quorum.

Mr. BLANTON. Mr. Speaker, I ask the gentleman from Ohio to be fair enough to withhold his request and permit me to ask the House to kindly give me five minutes out of order in which to reply to the gentleman from New York [Mr. LAGUARDIA]. I make that unanimous-consent request.

Mr. BEGG. Let us dispose of the unanimous-consent request I have made, with the understanding that the gentleman have five minutes in which to speak out of order.

Mr. KNUTSON. Mr. Speaker, I have some bills on the Consent Calendar, and for the time being I shall object.

Mr. BLANTON. Mr. Speaker, I ask unanimous consent to proceed for five minutes out of order.

Mr. KNUTSON. I shall not object to the gentleman's request.

The SPEAKER. The other request is the one that is pending.

Mr. KNUTSON. I will withdraw it for the time being.

Mr. DOWELL. Mr. Speaker, reserving the right to object, I desire to ask the exact meaning of this request. As I understand it, on Monday the calendar was called on bridge bills, and we went almost through the calendar.

The SPEAKER. The Chair understands the request to be that we take up the bills on the calendar where we left off before taking up the bridge bills.

Mr. BEGG. Yes; that is the request.

Mr. BLANTON. Bills unobjection to.

Mr. BEGG. Certainly.

The SPEAKER. Is there objection?

There was no objection.

Mr. BLANTON. Mr. Speaker, I ask unanimous consent that I may have five minutes to speak out of order in reply to the gentleman from New York [Mr. LAGUARDIA].

The SPEAKER. The gentleman from Texas asks unanimous consent to address the House for five minutes. Is there objection?

There was no objection.

Mr. BLANTON. Mr. Speaker, since 1917 the control of private property in the District of Columbia has been taken away from the property owners by laws passed by Congress. From the time of the Saulsbury Act in 1917 on down until this day owners of property have had to employ attorneys to protect their rights, and have been put to every kind of inconvenience possible. It is no wonder the tenants have suffered. Of course there has been retaliation. There has not been a piece of rental property that I know of that has been improved during that time. There has not been a new residence built in Washington in six years for rental purposes. Naturally, we all have suffered. But unsound laws caused the suffering.

The bill known as the Whaley bill seeks to make this awful condition permanent in the Nation's Capital. I wish every Member of the Congress could have heard the splendid speech made by General MacChesney, who for years was a distinguished lecturer in the University of Michigan on economics, who for years was a distinguished lecturer in the University of Illinois on economics, who is one of the best-posted constitutional lawyers in the United States on this question. He gave it as his opinion to our committee that the Supreme Court would never uphold such a law if we passed it.

This is the condition and situation here now. Last April we passed a law extending the Rent Commission one more year, or until May 22 of this year, and we passed the bill here just one week exactly after the Supreme Court of the United States held that the law was inoperative and unconstitutional, and I predicted then that we were wasting time and money. I had the chairman of that commission testify on oath the other day before a joint hearing of the House and Senate committees that since last May every member of that Rent Commission has been drawing his salary, when for eight months they have not done one single thing in remuneration to this Government for the money they draw, but have all been idle.

I can not agree with the gentleman from New York [Mr. LAGUARDIA], who occupies the unique position in this House of being the only Member here of the party he represents.

Mr. LINEBERGER. There are two of them; VICTOR BERGER and himself.

Mr. BLANTON. No; he goes further than even VICTOR BERGER on uneconomic questions. VICTOR BERGER has denied that the gentleman is in his class at all. [Laughter.]

I hope if there should be such a proposition as this monstrous Whaley bill presented to this House, you gentlemen will read the hearings first, and that you will especially read the convincing and unanswerable speech of General MacChesney before placing such a law on the statute books relating to all residence property in the District of Columbia, a law

that will stop all new construction, and will make property values here in the District, including the value of every piece of real estate, decrease at least 33½ per cent within six months after its passage. I honestly believe that. Instead of helping the people who rent, you will do more to damage them than anything else you could do. I hope you will go back to the old law of supply and demand and let property matters here function normally, according to the wise laws of the land and in accordance with the decisions of the Supreme Court of the United States.

THE PROBLEM OF ENACTING AGRICULTURAL LEGISLATION

Mr. BURTNES. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record by including a paper which I prepared on the problem of enacting agricultural legislation for the Quarterly Journal published by the University of North Dakota, and which appeared in the November issue of that journal.

The SPEAKER. The gentleman from North Dakota asks unanimous consent to extend his remarks in the Record by publishing an article written by himself on agricultural relief. Is there objection?

There was no objection.

Mr. BURTNES. Mr. Speaker, under leave granted me to extend my remarks, I insert herewith the following article written by me for the Quarterly Journal of the University of North Dakota, and which appeared in the November, 1924, issue thereof:

The enactment of any legislation of importance in the National Congress, aside from the necessary supply or appropriation bills, is not an easy task. Every proposed measure has a "rough and rugged path to travel." When we recall that in recent Congresses more than 10,000 bills and resolutions have been introduced in the House we realize that congestion must be encountered all along the line.

Bills upon their introduction are referred to committees, and the first necessary step is to get a hearing granted upon the proposed measure before the committees. It must have substantial support before even a hearing is granted, for it would be physically impossible for any one of the important committees to grant hearings in any session upon all of the bills pending before it. At such hearing opposition usually develops either from organized groups of the general public, from some special interest adversely affected, or some member of the committee to whom the alleged merits of the bill have no appeal. Assuming, however, a favorable report by the committee, the bill goes to the calendar. There it must await its turn, and unless it can be passed by unanimous consent it is likely never to be reached for actual consideration and vote unless a special rule can be obtained for its consideration. The demands made upon the Rules Committee for special rules are numerous, and fortunate, indeed, are the bills which secure a special rule for their consideration. A feeling, which is by no means unfounded, has arisen throughout the country that too many new laws are enacted. This tends to make the passage of any legislation more difficult, for there are many Members who refuse to vote for any bill unless they are strongly convinced of the need for its passage. It is not enough for them to feel the bill is harmless or that it may result in some more or less indefinite benefits. They want to be shown specifically that meritorious effects can be assured before voting to put another law upon the statute books. After the bill has withstood these various onslaughts in one House and emerged victorious it must run the same gauntlet in the other body of Congress.

Every proposed measure is subject to amendments, motions to recommit with instructions to the committee, and other proceedings impeding its progress and often decapitating it. A substantial number of measures fail of passage, even though approved in principle by both Houses. This situation arises when the body last voting on the bill adopts amendments in which the first body will not concur and as to which conferees appointed can not come to an agreement, or where the conferees agree upon a compromise one body or the other refuses to follow their recommendation. If the bill is finally agreed upon by both Houses in all its details, there is still the possibility of a presidential veto.

While outside the immediate subject of this article, I desire to emphasize the fact that any public impression that legislation is hastily enacted in Congress is erroneous. Until I became a Member thereof I would not have believed that its committees exercise such care in bringing out all material facts in their hearings and give such extensive study and consideration to the probable effects of passing the legislation as is the case. I am firmly convinced that there are many more meritorious bills which do not become laws than there are bad measures enacted. I have often wished that it were possible for proposed legislation to be given as thorough consideration by committees in State legislatures as bills in Congress receive.

No measures were pending during the last session of Congress of greater importance to the Northwest than those intended for the relief of agriculture. There were several of them. One was the Norbeck-

burtness bill, which was intended to accelerate the much-needed diversification of our farming methods in the spring wheat area. Most of us ardently supporting that measure were even more interested in the so-called McNary-Haugen bill which was intended to place agriculture on a parity with industry and labor.

I doubt whether any measure has been more misunderstood throughout the Nation as a whole in so far as the fundamental principles upon which it is based are concerned than the McNary-Haugen bill. In the limited space permitted me I shall try to point out its fundamental principles rather than its mechanics and details, for those principles, in my opinion, must sooner or later be enacted into law if we are to maintain in the United States a higher standard of living than in competing countries. I desire also to suggest some pertinent questions as to lessons that may be drawn from the vote on the measure as had in the House on June 3, 1924.

No one will deny the assertion that industry and labor are protected in the United States. The tariff laws enacted since 1816, whether by one party or another, have given protection to capital and labor in a greater or less degree. During most of such time we have had tariff laws, as we now have, specifically intended to provide protection sufficient to cover the difference between the cost of production at home and abroad. Of almost as great importance, however, in the protection of the wages of the laborer and the profits of industry are such measure as the laws restricting immigration, the Adamson law, the transportation act or Esch-Cummins bill, the Federal reserve act, the Webb-Pomerene Act, which permits manufacturers to combine to engage in the exportation of their products free from the restraints of antitrust laws in the foreign field, and others. True, these laws do not "guarantee" profits as claimed by some radicals, or anything of that sort, but most of them do tend to protect industry and labor against the competition of world influences and all of them tend to stabilize labor, industrial and general business conditions. We have always been proud of being able to maintain an American standard of living and it has been possible not only because of superior natural resources but in large part by legislation of the nature referred to.

The question is fairly asked whether these same laws have not also stabilized agriculture. Honesty demands the answer that it has in part, but not wholly. Many forms of agriculture can be protected against foreign competition by means of the tariff alone. This is true of such crops as wool, flax, sugar, and the like, and will remain true until our production thereof is increased one or more times. Other forms of agriculture have, however, remained subject to world influences and our farmers have been and are forced to compete with the peasants of other lands. This is true in the case of every crop of which we have an exportable surplus as to which the American price is not fixed by American conditions, but in foreign markets by world conditions. The surplus must always be sold abroad in world competition at world prices. No American producer can complain as to this whether he is a farmer or manufacturer. But the difficulties complained of by farmers and their friends who have given thought to the problem is that in the case of farm crops and produce the price of the surplus obtained in foreign markets is the price of the whole crop. In other words, the world price of exportable surplus crops fixes the American price not only on the surplus but also on the domestic consumption. The inevitable result is that such farmers must buy the products of stabilized industries produced and manufactured under sustained American standards of living and wages, yet sell many of their crops at world prices in direct competition with much cheaper labor and much lower costs of production. These differences are even more aggravated in the case of the farmer who must hire labor, for the wages in stabilized industries directly affect the wages of farm labor in spite of the fact that the farm labor may be employed only in producing crops, the price of which is set in the world's markets rather than in American markets. The general result in the Nation of a continuance of such conditions will necessarily be that men and women engaged in agriculture will be forced to accept a lower standard of living than producers of like ability, thrift, and energy in other industries.

Can this situation be changed in a way that is economically sound? The most reactionary capitalist, as well as the most radical labor leader, should admit the advisability and fairness of an economic condition wherein the person engaged in tilling the soil secures just as large a return for his labor as the toiler in the mine, factory, shop, or on the railroad, and just as large a return on his capital investment as the average man in small, conservative, personally managed business requiring skill and intelligence of approximately like degree. Some of us think that the change can be made, and that without bringing the level of industry and labor down to the level of that portion of our agricultural classes directly competing with the European peasant or the Argentine Indian, but rather by bringing such agricultural workers up to a parity with industry and labor. The cure is simply that of bringing such farmers within the general protective system referred to. That can be accomplished, but the means of so doing, due to the exportable surplus, must be somewhat different from those employed for other lines of business.

One way in which it might possibly be done is by a thorough organization of such farmers. We note, for instance, that a well-organized business like the International Harvester Co. can sell surplus machinery abroad at lower prices either to meet competition or simply get rid of its surplus without reducing prices to the United States trade. This is good business. Let us assume that one individual, or one corporation, or one cooperative association, or other organization owned or controlled all of a crop such as wheat and was confronted with a situation that three-fourths of the crop could be sold within the United States, but that one-fourth of it, if sold at all, would have to be sold abroad and, furthermore, enjoyed a law as we now have to the effect that wheat or wheat products can not be imported into the United States without the payment of a duty equivalent to 42 cents per bushel, that being the estimate of the difference in the cost of production here and abroad. How would that individual or corporation or organization market that grain?

The answer is plain. The exportable surplus would be sold at world prices, but the three-fourths of the crop would not be sold for less than the world price plus the tariff duty. That would not be unfair to the domestic consumer who is engaged in some other protected industry, for the tariff is, or should be, no greater than the difference in foreign and domestic costs of production. But the crop is owned by 2,000,000 farmers scattered through 40 different States instead of by one farmer. They are not now and probably never can be organized in the sense that one selling agency can control the marketing of their crops, and this statement is not intended as any reflection upon the laudable purposes of the cooperative marketing movement among producers. Control of the markets by cooperation is probably practical for some forms of produce or crops. The task of perfecting such an organization is, however, probably insuperable in the case of any crop raised over large areas and by countless individuals.

The McNary-Haugen bill proposed another plan to accomplish the same desired result. This plan was a governmental agency to act as an export corporation, to segregate the exportable surplus and sell it abroad at world prices with a view of obtaining an American price for that consumed within the United States. The American price suggested in the bill was a ratio price equal in exchange value to the price obtained for the crops to which it might be applied during the normal pre-war period of 1905 to 1914, inclusive. This price is capable of definite ascertainment from the statistics kept by the Bureau of Labor Statistics, and it is plain that the price of the commodity would rise and fall with the rise or fall of commodities in general. The exchange value rather than dollars and cents was taken as the proper yardstick of measurement. To maintain such price the export corporation would simply stand ready to buy the crops or produce offered at such price, and that in itself would determine the minimum price within the United States. It is plain that if this price was greater than the world price the corporation would suffer a loss on the amount exported. Therefore the bill provided for an equalization fee to be charged the producers whenever any such crop or produce was sold into the commerce of the Nation, so that each producer would stand his pro rata share of such loss as well as of the overhead expense. In other words, the Government as such would not fix or guarantee any price. No drain on the Public Treasury was contemplated. Initial appropriations proposed to put the machinery into effect were merely in the nature of an advance. The theory was to provide an agency with some capital which could and would handle the situation as it might be handled were the whole crop controlled by one organization.

The legislative guide or desired object set out in the bill was a ratio price equal to a pre-war exchange value. This was adopted in the bill both for its apparent fairness and for practical reasons. The figures were readily attainable. Agriculture was in a serious emergency. While the proponents had in mind fundamental principles, yet they were also desirous of doing something quickly, for prompt relief seemed to be vitally necessary. In effect its adoption would have meant the increase of prices on the commodities intended for its operation or about the present tariff rates above the existing world prices. The price of wheat would have been increased at that time slightly more than the tariff of 42 cents per bushel, the price of cattle above the tariff ranges from $1\frac{1}{2}$ cents to 2 cents per pound, the price of hogs somewhat more than the tariff of 2 cents, etc.

Many of us therefore took the position that in advocating the measure we stood upon the principle that it was nothing more or less than a converse application of the protective tariff. The ratio price adopted was a temporary practical expediency. By the adoption of tariff schedules in the case of any commodity the legislative finding is solemnly made that the commodity can not be produced in the United States as cheaply as abroad. The tariff is operative—that is, reflected—in the price in the case of commodities of which we have no exportable surplus unless local competition is so great as to eliminate all or part of the tariff, in which event it is probable that the duty is too high, tested by the standard of the difference in the case of production here and in competing countries. Is it anything but simple justice to make that tariff similarly reflected in the price of commodities of which we have an exportable surplus, if it can be done?

If it is fair to increase the price of flax, wool, textiles, cutlery, and lemons by means of the tariff, why not also wheat, hogs, cattle, or cotton? Such action is in the interest of maintaining a general economic parity for all our people.

Some say a surplus for export should not be raised. This is comparatively new propaganda. While I believe thoroughly in reducing acreage of such crops as wheat, yet I can not get into the frame of mind that it is almost a crime to raise some for the consumption of other people than Americans so long as it is needed for human consumption. We have heretofore been encouraged to raise large crops; our Department of Agriculture and our agricultural colleges have tried to teach us "to grow two blades of grass where one grew before"; we have been proud of our exports; we have been taught that nations, like individuals, to prosper should sell more than they buy.

It is not easy to adjust farming conditions over large areas sufficiently to bring production down to consumption needs in a crop like wheat, of which we have always had a large surplus for the foreign markets. In any event, it must be remembered that if domestic production were reduced so as to barely satisfy domestic consumption the tariff would be reflected in the price. American consumers would, under the operation of some such law as the McNary-Haugen bill, pay no more than they would without such a law in the event of no surplus above domestic needs. So in either case it would seem that the consumer would have no just cause for complaint so long as he is one of those for whom the United States is artificially maintaining higher standards than those existing in his trade, business, or calling in other countries.

What caused the defeat of the bill in the House on June 3? There was naturally some doubt in the minds of some as to whether the enactment thereof would really work as intended, but I am convinced that such doubt was resolved in favor of the measure by those disposed to favor the principle of helping agriculture to the same extent as other industries, even if the means must be different. There were some who were opposed to it because it seemed to put the Government more into private business, but I do not believe that they caused its defeat. The most telling arguments used in the debate against it—the arguments that resulted in votes—were those which emphasized the fact that its enactment would mean higher costs of bread and pork and meat for the people of the country, and particularly for the constituents of the speaker opposing it. Representatives from New England, from the South, and from industrial centers had computed what the enactment would mean in higher living costs to the people of their respective cities, counties, and districts. Men from factory towns frankly asked the question as to what answer they would give to their constituents if they openly voted to increase what to them already seemed like high costs of living. Members from South Carolina asked why their farmers raising tobacco or cotton or rice should be asked to pay more for bread and pork just because, as they believed, there were too many people in North Dakota, Montana, and Kansas raising wheat, or too many people in Iowa and Illinois trying to convert corn into hogs.

It may be argued that position of that sort is narrow and provincial. I feel that such is the case. They were, however, probably carrying out the wishes of their constituents. In any event they paid little or no heed to our argument that all sections of this country in the final analysis are dependent for their permanent prosperity upon all other sections thereof. Their own people were as yet too prosperous to realize that if the buying power of the farmers of the West is wiped out the factories of New England, the shops of our industrial centers, and the producers of cotton and tobacco would also suffer severely before long. More real to them was the immediate threatened advance in the price of food. There were 161 votes and pairs for the bill and 232 against it, 41 not voting. In other words, the vote on the whole was that of the consumers, the Representatives from consuming centers, against the bill, and the vote of the producers, Representatives of agricultural districts, in favor of it.

Appended to this paper is a very interesting map showing how each Representative voted. The districts colored dark voted for the bill, those shaded voted against it, and those not colored or shaded were absent and not voting. The bulk of the votes against it came from New England and the "Solid South." In all New England it received 1 vote, in the great State of New York 1 vote. There were four or five scattered votes in its favor from the so-called Southern States, including one from Texas. It received some support in Pennsylvania, and then beginning with West Virginia and Ohio its support increased as the West was approached. The vote in Ohio split evenly; Indiana gave it 11 out of 13; Illinois 16 out of 27, and all but 1 of these opposing votes were from the city of Chicago. From there on west it was almost a solid vote for the McNary-Haugen bill. The few opposing votes were those of Representatives from grain or consuming centers, as note the Minneapolis district, the Duluth district, St. Louis, Kansas City, and Denver. The coast districts of California voted against it. Of Northern States Wisconsin alone stands out as an agricultural State which did not give it general support.

In that State the vote was 6 to 5 against it. In 16 States the bill had no opposition, and in only 11 was it without some support.

I have shown this map to many individuals during the past few months and they have been surprised to realize that the bill had the support of about three-fourths of the area of this country and yet was defeated. It takes the vote of 10 or 12 of our States in the Great Plains region to equal the vote of the State of New York.

Perhaps in no better way can I emphasize the fact that in this country to-day the consuming industrial centers have the majority of the population, and consequently the votes at the polls and in the lower House of Congress.

Does not this vote then show the folly of any suggestion that the producers would be benefited by the adoption of the policy of having Congress definitely "fix" or "guarantee" the price of staple farm products from time to time? It is plain that the price would then ultimately be fixed by those consuming the products and not by the producers thereof. If anything is to be done to mitigate the difficulties encountered by farmers engaged in raising surplus crops for export due to world competition must it not be done along some such line as the McNary-Haugen bill? Must it not be done by the adoption of a plan based upon a principle which extends to other industries? If I am correct as to the fundamentals underlying the McNary-Haugen bill, will not the country as a whole in the interests of fair play adopt them in some form when they are fully understood?

An analysis of this vote also naturally raises another question. Has America ceased to be primarily an agricultural Nation and become an industrial one? Will agriculture and industry in the future advance side by side, each claiming about half of our population—or will industry gradually advance and finally entirely eclipse agriculture? If the latter proves to be the case, will agriculture be able to hold its own in procuring from time to time legislation that will be fair to it? Will industry subscribe to a policy that our foodstuffs should be raised in our own country, or will it want to procure those foodstuffs from whatever place it can get them the cheapest? Is there any real danger that agriculture in the United States may descend to the level of peasantry as found in many European countries?

These questions are well deserving of the best thought and consideration that we can give them. No matter what our views thereon may be, I sincerely hope that the generally accepted belief that Americans always stand for "fair play" and a "square deal" will never be found unjustified. Is it not well to emphasize at every opportunity among our people that if we are to remain a well-rounded, many-sided Nation, fully developed as to all resources to such an extent that we can remain in an economic sense virtually independent of the outside world, each class must be willing to give to all others the same opportunities which it seeks for itself. If American standards are to be permanently maintained above the level of European standards, or Asiatic standards, or world standards in any particular, they must be available to all Americans and not only to some selected classes thereof.

CALL OF THE HOUSE

Mr. CHINDBLOM. Mr. Speaker, I believe, in view of the changed program in reference to the business of the House, every Member of the House should have an opportunity to be present, and therefore I make the point of no quorum.

The SPEAKER. The gentleman from Illinois makes the point of no quorum present. It is clear there is no quorum present.

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

A call of the House was ordered.

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

[Roll No. 36]

Anderson	Dallinger	Howard, Okla.	Morris
Aswell	Deal	Hull, Morton D. Nelson, Wis.	
Bacharach	Dempsey	Hull, William E. Newton, Minn.	
Bacon	Denison	James	Newton, Mo.
Barbour	Dickstein	Johnson, S. Dak.	O'Brien
Barkley	Dominick	Johnson, W. Va.	O'Connell, N. Y.
Berger	Dyer	Jones	O'Connor, N. Y.
Bloom	Eagan	Kent	O'Sullivan
Bowling	Edmonds	Kindred	Patterson
Brand, Ohio	Fairchild	Kunz	Periman
Brand, Ga.	Favrot	Kurtz	Phillips
Briggs	Fish	Langley	Porter
Britten	Fitzgerald	Larson, Minn.	Quayle
Buckley	Foster	Lee, Ga.	Ransley
Burdick	Fredericks	Lindsay	Reed, W. Va.
Canfield	Free	Linthicum	Roach
Carew	Funk	Logan	Robinson, Iowa.
Casey	Gallivan	McFadden	Rogers, Mass.
Clancy	Geran	McKenzie	Rogers, N. H.
Clark, Fla.	Gifford	McLaughlin, Nebr.	Rouse
Cleary	Gildsborough	McLeod	Schafer
Cole, Ohio	Graham	McNulty	Schall
Collins	Griffin	MacGregor	Shallenberger
Connolly, Pa.	Guyer	Michealson	Snell
Corning	Harrison	Mills	Spearing
Cullen	Hawley	Minahan	Steagall
Curry	Hickey	Morin	Stevenson

Sullivan	Thomas, Okla.	Voigt	Wood
Swoope	Tinkham.	Ward, N. Y.	Woodruff
Taber	Tydings	Weller	Yates
Tague	Underhill	Wertz	
Taylor, Colo.	Vare	Winter	
Thomas, Ky.	Vinson, Ky.	Wolff	

The SPEAKER. Three hundred and three Members have answered to their names—a quorum.

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

The motion was agreed to.

The doors were opened.

The SPEAKER. By special order of the House the Consent Calendar will be taken up at the place where we left off on Monday last. The Clerk will report the first bill.

TRANSPORTATION OF REMAINS OF EMPLOYEES OF DEPARTMENT OF AGRICULTURE

The first business on the Consent Calendar was the bill (H. R. 9092) to authorize the transportation, at public expense, of remains of officers and employees of the Department of Agriculture who die while away from their official stations.

The Clerk read the title of the bill.

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

Mr. BLANTON. Reserving the right to object, I ask the gentleman from Iowa [Mr. HAUGEN], who reported the bill, why, if we pay these expenses, we should not pay for the expenses of the employees of all of the rest of the departments who die away from their official station—the employees of the Treasury Department and the employees of the Labor Department and of all the other departments?

Mr. HAUGEN. That would be for the committee having that matter in charge.

Mr. BLANTON. Does the gentleman want to extend the privileges of this bill to all of the departments?

Mr. HAUGEN. I have no objection to extending them to all of the other departments.

Mr. BLANTON. I just wanted to get the gentleman's policy.

Mr. HAUGEN. I am in favor of giving the same authority to the Secretary of Agriculture as is given to the Secretaries of other departments.

Mr. BLANTON. Does the gentleman know how many employees of the United States there are now?

Mr. HAUGEN. About 20,000 in the Department of Agriculture.

Mr. BLANTON. Mr. Speaker, the United States Government has now over 500,000 employees. It has over 66,000 employees here in the District of Columbia. If the policy of the gentleman's bill is right, then we ought to extend it to everyone of these 500,000 employees of the Government. I am not willing to extend it to one, unless we extend it to all, and I think it is a bad policy to extend it to any of them, as it would cost the taxpayers a tremendous sum. I think it is wrong in principle, and I object.

EMPOWERING AGENTS OR EMPLOYEES OF THE DEPARTMENT OF AGRICULTURE TO ADMINISTER OATHS, ETC.

The next business on the Consent Calendar was the bill (S. 2148) to empower certain officers, agents, or employees of the Department of Agriculture to administer and take oaths, affirmations, and affidavits in certain cases.

The Clerk read the title of the bill.

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

Mr. BLANTON. Mr. Speaker, I ask that the bill be reported.

The SPEAKER. The Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That such officers, agents, or employees of the Department of Agriculture of the United States as are designated by the Secretary of Agriculture for the purpose are hereby authorized and empowered to administer to or take from any person an oath, affirmation, or affidavit whenever such oath, affirmation, or affidavit is for use in any prosecution or proceeding under or in the enforcement of any law committed to or which may hereafter be committed to the Secretary of Agriculture or the Department of Agriculture or any bureau or subdivision thereof for administration. Any such oath, affirmation, or affidavit administered or taken by or before such officer, agent, or employee when certified under his hand and authenticated by the seal of the Department of Agriculture may be offered or used in any court of the United States and shall have like force and effect as if administered or taken before a clerk of such court without further proof of the identity or authority of such officer, agent, or employee.

SEC. 2. That no officer, agent, or employee of the Department of Agriculture shall demand or accept any fee or compensation whatsoever for administering or taking any oath, affirmation, or affidavit under the authority conferred by this act.

With the following committee amendment:

Page 2, after line 19, Insert a new section as follows:

"SEC. 3. That employees of the Department of Agriculture who, upon original appointment, have subscribed to the oath of office required by section 1757 of the Revised Statutes shall not be required to renew the said oath because of any change in status so long as their services are continuous, unless, in the opinion of the Secretary of Agriculture, the public interests require such renewal."

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

Mr. BLANTON. Mr. Speaker, I reserve the right to object. As one Member of the House I have only one objection to this bill, and that will not be urged unless the bill covers the point I shall mention. The bill provides that when this affidavit is taken by an employee of the Agricultural Department it shall be admitted in any court as evidence. Does that mean that it will be admitted in suits as between parties? If it does, it is objectionable; it would be *ex parte* as to them, because the parties litigant will have had no chance to cross-examine the witness.

Mr. HAUGEN. Oh, it does not mean that at all.

Mr. BLANTON. I am glad to learn that, for such an affidavit would be *ex parte* to the parties. If it does not mean that, then I have no objection to the gentleman's bill.

Mr. HAUGEN. My understanding is that it does not.

Mr. BLANTON. It relates only to matters with which the Department of Agriculture is concerned in investigation.

Mr. HAUGEN. That is correct.

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

There was no objection.

The SPEAKER. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended to read as follows: "An act to empower certain officers, agents, or employees of the Department of Agriculture to administer and take oaths, affirmations, and affidavits in certain cases, and for other purposes."

GENERAL SUPPLY COMMITTEE

The next business on the Consent Calendar was the bill (H. R. 8711) to authorize the consolidation and coordination of Government purchases, to enlarge the functions of the General Supply Committee, and for other purposes.

The Clerk read the title of the bill.

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

Mr. BEGG. Mr. Speaker, reserving the right to object, is there anyone here who knows anything about the bill? I am under the impression that there is being framed now a bill much more desirable than this by the very people who have introduced this bill. Therefore I ask unanimous consent to pass the bill over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

FEES, ETC., PAID TO CLERKS OF UNITED STATES COURTS

The next business on the Consent Calendar was the bill (H. R. 5422) to provide for reporting and accounting of fines, fees, forfeitures, and penalties and all other moneys paid to or received by clerks of United States courts.

The Clerk read the title of the bill.

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

Mr. RAKER. Mr. Speaker, I object.

Mr. BLANTON. Mr. Speaker, I object.

Mr. BOX. Mr. Speaker, I object.

Mr. WATSON. Mr. Speaker, I object.

The SPEAKER. Three Members having objected, the bill is stricken from the calendar.

ACCOUNTS OF UNITED STATES ATTORNEYS, MARSHALS, CLERKS, ETC.

The next business on the Consent Calendar was the bill (H. R. 5424), to provide for the rendition of accounts by United States attorneys, United States marshals, clerks of United States courts, and United States commissioners.

The Clerk read the title of the bill.

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

Mr. BLANTON, Mr. RAKER, Mr. WATSON, and Mr. OLIVER of Alabama objected.

The SPEAKER. Three Members having objected; the bill is stricken from the calendar.

U. S. S. "MAINE" PENSION BILL

The next business on the Consent Calendar was the bill (H. R. 74), to extend the benefits of certain pension laws to the officers, sailors, and marines on board the U. S. S. *Maine* when that vessel was wrecked in the harbor of Habana, February 15, 1898, and to their widows and dependent relatives.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of this bill? [After a pause.] The Chair hears none.

The Clerk read as follows:

Be it enacted, etc., That in the administration of the pension laws the officers, sailors, and marines who were serving on board the U. S. S. *Maine* when that vessel was wrecked in the harbor of Habana, February 15, 1898, shall be held and considered to have rendered 90 days' service during the war with Spain, and such officers, sailors, and marines, and their widows, minor children under the age of 16 years, helpless children, and dependent parents shall be entitled to all the benefits of the act of June 5, 1920, and the act of September 1, 1922, as the case may be.

The committee amendment was read, as follows:

Page 2, line 4, after the figures insert "and amendments thereto."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read the third time, was read the third time, and passed.

SPANISH WAR PENSION BILL

The next business on the Consent Calendar was the bill (H. R. 5934) to pension soldiers and sailors of the war with Spain, the Philippine insurrection, or the China relief expedition.

The Clerk read the title of the bill.

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

Mr. BLANTON. Mr. Speaker, I reserve the right to object. I want to ask the gentleman from Kentucky [Mr. ROBSION] whether this bill when it passes the House, if it should pass, will rectify the discriminations that now exist with respect to pensions paid to survivors of the war with Spain and other pensioners under other wars?

Mr. ROBSION of Kentucky. Yes; I think it will.

Mr. BLANTON. Well, does it do it? Will it pay the pensioners of the war with Spain the same amount as it does the pensioners of other wars?

Mr. ROBSION of Kentucky. Yes; this is a substitute. The same measure passed the House in the Bursum bill and was included in that bill.

Mr. BLANTON. Then I am heartily in favor of the bill. But why does not the gentleman include in this bill another class of the most deserving soldiers who ever served their flag. I refer to the old rangers and the Indian fighters who protected every border and frontier of our Government in dangerous times. Why does not the gentleman include them in this bill?

Mr. ROBSION of Kentucky. Well, it was thought we ought to have a bill which would confine it to the Spanish-American War soldiers and—

Mr. BLANTON. The Bursum bill protected the rangers and Indian fighters, and raised their pensions, though not in proper proportion.

Mr. ROBSION of Kentucky. And there is a bill before our committee which will be reported which will protect the rangers.

Mr. BLANTON. Why not have them cared for in this bill now? What is the use of passing piecemeal legislation? Now, the gentleman, in this bill, has covered the survivors of the war with Spain, he has covered the survivors of the Philippine insurrection, he has covered the survivors of the Chinese insurrection, why does not he look after these old rangers and old Indian fighters, a few of whom only are alive and who are now 85 years of age and on up?

Mr. ROBSION of Kentucky. I will say to the gentleman from Texas that the rangers of the West have been a matter of my special regard.

Mr. BLANTON. We had the Bursum bill with these men in it. Why leave them out of this bill?

Mr. ROBSION of Kentucky. Simply because it was thought we could reach these objects better in this way than if they were combined.

Mr. BLANTON. This bill has been reported, how long? Mr. ROBSION of Kentucky. This bill has been reported—Mr. BLANTON. The gentleman will find the date on top of the bill there.

Mr. ROBSION of Kentucky. It has been reported since February, 1924.

Mr. BLANTON. Over a year and yet no bill has been reported from the gentleman's committee giving relief to the old rangers and Indian fighters, who are just as deserving as all other pensioners.

Mr. ROBSION of Kentucky. I will say there have been a great many bills reported from our committee which would give relief to the rangers.

Mr. BLANTON. But not rectifying the discrimination that is now made against them as between them and other pensioners—

Mr. ROBSION of Kentucky. I think the gentleman is not correct in that.

Mr. BLANTON. Yes; I am, because they are paid less. Mr. Speaker, I hope the gentleman's committee will promptly bring in a bill which will take care of these old rangers and Indian fighters by the time we reach this bill again, and I object to this one merely for the purpose of hoping thereby to expedite the early reporting and passing of such bill.

Mr. ROBSION of Kentucky. I hope the gentleman will withhold his objection.

The SPEAKER. Objection is heard. The Clerk will report the next bill.

COMPLETION OF THE TOPOGRAPHICAL SURVEY OF THE UNITED STATES

The next business on the Consent Calendar was the bill (H. R. 4522) to provide for the completion of the topographical survey of the United States.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of this bill? [After a pause.] The Chair hears none.

The Clerk read as follows:

Be it enacted, etc., That the President be, and hereby is, authorized to complete within a period of 20 years from the date of the passage of this act, a general utility topographical survey of the territory of the United States, including adequate horizontal and vertical control, and the securing of such topographic and hydrographic data as may be required for this purpose, and the preparation and publication of the resulting maps and data: *Provided*, That in carrying out the provisions of this act the President is authorized to utilize the services and facilities of such agency or agencies of the Government as now exist, or may hereafter be created, and to allot to them (in addition to and not in substitution for other funds available to such agencies under other appropriations or from other sources) funds from the appropriation herein authorized, or from such appropriation or appropriations as may hereafter be made for the purpose of this act.

SEC. 2. That the agencies which may be engaged in carrying out the provisions of this act are authorized to enter into cooperative agreements with and to receive funds made available by any State or civic subdivision for the purpose of expediting the completion of the mapping within its borders.

SEC. 3. The sum of \$950,000 is hereby authorized to be appropriated out of any moneys in the Treasury not otherwise appropriated, to be available until the 30th day of June, 1925, for the purpose of carrying out the provisions of this act, both in the District of Columbia and elsewhere as the President may deem essential and proper.

The bill was ordered to be engrossed and read the third time, was read the third time, and passed.

Mr. BLANTON. Mr. Speaker—

Mr. BEGG. Was No. 481 passed by the Indian Affairs Committee?

The SPEAKER. Yes; it was passed by the Indian Affairs Committee.

Mr. BLANTON. Mr. Speaker, the gentleman from Kentucky assures me that he is to bring in an Indian fighter and ranger bill before long, and with that assurance I desire to withdraw my objection.

The SPEAKER. The Chair thinks it is too late. The Chair thinks when objection is made the time to bring that up is after the completion of the calendar.

Mr. BLANTON. Will the Chair permit me to ask unanimous consent?

The SPEAKER. No; the Chair thinks he ought not to proceed until the calendar is completed. The Clerk will report the next bill.

ESTABLISHMENT OF MIGRATORY-BIRD REFUGE, ETC.

The next business on the Consent Calendar was the bill (H. R. 745) for the establishment of migratory-bird refuges to furnish in perpetuity homes for migratory birds, the establishment of

public shooting grounds to preserve the American system of free shooting, the provision of funds for establishing such areas, and the furnishing of adequate protection for migratory birds, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. RAKER. Reserving the right to object, would the gentleman in charge consent to let this go over for a few minutes?

Mr. HUDDLESTON. Mr. Speaker, I am going to object to the bill.

The SPEAKER. Objection is made. The Clerk will report the next bill.

CROATAN INDIANS IN NORTH CAROLINA

The next business on the Consent Calendar was the bill (H. R. 8083) to designate the Croatan Indians of Robeson and adjoining counties in North Carolina as Cherokee Indians.

The title of the bill was read.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. LYON. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that the bill be passed over without prejudice. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the next bill.

EXTENSION OF RITTENHOUSE STREET, DISTRICT OF COLUMBIA

The next business on the Consent Calendar was the bill (S. 2503) for the extension of Rittenhouse Street in the District of Columbia.

The title of the bill was read.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. SIMMONS. Mr. Speaker, I object.

The SPEAKER. Objection is made. The Clerk will report the next bill.

RELIEF OF THE GOVERNMENT OF CANADA

The next business on the Consent Calendar was the bill (H. R. 8236) for the relief of the Government of Canada.

The SPEAKER. Is there objection?

Mr. BLANTON. I object.

The SPEAKER. Objection is made. The Clerk will report the next bill.

GARABED FREE-ENERGY GENERATOR

The next business on the Consent Calendar was the resolution (H. J. Res. 190) to amend section 3 of the joint resolution entitled "Joint resolution for the purpose of promoting efficiency, for the utilization of the resources and industries of the United States, etc.," approved February 8, 1918.

The title of the resolution was read.

The SPEAKER. Is there objection to the present consideration of this resolution?

Mr. HOWARD of Nebraska. Mr. Speaker, I reserve the right to object. I would like to know something about it. I have not had opportunity to examine it.

Mr. BEGG. I can say that this bill merely provides this, briefly: This man claims to have invented or discovered—which ever it is—a new power other than that which is known to-day as power derived from water, electricity, or steam. He is willing to show that power or that engine to four scientists appointed by the President, under the condition that if he has what he claims to have they are to sign a statement which gives him a patent to the same, with a provision in the agreement with the Government that the Government can buy this at any time.

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

Mr. BEGG. I would like to finish the statement first. Then I will yield. My interest in the proposition is simply this: I do not believe anything is impossible. This looks like a monstrosity, but it does not cost the United States a nickel, and if he has what he claims he has it will be a benefaction to mankind.

Mr. BLANTON. Now will the gentleman yield?

Mr. BEGG. Yes.

Mr. BLANTON. Was he not here in the Sixty-sixth Congress?

Mr. BEGG. In the Sixty-fifth, I believe.

Mr. BLANTON. In the Sixty-sixth Congress we passed this very bill, which gave him these same powers, but we put around it certain safeguards, and that gentleman to this day has never met the provisions of that bill.

Mr. BEGG. The House did not compel the four scientists to sign a statement giving him the patent, and they refused to sign it, and he refused to let them see it.

Mr. BLANTON. And I object to the bill, Mr. Speaker.

The SPEAKER. Objection is heard. The Clerk will report the next bill.

UNLAWFUL TRANSMISSION OF GAMBLING MACHINES, PISTOLS, ETC.

The next business on the Consent Calendar was the bill (H. R. 9179) to punish the unlawful transmission in interstate commerce or through the mails of gambling machines, fraudulent devices, pistols, and revolvers, and for other purposes.

The title of the bill was read.

The SPEAKER. Is there objection?

Mr. RAKER. Mr. Speaker, may we have the bill reported?

The SPEAKER. The Clerk will report the bill.

Mr. HUDDLESTON. Mr. Speaker, I reserve the right to object.

The Clerk read as follows:

Be it enacted, etc., That when used in this act—

(a) The term "interstate commerce" means commerce between any State, Territory, or possession, or the District of Columbia, and any place outside thereof; or between points within the same State, Territory, or possession, or the District of Columbia, but through any place outside thereof; or within any Territory or possession, or the District of Columbia.

(b) The term "State" includes Territory and possession of the United States, and the District of Columbia.

(c) The term "person" includes an individual, partnership, association, or corporation.

SEC. 2. It shall be unlawful for any person to knowingly (a) deposit or cause to be deposited with any person or carrier for carriage in interstate commerce, (b) carry or cause to be carried in interstate commerce, (c) import or bring into the United States, (d) deposit or cause to be deposited in the mails of the United States, or (e) take or receive from the mails or from any person or carrier after carriage in interstate commerce, any gambling or chance slot machine or automatic vending device connected with chance devices or any parts or repairs of such machine or device) which gives or purports to give at one operation more or less in value than at any other operation when a coin, check, or slug of the same value is used.

SEC. 3. (a) It shall be unlawful for any person to deposit or cause to be deposited in the mails of the United States, or with any person or carrier for carriage in interstate commerce, any package or container of any kind containing a pistol or revolver unless such package or container is labeled or tagged on the outside cover so as to show plainly the name and address of the addressee or consignee and that a pistol or revolver is contained therein.

(b) It shall be unlawful for any person to (1) deposit or cause to be deposited in the mails of the United States or with any person or carrier for carriage in interstate commerce, (2) carry or cause to be carried in interstate commerce, or (3) import or bring into the United States any pistol or revolver for delivery in a State in violation of any law of such State. It shall be unlawful for any person to accept, in any State, from the mails or from any person or carrier after carriage in interstate commerce any pistol or revolver in violation of any law of such State.

(c) No postmaster shall deliver from the mails, and no person or carrier shall deliver, after carriage in interstate commerce, any pistol or revolver in any State in violation of any law of such State.

(d) No postmaster shall accept for transmission through the mails, and no person or carrier shall accept for carriage in interstate commerce, to any State, any pistol or revolver if any law of such State would be violated by the delivery therein of such pistol or revolver.

(e) Any pistol or revolver transported into any State by mail or in interstate commerce shall, upon arrival in such State, be subject to the operation and effect of the laws of such State enacted in the exercise of its police powers and shall not be exempt therefrom by reason of being introduced therein through the mails of the United States or in interstate commerce.

SEC. 4. Section 4041 of the Revised Statutes is amended to read as follows:

"SEC. 4041. The Postmaster General may, upon evidence satisfactory to him that any person is engaged in conducting any lottery, gift enterprise, or scheme of any kind offering prizes dependent in whole or in part upon lot or chance or other contingency, or that any person is conducting any scheme for obtaining money or property of any kind through the mails by means of false or fraudulent pretenses, representations, or promises, or that any person is selling, offering for sale, or sending through the mails any article, device, or thing designed or intended for the conduct of a lottery, gift enterprise, or scheme of any kind offering prizes dependent in whole or in part upon lot or chance or other contingency, or any unfair, dishonest, or cheating gambling article, device, or thing, or any chance slot machine, or that any person is unlawfully sending through the mails any pistol or revolver, forbid the payment by any postmaster to any such person of any postal money orders payable to him or to any person as his agent and may provide by regulation for the return to the remitters of the sums named in such money orders. But this shall not authorize any person

to open any letter not addressed to himself. The public advertisement by any person conducting any such lottery, gift enterprise, scheme, or device, or offering to transmit through the mails any article the transmission of which is unlawful, that remittances for the same may be made by means of postal money orders to any other person, shall be held to be prima facie evidence of the existence of an agency, but the Postmaster General shall not be precluded from ascertaining the existence of an agency in any other legal way."

SEC. 5. Any person who violates any provision of this act (other than section 4) shall, upon conviction therefor, be punished by a fine of not more than \$1,000 or by imprisonment for not more than one year, or both.

Mr. BLANTON. Mr. Speaker, there are three objections to this bill. In order to save time, I object, for one.

Mr. BLANTON, Mr. DOYLE, and Mr. HUDDLESTON objected.

The SPEAKER. Three gentlemen have objected. The Clerk will report the next bill.

PLANS AND DESIGNS FOR ROOSEVELT MEMORIAL

The next business on the Consent Calendar was the resolution (S. J. Res. 135) granting permission to the Roosevelt Memorial Association to procure plans and designs for a memorial to Theodore Roosevelt.

The title of the resolution was read.

The SPEAKER. Is there objection?

Mr. HUDDLESTON. Mr. Speaker, I reserve the right to object. Is the gentleman who has charge of this bill present? I am seeking some information in reference to this resolution. If no one is in a position to give it to me, I shall object to its consideration.

Mr. BLANTON. I am not personally interested in this resolution, but the gentleman from Massachusetts [Mr. LUCE], from whose committee it was reported, is not here. But I am interested in showing some consideration to the memory of Theodore Roosevelt, and I ask that the resolution retain its place on the calendar.

Mr. HUDDLESTON. Mr. Speaker, I think very likely I shall object to the bill under any conditions, and for that reason I object.

The SPEAKER pro tempore (Mr. CHINDBLOM). Objection is made. The Clerk will report the next bill.

RESTORATION OF THE LEE MANSION, ARLINGTON

The next business on the Consent Calendar was the resolution (H. J. Res. 264) authorizing the restoration of the Lee Mansion in the Arlington National Cemetery, Va.

The title of the resolution was read.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

Joint resolution (H. J. Res. 264) authorizing the restoration of the Lee Mansion in the Arlington National Cemetery, Va.

Whereas the era of interne strife among the States having yielded to one of better understanding, of common loyalty, and of a more perfect Union; and

Whereas now honor is accorded Robert E. Lee as one of the great military leaders of history, whose exalted character, noble life, and eminent services are recognized and esteemed, and whose manly attributes of precept and example were compelling factors in cementing the American people in bonds of patriotic devotion and action against common external enemies in the war with Spain and in the World War, thus consummating the hope of a reunited country that would again swell the chorus of the Union: Therefore be it

Resolved, etc., That the Secretary of War be, and he is hereby, authorized and directed, as nearly as may be practicable, to restore the Lee Mansion in the Arlington National Cemetery, Va., to the condition in which it existed immediately prior to the Civil War, and to procure, if possible, articles of furniture and equipment which were then in the mansion and in use by the occupants thereof. He is also authorized, in his discretion, to procure replicas of the furniture and other articles in use in the mansion during the period mentioned, with a view to restoring, as far as may be practicable, the appearance of the interior of the mansion to the condition of its occupancy by the Lee family.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the resolution.

The resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

FORT GRATIOT LIGHTHOUSE RESERVATION, MICH.

The next business on the Consent Calendar was the bill (H. R. 9537) to authorize the Secretary of Commerce to transfer to the city of Port Huron, Mich., a portion of the Fort Gratiot Lighthouse Reservation, Mich.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of this bill?

Mr. BLANTON. Mr. Speaker, I object.

The SPEAKER pro tempore. This bill requires three objections.

Mr. BLANTON. Mr. Speaker, reserving the right to object, I want to state this: Is not this the Cramton bill?

The SPEAKER pro tempore. Yes.

Mr. BLANTON. This is a bill which seeks to have Government property used for one of these tourist camping grounds in Michigan. I do not think the Government ought to furnish tourist camping grounds to States. Every community almost in the United States is now furnishing magnificent camping grounds for tourists. In my State the people in many communities are granting to the State public parks for use as tourists' camping grounds. They are doing it also in Oklahoma, in Kansas, Missouri, and in Illinois, and in many of the States. Everywhere you will find splendid tourist camping grounds furnished by the people, not by the Government.

This is valuable property that belongs to the Government of the United States. We may need it some day, but once it is given to the people of Michigan and we should want to get it back, we shall have to pay money for it.

They have a fine bathing beach there, and our friend from California [Mr. BARBOUR] waded in the water there when he was a young boy and he and Brother CRAMTON want to vie with Miami and Palm Beach this summer in furnishing to the country models of all the new-fangled bathing costumes. They ought to do it at the expense of Michigan and not at public expense, and I object, Mr. Speaker.

Mr. DOWELL. Regular order, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Iowa demands the regular order. This bill requires three objections. Are there any further objections? [After a pause.] The Chair hears none.

Mr. BLANTON. Mr. Speaker, before we take up this bill we ought to have a quorum, and I make the point of no quorum. The membership of the House now absent ought to know what is in this bill.

The SPEAKER pro tempore. The gentleman from Texas makes the point of order that no quorum is present. The Chair will count.

Mr. BLANTON. Mr. Speaker, some of the membership having come in from the cloak rooms so that we now have more chance to protect the Government, I withdraw the point of no quorum.

Mr. WATKINS and Mr. McKEOWN objected.

Mr. MAPES. Mr. Speaker, I make the point of order that unanimous consent was given and that the Chair had already decided that a sufficient number had not objected.

Mr. BLANTON. But there was no quorum at that time. I called attention to the fact that there was no quorum present and you can not consider the provisions of a bill when there is no quorum present.

Mr. MAPES. I make the point of order that the Speaker had already ruled before the point of order of no quorum was made.

The SPEAKER pro tempore. The Chair will state that before the gentleman made the point of order that there was no quorum present the Chair had announced that there were not sufficient objections to the consideration of the bill, and before the gentleman withdrew his point of no quorum the Chair had not determined that there was no quorum present and had not announced that there was no quorum present.

Mr. BLANTON. The ruling of the Chair would have no more force and effect than a ruling of the Chair to the effect that "the ayes seem to have it, the ayes have it, and the bill is passed." A point of order then made that there is no quorum present vacates the ruling of the Chair, and would stop the passage of the bill. There is no quorum present now and the Chair realizes that. It is evident to the Chair that there is no quorum present, and I am not taking advantage of the House, because there is no quorum present, and if I were to force the Chair to count he knows there would be no quorum present, and that would vacate all that preceded.

The SPEAKER pro tempore. The Chair will state that he has not counted the House.

Mr. BLANTON. No; he has not, but having made the point of order that there is no quorum present that vacates the ruling of the Chair.

The SPEAKER pro tempore. In the opinion of the Chair the point of order made by the gentleman from Michigan [Mr. MAPES] is well taken.

Mr. BLANTON. Of course, I bow to the decision of the Speaker because I am a law-abiding man and have to do it. [Laughter.]

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of Commerce is hereby authorized to convey by deed to the city of Port Huron, Mich., a portion of the Fort Gratiot Lighthouse Reservation, Mich.: *Provided*, That the city of Port Huron will open and maintain in first-class passable condition an extension of Garfield Street through the lighthouse property to Lake Huron; that the city will rebuild the pile groin now near the northerly side of the lighthouse reservation in a manner similar to its present form of construction or one of equal efficiency on the northerly line of the said reservation extended, and that the city will maintain pile groin No. 6 in a serviceable condition at its present location or at some other location approved by the Lighthouse Service: *Provided further*, That the city of Port Huron will maintain the tract to be conveyed in a presentable condition and at all times accessible to the public as a public park and for no other purpose, and will construct and maintain a suitable wire fence on the line separating the said tract from the lighthouse premises: *And provided further*, That the exact location of the property to be conveyed to the city under the conditions herein recited shall be agreed upon between the city of Port Huron and the Secretary of Commerce and be described by metes and bounds in the deed: *And provided further*, That should the city of Port Huron fail to carry out, within one year from the date of the transfer hereby authorized, any of the conditions of transfer herein recited, or should at any time thereafter fail for a period of one year to observe the conditions of maintenance herein provided for, the title to the premises shall revert to and be vested in the United States.

Mr. BLANTON. Mr. Speaker, I move to strike out the enacting clause.

The SPEAKER pro tempore. The gentleman from Texas moves to strike out the enacting clause.

Mr. BLANTON. Mr. Speaker, for several years I have worked on the floor of this House and in committees shoulder to shoulder with the distinguished gentleman from Michigan [Mr. CRAMTON]. The gentleman is my friend and I am his friend. Personally, he could not ask any favor of me that I would not grant him within my power. I would not do anything that would harm him. I think a great deal of his great State of Michigan. It has sent some distinguished and able men here, but, Mr. Speaker, this is asking for the dedication of public property to private use from the Government to one State that is not done for every State in this Union.

I objected to this bill the other day and had it stricken from the calendar. I called attention then to the fact that during the past summer in the great State of Texas the governor of that State had gone from one end of the State to the other asking the people in every community to donate a park at their own expense for the benefit of men who tour the country in their cars during the summer months. The fair-minded people of Texas in many communities have donated magnificent public parks. When the distinguished gentleman from Michigan or his people come down to Texas they can find a magnificent camping ground in almost every community where they can camp in the woods with every convenience furnished free of any cost or charge. This is furnished at the expense of the people of my State. The people of other States are doing likewise. The people of Michigan ought to be as generous to the rest of the public and to themselves as the people of other States. They ought not to come here and ask that this magnificent bathing beach and this valuable park property should be given to them free as a tourist park. They ought to be willing, if it is necessary to have it, to buy it from the Government; but they do not propose to do that. They ask it as a gift.

Mr. BEGG. Will the gentleman yield?

Mr. BLANTON. Certainly.

Mr. BEGG. The gentleman believes that if the Government owns a piece of ground next to a city or right in the city, the Government ought to do one of two things—get rid of it or keep it up?

Mr. BLANTON. That is the uniform policy of all the Members from that particular city.

Mr. BEGG. In any city in the United States, if the Government owns a plot of ground, it ought to keep it up.

Mr. BLANTON. Don't believe that the Government does not keep up this property.

Mr. BEGG. Then, it is an expense to the Government.

Mr. BLANTON. The Government keeps it up without expense, and it is all right that the Government should keep it up that way, because you can not keep up a public park in any better way than to leave it in its natural state. If you go out here to Rock Creek Park, one of the most beautiful in the land, you will find it has been left in its natural state, except a driveway has been put through it. Its beauty depends upon its natural state. Nature has done for it what no mortal man can do, so far as beautification is concerned. Personally, I would like to see the gentleman from Michigan get this bill passed, if it did not hurt the people and the Government. I know the gentleman is able to put it over. The gentleman occupies such a distinguished position here in the House that when he calls on his colleagues to come in here and pass this bill, they will pass it, and I can not stop it.

The SPEAKER pro tempore. The time of the gentleman from Texas has expired.

Mr. BLANTON. Mr. Speaker, I ask for one minute more.

The SPEAKER pro tempore. The gentleman from Texas asks unanimous consent to proceed for one additional minute. Is there objection?

There was no objection.

Mr. BLANTON. I want every Member who votes for this bill to go back home and tell his constituents, who have furnished private parks at their own expense, that the Congress at Washington requires them to furnish their own tourist parks, but it gives the distinguished gentleman from Michigan public ground for his constituents back home and allows him to have his bathing parties there with the gentleman from California [Mr. BARBOUR] this summer without cost to them.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Texas to strike out the enacting clause.

The motion was rejected.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

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

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and on a division (demanded by Mr. BLANTON) there were—ayes 76, noes 2.

Mr. BLANTON. Mr. Speaker, I object to the vote and make the point of no quorum.

The SPEAKER pro tempore. The gentleman from Texas objects to the vote on the ground there is no quorum present. It is clear there is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will bring in absent Members, and the Clerk will call the roll.

The question was taken; and there were—ayes 255, nays 22, not voting 154, as follows:

[Roll No. 37]

YEAS 255

Abernethy	Colton	Glatfelter	Lea, Calif.
Ackerman	Connery	Green	Leach
Aldrich	Cook	Greenwood	Leatherwood
Almon	Cooper, Ohio	Griest	Leavitt
Andrew	Cooper, Wis.	Guyer	Lehbach
Anthony	Cramton	Hadley	Lineberger
Arnold	Crisp	Hall	Logan
Barbour	Croll	Hardy	Lozler
Beck	Crosser	Haugen	Luce
Beedy	Cummings	Hawes	Lyon
Beers	Dallinger	Hayden	McClintic
Begg	Darrow	Hersey	McDuffie
Bell	Davey	Hill, Ala.	McKeown
Bixler	Davis, Tenn.	Hill, Md.	McLaughlin, Nebr.
Black, N. Y.	Denison	Hill, Wash.	McLaughlin, Mich.
Bland	Dickinson, Iowa	Hoch	McReynolds
Boies	Dickinson, Mo.	Hooker	McSweeney
Brand, Ga.	Doughton	Howard, Okla.	MacGregor
Brand, Ohio	Dowell	Hudson	MacLafferty
Browne, N. J.	Drane	Hudspeth	Madden
Browne, Wis.	Drewry	Hull, Iowa	Magee, N. Y.
Browning	Driver	Humphreys	Magee, Pa.
Brumm	Elliott	Jacobstein	Major, Ill.
Buchanan	Evans, Iowa	Jeffers	Manlove
Bulwinkle	Evans, Mont.	Johnson, S. Dak.	Mansfield
Burtness	Fairchild	Johnson, Wash.	Mapes
Burton	Fenn	Jost	Martin
Butler	Fisher	Kearns	Mead
Byrnes, S. C.	Fitzgerald	Kelly	Michaelson
Byrns, Tenn.	Fleetwood	Kendall	Michener
Cable	Frear	Kerr	Miller, Wash.
Campbell	Frothingham	Ketcham	Mills
Cannon	Fulmer	Kiess	Mooney
Carter	Gambrill	Kincheloe	Moore, Ga.
Celler	Garber	King	Moore, Ohio
Chindblom	Gardner, Ind.	Kopp	Moore, Va.
Christopherson	Garner, Tex.	Kvale	Moores, Ind.
Clague	Garrett, Tenn.	LaGuardia	Morgan
Cole, Iowa	Gasque	Lanham	Morrow
Collier	Gibson	Larsen, Ga.	Murphy
	Gifford	Lazaro	Nelson, Me.

Newton, Minn.	Richards	Sprout, Ill.	Vincent, Mich.
Newton, Mo.	Robinson, Iowa	Sprout, Kans.	Vinson, Ga.
Oldfield	Robson, Ky.	Stalker	Wainwright
Oliver, Ala.	Romjue	Stedman	Ward, N. C.
Paige	Rubey	Stengle	Wasow
Park, Ga.	Sabath	Stephens	Watson
Parker	Salmon	Stevenson	Weaver
Parks, Ark.	Sanders, N. Y.	Strong, Kans.	Welsh
Peavy	Sandin	Strong, Pa.	White, Kans.
Peery	Schneider	Summers, Wash.	White, Me.
Phillips	Scott	Swank	Williams, Ill.
Purnell	Sears, Fla.	Swing	Williams, Mich.
Quin	Seger	Temple	Williams, Tex.
Rainey	Sherwood	Thatcher	Williamson
Raker	Shreve	Thomas, Okla.	Wilson, Ind.
Ramseyer	Simmons	Thompson	Wilson, La.
Rankin	Sinclair	Tilson	Wilson, Miss.
Rathbone	Sinnott	Treadway	Wingo
Rayburn	Sites	Tucker	Winslow
Reece	Smith	Underwood	Wood
Reed, Ark.	Smithwick	Upshaw	Wurzbach
Reed, N. Y.	Snell	Vaile	Wyant
Reid, Ill.	Speaks	Vestal	Yates

NAYS—22

Allen	Busby	Lankford	Ragon
Allgood	Connally, Tex.	Lilly	Sanders, Tex.
Aswell	Fulbright	Lowrey	Taylor, W. Va.
Bankhead	Hammer	Morehead	Watkins
Blanton	Huddleston	O'Connell, R. L.	
Boylan	Johnson, Tex.	Oliver, N. Y.	

NOT VOTING—154

Anderson	Faust	Lee, Ga.	Sanders, Ind.
Ayres	Favrot	Lindsay	Schafer
Bacharach	Fish	Linthicum	Schall
Bacon	Foster	Longworth	Sears, Nebr.
Barkley	Fredericks	McFadden	Shallenberger
Berger	Free	McKenzie	Snyder
Black, Tex.	Freeman	McLeod	Spearing
Bloom	French	McNulty	Steagall
Bowling	Fuller	McSwain	Sullivan
Box	Funk	Major, Mo.	Summers, Tex.
Boyce	Gallivan	Merritt	Sweet
Briggs	Garrett, Tex.	Miller, Ill.	Swoope
Britten	Geran	Milligan	Taber
Buckley	Gilbert	Minahan	Tague
Burdick	Goldsborough	Montague	Taylor, Colo.
Canfield	Graham	Moore, Ill.	Taylor, Tenn.
Carew	Griffin	Morin	Thomas, Ky.
Casey	Harrison	Morris	Tillman
Clancy	Hastings	Nelson, Wis.	Timberlake
Clark, Fla.	Hawley	Nolan	Tincher
Clarke, N. Y.	Hickey	O'Brien	Tinkham
Cleary	Holaday	O'Connell, N. Y.	Tydings
Cole, Ohio	Howard, Nebr.	O'Connor, La.	Underhill
Collins	Hull, Morton D.	O'Connor, N. Y.	Vare
Connolly, Pa.	Hull, William E.	O'Sullivan	Vinson, Ky.
Corning	Hull, Tenn.	Patterson	Voigt
Crowther	James	Perkins	Ward, N. Y.
Cullen	Johnson, Ky.	Periman	Watres
Curry	Johnson, W. Va.	Porter	Wefald
Davis, Minn.	Jones	Pou	Weller
Deal	Keller	Prall	Wertz
Dempsey	Kent	Quayle	Winter
Dickstein	Kindred	Ransley	Wolf
Dominick	Knutson	Reed, W. Va.	Woodruff
Doyle	Kunz	Roach	Woodrum
Dyer	Kurtz	Rogers, Mass.	Wright
Eagan	Lampert	Rogers, N. H.	Zihlman
Edmonds	Langley	Rosenbloom	
Fairfield	Larson, Minn.	Rouse	

So the bill was passed.

The Clerk announced the following pairs:

Until further notice:

Mr. McFadden with Mr. Briggs.
Mr. Longworth with Mr. Hastings.
Mr. Faust with Mr. Hull of Tennessee.
Mr. Merritt with Mr. Steagall.
Mr. Crowther with Mr. Carew.
Mr. Bacharach with Mr. Garrett of Texas.
Mr. Kurtz with Mr. Ayres.
Mr. Sanders of Indiana with Mr. O'Connell of New York.
Mr. Sweet with Mr. Pou.
Mr. Vare with Mr. Quayle.
Mr. Zihlman with Mr. Brand of Georgia.
Mr. Graham with Mr. Rouse.
Mr. Free with Mr. Buckley.
Mr. Morin with Mr. Jones.
Mr. Fredericks with Mr. Lindsay.
Mr. Britton with Mr. Tillman.
Mr. Rogers of Massachusetts with Mr. Deal.
Mr. Taber with Mr. Summers of Texas.
Mr. Wertz with Mr. McSwain.
Mr. Patterson with Mr. Vinson of Kentucky.
Mr. Timberlake with Mr. Dominick.
Mr. McLeod with Mr. Minahan.
Mr. Dempsey with Mr. Morris.
Mr. Connelly of Pennsylvania with Mr. Favrot.
Mr. Hull, Morton D., with Mr. Tague.
Mr. Bacon with Mr. Kunz.
Mr. Anderson with Mr. Black of Texas.
Mr. Holaday with Mr. Gallivan.
Mr. James with Mr. O'Connor of New York.
Mr. Schafer with Mr. Gilbert.
Mr. Dyer with Mr. Barkley.
Mr. McKenzie with Mr. Griffin.
Mr. Tincher with Mr. Prall.
Mr. Moore of Illinois with Mr. O'Brien.
Mr. Fish with Mr. Geran.
Mr. Perkins with Mr. Bloom.
Mr. Winter with Mr. O'Sullivan.

Mr. French with Mr. Harrison.
Mr. Woodruff with Mr. O'Connor of Louisiana.
Mr. Roach with Mr. Bowling.
Mr. Hickey with Mr. Kent.
Mr. Voigt with Mr. Goldsborough.
Mr. Snyder with Mr. Case.
Mr. Clarke of New York with Mr. Kindred.
Mr. Kautson with Mr. Taylor of Colorado.
Mr. Sears of Nebraska with Mr. Collins.
Mr. Lampert with Mr. Thomas of Kentucky.
Mr. Swoope with Mr. Major of Missouri.
Mr. Burdick with Mr. Wright.
Mr. Curry with Mr. Montague.
Mr. Tinkham with Mr. Doyle.
Mrs. Nolan with Mr. Woodrum.
Underhill with Mr. Box.
Mr. Porter with Mr. Rogers of New Hampshire.
Mr. Watres with Mr. Howard of Nebraska.
Mr. Ransley with Mr. Johnson of Kentucky.
Mr. Edmonds with Mr. Spearing.
Mr. Funk with Mr. Canfield.
Mr. Hull, William E., with Mr. Johnson of West Virginia.
Mr. Cole of Ohio with Mr. Lee of Georgia.
Mr. Foster with Mr. Cleary.
Mr. Taylor of Tennessee with Mr. Linthicum.
Mr. Fullmer with Mr. Milligan.
Mr. Fuller with Mr. Weller.
Mr. Freeman with Mr. Tydings.
Mr. Reed of West Virginia with Mr. Sullivan.
Mr. Hawley with Mr. Boyce.
Mr. Ward of New York with Mr. Clancy.
Mr. Miller of Illinois with Mr. McNulty.
Mr. Fairfield with Mr. Corning.
Mr. Larson of Minnesota with Mr. Eagan.
Mr. Schall with Mr. Cullen.
Mr. Keller with Mr. Wolff.
Mr. Rosenbloom with Mr. Shallenberger.
Mr. Nelson of Wisconsin with Mr. Dickstein.

The result of the vote was announced as above recorded.
A quorum being present the doors were opened.

PROPOSED POWER PROJECT AT GREAT FALLS, VA.

Mr. BLANTON. Mr. Speaker, I ask unanimous consent that I may have until Saturday next at midnight to file my minority report on what is known as the Great Falls power project bill. This is a bill which in my judgment calls for anywhere from seventy-five to one hundred million dollars. I have not been able to finish my report, because I have been so busy, nor will I be able to do so until midnight of Saturday.

The SPEAKER pro tempore (Mr. CHINDBLOM). The gentleman from Texas asks unanimous consent that he may have until midnight of Saturday next to file minority views on the bill mentioned by him. Is there objection?

Mr. STENGLE. Reserving the right to object, will the gentleman grant the same privilege to some of the rest of us under similar circumstances?

Mr. BLANTON. Oh, I always do.

Mr. STENGLE. I withdraw the objection.

The SPEAKER pro tempore. Is there objection?

There was no objection.

CONSENT CALENDAR

The SPEAKER pro tempore. The Clerk will report the next business in order on the Consent Calendar.

LA PLATA RIVER COMPACT

The next business on the Consent Calendar was the bill (S. 1656) granting the consent and approval of Congress to the La Plata River compact.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BEGG. Reserving the right to object, I ask that the gentleman from Utah make a statement about it.

Mr. LEATHERWOOD. Mr. Speaker, the act now before the House for consideration seeks the approval of the Congress to a compact heretofore entered into between the States of Colorado and New Mexico. The legislatures of the two States concerned have heretofore ratified the compact entered into between the States at Santa Fe, N. Mex., in November, 1922. The bill is a fine illustration of what may be done by agreement between States with reference to settling disputes as to the right to use the waters of interstate streams. Each of the States concerned in this compact through their State engineers studied the water of the La Plata River and they agreed upon an apportionment of it, and went back to the legislatures of the different States and secured, as stated a moment ago, a ratification of the agreement, so far as the States are concerned. The bill now before the House simply seeks the approval of the Government of the United States to this contract entered into between these two States as provided by the Constitution.

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

Mr. LEATHERWOOD. Yes.

Mr. DOWELL. Does this bill entirely take from the Government any further right or control over the stream?

Mr. LEATHERWOOD. In this particular case I am inclined to think that the Government at the present time has practically no right or ownership—if that is what the gentleman means.

Mr. DOWELL. Yes.

Mr. LEATHERWOOD. To the waters of the river. I do not understand that it has ever been classed as a navigable stream, and I may say that it never has been, so that the question which perhaps the gentleman has in mind would not be applicable to this stream. It is a nonnavigable stream.

Mr. DOWELL. Has that been determined by the engineers so that there is no question about that proposition?

Mr. LEATHERWOOD. It has been so determined, and there is no question about it.

Mr. DOWELL. Then, so far as the Government is concerned, it has no interest as it now stands in the matter further than that there may be a claim which the gentleman seeks to have released in favor of this agreement?

Mr. LEATHERWOOD. The procedure requires that Congress shall place its approval upon the compact heretofore entered into.

Mr. DOWELL. One other question. If the gentleman's statement is correct that this is not a navigable stream, what right has the Government there at all and what purpose has this bill?

Mr. HAYDEN. Mr. Speaker, will the gentleman yield to me?

Mr. LEATHERWOOD. Yes.

Mr. HAYDEN. The sole purpose of this bill is to comply with the provision of the Constitution of the United States that agreements or compacts may not be entered into between States without the consent of Congress.

Mr. DOWELL. In other words, the stream has no relation to this, except the question of the compact as between the two States.

Mr. HAYDEN. That is it exactly. All the waters of the stream have been appropriated for beneficial purposes in the two States.

Mr. LEATHERWOOD. And both of the States concerned are what we call priority States, and the Government has recognized that, and therefore there could be no question as to the title to the waters of the stream.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

Mr. MOORE of Virginia. Mr. Speaker, inasmuch as this bill simply sets out in full a compact between the States, I suggest that the gentleman from Utah ask that the formal reading of the bill be dispensed with.

Mr. LEATHERWOOD. I would be very glad to do that. The bill merely sets out the compact.

Mr. MOORE of Virginia. Mr. Speaker, I ask unanimous consent that the first reading of the bill be dispensed with.

The SPEAKER pro tempore. There is but one reading necessary. The Clerk will read the bill for amendment.

The Clerk read the bill, as follows:

Be it enacted, etc., That the consent and approval of Congress is hereby given to the compact signed by the commissioners of the States of Colorado and New Mexico at the city of Santa Fe, on the 27th day of November, 1922, and approved by the Legislature of the State of Colorado by an act entitled "An act to approve the La Plata River compact," April 13, 1923, and by the Legislature of the State of New Mexico by an act entitled "An act ratifying and approving the La Plata compact," approved February 7, 1923, which compact is as follows:

The State of Colorado and the State of New Mexico, desiring to provide for the equitable distribution of the waters of the La Plata River and to remove all causes of present and future controversy between them with respect thereto, and being moved by considerations of interstate comity, pursuant to acts of their respective legislatures, have resolved to conclude a compact for these purposes and have named as their commissioners Delph E. Carpenter, for the State of Colorado, and Stephen B. Davis, Jr., for the State of New Mexico, who have agreed upon the following articles:

"ARTICLE I

The State of Colorado, at its own expense, shall establish and maintain two permanent stream-gauging stations upon the La Plata River for the purpose of measuring and recording its flow, which shall be known as the Hesperus station and the interstate station, respectively.

The Hesperus station shall be located at some convenient place near the village of Hesperus, Colo. Suitable devices for ascertaining and recording the volume of all diversions from the river above Hesperus station shall be established and maintained (without expense to

the State of New Mexico), and whenever in this compact reference is made to the flow of the river at Hesperus station it shall be construed to include the amount of the concurrent diversions above said station.

The Interstate station shall be located at some convenient place within 1 mile of and above or below the interstate line. Suitable devices for ascertaining and recording the volume of water diverted by the Enterprise and Pioneer Canals, now serving approximately equal areas in both States, shall be established and maintained (without expense to the State of New Mexico), and whenever in this compact reference is made to the flow of the river at the interstate station it shall be construed to include one-half the volume of the concurrent diversions by such canals, and also the volume of any other water which may hereafter be diverted from said river in Colorado for use in New Mexico.

Each of said stations shall be equipped with suitable devices for recording the flow of water in said river at all times between the 15th day of February and the 1st day of December of each year. The State engineers of the signatory States shall make provision for cooperative gauging at two stations, for the details of the operation, exchange of records and data, and publication of the facts.

"ARTICLE II

The waters of the La Plata River are hereby equitably apportioned between the signatory States, including the citizens thereof, as follows:

1. At all times between the 1st day of December and the 15th day of the succeeding February each State shall have the unrestricted right to the use of all waters which may flow within its boundaries.

2. By reason of the usual annual rise and fall, the flow of said river between the 15th day of February and the 1st day of December of each year shall be apportioned between the States in the following manner:

(a) Each State shall have the unrestricted right to use all the waters within its boundaries on each day when the mean daily flow at the interstate station is 100 cubic feet per second, or more.

(b) On all other days the State of Colorado shall deliver at the interstate station a quantity of water equivalent to one-half of the mean flow at the Hesperus station for the preceding day, but not to exceed 100 cubic feet per second.

3. Whenever the flow of the river is so low that in the judgment of the State engineers of the States the greatest beneficial use of its waters may be secured by distributing all of its waters successively to the lands in each State in alternating periods, in lieu of delivery of water as provided in the second paragraph of this article, the use of the waters may be so rotated between the two States in such manner, for such periods, and to continue for such time as the State engineers may jointly determine.

4. The State of New Mexico shall not at any time be entitled to receive nor shall the State of Colorado be required to deliver any water not then necessary for beneficial use in the State of New Mexico.

5. A substantial delivery of water under the terms of this article shall be deemed a compliance with its provisions and minor and compensating irregularities in flow or delivery shall be disregarded.

"ARTICLE III

The State engineers of the States, by agreements from time to time, may formulate rules and regulations for carrying out the provisions of this compact, which, when signed and promulgated by them, shall be binding until amended by agreement between them or until terminated by written notice from one to the other.

"ARTICLE IV

Whenever any official of either State is designated to perform any duty under this contract, such designation shall be interpreted to include the State official or officials upon whom the duties now performed by such official may hereafter devolve.

"ARTICLE V

The physical and other conditions peculiar to the La Plata River and the territory drained and served thereby constitute the basis for this compact, and neither of the signatory States concedes the establishment of any general principle or precedent by the concluding of this compact.

"ARTICLE VI

This compact may be modified or terminated at any time by mutual consent of the signatory States, and upon such termination all rights then established hereunder shall continue unimpaired.

"ARTICLE VII

This compact shall become operative when approved by the legislature of each of the signatory States and by the Congress of the United States. Notice of approval by the legislatures shall be given by the governor of each State to the governor of the other State, and the President of the United States is requested to give notice to the governors of the signatory States of approval by the Congress of the United States.

"In witness whereof, the commissioners have signed this compact in duplicate originals, one of which shall be deposited with the secretary of state of each of the signatory States.

"Done at the city of Santa Fe, in the State of New Mexico, this 27th day of November, A. D. 1922.

"DELPH. E. CARPENTER.

"STEPHEN B. DAVIS, Jr."

Mr. MOORE of Virginia. Mr. Speaker, I ask that the bill be printed in the RECORD in full.

The SPEAKER pro tempore. The bill has been read.

Mr. BLANTON. Mr. Speaker, in order to get the decisions uniform, I shall ask for a ruling on the part of the Chair. The bill has been read, there is no question about that. I have no objection to that, but when the bill is read by the Clerk it goes into the RECORD, does it not?

The SPEAKER pro tempore. Not necessarily, in the opinion of the Chair. That question is not now before the Chair.

Mr. BLANTON. Mr. Speaker, I raise the point of order that this bill should go in the RECORD because it was read, and I ask the Chair to pass on it. If the House does not pass on it, does the Reporter of debates decide whether the bill goes in or not?

The SPEAKER pro tempore. Does the gentleman ask unanimous consent that the bill be printed?

Mr. BLANTON. Yes; I ask that to make the bill a matter of record; I ask it so we may know what this agreement was.

Mr. BANKHEAD. Mr. Speaker, in order to show more clearly the parliamentary status I make this parliamentary inquiry; whether or not it is necessary, in order to have a bill printed in the RECORD, to get unanimous consent that it be done, inasmuch as the bill, a short bill, has been already read in full by the Clerk. I am assuming it was a short bill because it took a short time to read it.

The SPEAKER pro tempore. The Chair will call attention to paragraph 6967 in volume 5 of Hinds' Precedents, which reads as follows:

No rule requires the Official Reporters to insert in full in the RECORD every resolution or other proposition offered by a Member, regardless of the attendant circumstances.

And further

Although a Member in introducing a bill may read it in full to the House, yet it would not therefore appear in full in either the Journal or CONGRESSIONAL RECORD.

Mr. BANKHEAD. That does not relate to the situation which is now presented. That relates to the old practice of a Member reading a bill when he introduces it. That was a former practice as I remember.

The SPEAKER pro tempore. Section 6970, also of the same volume, Hinds' Precedents, volume 5, reads as follows:

The practice of the House does not require that in all cases the texts of bills considered shall be printed in full in the RECORD.

And cites certain cases which occurred thereafter. And in the opinion of the Chair—

Mr. BANKHEAD. Mr. Speaker, I understand that the gentleman from Connecticut [Mr. TILSON] was in the chair a day or so ago when the same question arose, and at that time, as I remember, he asserted the practice had been where a bill or resolution required only a limited time to read, or a limited space to print what appeared in the bill, that it was not necessarily the practice, although the bill had been read in full, that it should go in the RECORD in full.

Mr. TILSON. The gentleman from Alabama correctly states the facts. I also stated that there is no rule of the House requiring a bill to be printed in full even though it may be read by the Clerk from the Clerk's desk, but it has been the custom, where a short bill was read, to print the bill in full.

Mr. BLANTON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. BLANTON. Who is to determine whether it is a short or long bill, the Reporter of debates? Is it going to be left entirely to the discretion of the Reporter of debates whether a bill should be printed? If that is the case we are in chaos on that point, and, I think, this House ought to determine whether or not bills should be printed in the RECORD. Here is a long bill, and it would take me probably some minutes to read it. It took the Clerk about a half minute to read it. Are you going to decide that because it took a half minute to read it that it should go in the RECORD, but that shorter bills taking others a longer time to read should not?

Mr. TILSON. The Clerk is a more adept reader than is the gentleman.

Mr. BLANTON. I know he is, and I appreciate it sometimes, but not always.

The SPEAKER pro tempore. The Chair will state that this bill contains just a little over six pages.

SEVERAL MEMBERS. Regular order!

The SPEAKER pro tempore. The gentleman from Texas asks unanimous consent that the entire bill be printed in the RECORD. Is there objection?

Mr. BLANTON. Mr. Speaker, I withdraw my request. I am not that much concerned about this bill.

Mr. HAYDEN. Mr. Speaker, I renew the request.

The SPEAKER pro tempore. The gentleman from Arizona asks unanimous consent that the bill be printed in full in the RECORD. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

The bill was ordered to be read a third time, was read the third time, and passed.

DISPOSITION OF OLD PATENT OFFICE MODELS

The next business on the Consent Calendar was the bill (H. R. 8550) to authorize the appointment of a commission to select such of the Patent Office models for retention as are deemed to be of value and historical interest, and to dispose of said models, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. BLANTON. In the absence of the gentleman from Wisconsin, I ask that this bill be passed without prejudice.

The SPEAKER pro tempore. The gentleman from Texas asks unanimous consent that this bill be passed without prejudice. Is there objection?

Mr. LANHAM. Mr. Speaker, I reserve the right to object.

The SPEAKER pro tempore. The gentleman from Texas reserves the right to object.

Mr. LANHAM. Will the gentleman permit me to make a short statement as to this bill and its purpose?

Mr. BLANTON. Certainly.

Mr. LANHAM. Mr. Speaker, this bill has to do with the disposition of an accumulation of models in the Patent Office, models which in the main are useless. Since the year 1894 the Government has paid out more than \$200,000 in rent for space for the accommodation of models of this character. We are now paying \$1,800 a year for space in a building on G Street for this purpose, and the landlord, as I understand it, intimates that he will ask \$2,400 a year, having offers of increased rental from private concerns.

Mr. BLANTON. Will my colleague yield?

Mr. LANHAM. Yes.

Mr. BLANTON. The only objection I have to this bill, I will say to my colleague, is this: It is represented to me that there are some patent models that are in the office now, old models, that might by some commission not familiar with all the facts be considered unimportant and might be destroyed under the provisions of this bill, models which in the future might be some of the most valuable models that the people would have access to. It has been represented to me by parties that it is important that all of these models should be kept. If it is necessary, let us build another building. Let us have housing room for them. Let us not destroy them. They are the accumulation of thought and genius that has come down through a hundred years of this country's history; not from those highly educated, altogether, but some of the most valuable patents we have have come from uneducated men, working in mills and blacksmith shops and factories. You know how commissions act. They would go down there and have somebody represent to them that these models are unimportant, and they will say, "We will destroy them." I think we should go slowly on the destruction of these patent models. A bill like this should not be taken up here and passed in a few minutes without our being fully advised.

Mr. LANHAM. The bill does not call for the destruction of the models. It calls for their disposition by gift or purchase, and it is my purpose to offer an amendment that they shall also be returned to the original depositors or their representatives, if possible. In that way the models will not be lost.

Mr. BLANTON. On that statement, I withdraw my objection. They should be returned, and not destroyed, for this bill does provide that they could be destroyed or sold at auction by the commission.

The SPEAKER pro tempore. The gentleman from Texas [Mr. BLANTON] withdraws his request that the bill retain its place on the calendar without prejudice. The question now is, Is there objection to the consideration of the bill?

Mr. LA GUARDIA. Mr. Speaker, reserving the right to object, does the gentleman say an increase in the rent was demanded for this place?

Mr. LANHAM. That is my information. The authorities have been notified recently that the rental will be increased from \$1,800 to \$2,400.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill. The Clerk read as follows:

A bill (H. R. 8550) to authorize the appointment of a commission to select such of the Patent Office models for retention as are deemed to be of value and historical interest and to dispose of said models, and for other purposes.

Be it enacted, etc. That a commission to consist of the Commissioner of Patents and the Secretary of the Smithsonian Institution, or their representatives, and a patent attorney duly registered as such in the Patent Office, the latter to be designated by the Commissioner of Patents, with the approval of the Secretary of the Interior, is hereby created to select such of the Patent Office models and exhibition exhibits as may be deemed to be of value and of historical interest, and thereafter store or place the same on exhibition in the Patent Office or the National Museum, and cause the remainder of the said models and exhibits to be disposed of by public auction, gift to Federal, State, or private museums or institutions, or destroyed, as the commission may determine.

The Commissioner of Patents is authorized to pay necessary drayage and all other expenses incident to handling and removing the said models and exhibits and to employ per diem employees in such numbers and at such times as he may determine, and pay each of the said employees at a rate of compensation not to exceed \$5 per day, such employees to be engaged upon the work of uncrating, removing, crating, storing, listing, sorting, and otherwise handling said models and exhibits.

In order to carry out the purposes of this act the sum of \$10,000 is hereby appropriated out of any moneys in the Treasury not otherwise appropriated: *Provided*, That all actions and expenditures herein authorized shall be subject to the approval of the Secretary of the Interior.

A report shall be made to Congress of the action of the commission hereunder.

Mr. LANHAM. Mr. Speaker, I wish to offer an amendment. The SPEAKER pro tempore. The bill is all in one section. The Clerk will report the bill for amendment.

The Clerk again read the bill, with a committee amendment, as follows:

On page 2, line 17, after the word "hereby" insert the words "authorized to be."

The SPEAKER pro tempore. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

Mr. LANHAM. Mr. Speaker, I offer an amendment.

The SPEAKER pro tempore. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. LANHAM: Page 2, line 5, after the word "institutions," insert the words "or returned to the original depositors or their representatives."

The SPEAKER pro tempore. The question is on agreeing to the amendment offered by the gentleman from Texas [Mr. LANHAM].

Mr. BLANTON. Mr. Speaker, I offer an amendment to the gentleman's amendment. At the end of the Lanham amendment insert the words, "when demanded by them," so that as amended the provision will read, "Exhibits to be disposed of by public auction, gifts to Federal, State, or private museums or institutions, or returned to the original depositors or their representatives when demanded by them, or destroyed, as the commission may determine."

The SPEAKER pro tempore. The Clerk will report the amendment offered by the gentleman from Texas [Mr. BLANTON] to the amendment offered by the gentleman from Texas [Mr. LANHAM].

The Clerk read as follows:

Amendment offered by Mr. BLANTON to the amendment offered by Mr. LANHAM: After the word "representatives" insert the words "when demanded by them," so that it will read, "Exhibits to be disposed of by public auction, gifts to Federal, State, or private museums or institutions, or returned to the original depositors or their representatives when demanded by them, or destroyed, as the commission may determine."

Mr. DOWELL rose.

The SPEAKER pro tempore. The gentleman from Texas offers an amendment.

Mr. DOWELL. Mr. Speaker, I demand that the amendment be submitted in writing.

Mr. LANHAM. Mr. Speaker, I have no objection to the modification of the amendment as submitted by the gentleman

from Texas. The very pertinent suggestion has been made that the demand be in writing. In order that there may be no misunderstanding—

Mr. BLANTON. Mr. Speaker, with the permission of my colleague, I ask to modify my amendment by placing after the word "demanded" the words "in writing."

The SPEAKER pro tempore. The gentleman from Texas [Mr. BLANTON] asks unanimous consent to amend his amendment as indicated. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the amendment offered by the gentleman from Texas [Mr. BLANTON] as amended.

The Clerk read as follows:

Amendment offered by Mr. BLANTON: After the word "representatives" insert the words "where demanded in writing by them."

Mr. RAKER. Will the gentleman yield?

Mr. LANHAM. Yes.

Mr. RAKER. Are these to be returned on the written demand of the owners?

Mr. LANHAM. Yes.

Mr. RAKER. At whose expense?

Mr. LANHAM. This amendment was not originally in the bill. However, it might be well to have some reservation inserted whereby these models will be returned at the expense of the depositors.

Mr. RAKER. If you should take out a lot of those models, it might cost \$200,000 or \$300,000 to return them.

Mr. BLANTON. I think not.

Mr. RAKER. Yes; there are some patent models which it will cost \$50 or \$100 to properly crate before they can be returned.

Mr. BLANTON. They are not going to dispose of that kind of models.

Mr. RAKER. We do not know.

Mr. HUDDLESTON. Will the gentleman yield?

Mr. LANHAM. Yes.

Mr. HUDDLESTON. It seems to me that the amendment is not susceptible of the interpretation that the gentleman from California gives it, but that it means that they are to be returned to the Patent Office and those who want them must appear there to receive them. There is nothing which would indicate that they must be sent by mail or express to those who want them returned.

Mr. RAKER. In order to avoid any complication and so the department may know, ought not the Congress to determine at whose expense they are to be returned?

Mr. BLANTON. I think so.

Mr. RAKER. We can settle that now once and for all, and it will avoid that expense.

Mr. LANHAM. Mr. Speaker, I suggest a modification of the amendment and ask unanimous consent that the amendment be modified so as to incorporate the term "returned without expense to the Government to the original depositors or their representatives on request in writing by them."

The SPEAKER pro tempore. The gentleman from Texas [Mr. LANHAM] asks unanimous consent to modify his amendment in the form which will be reported by the Clerk.

Mr. BLANTON. That was a modification of his amendment, so I withdraw mine.

The SPEAKER pro tempore. The gentleman from Texas [Mr. BLANTON] withdraws his amendment to the amendment. The Clerk will report the amendment offered by the gentleman from Texas [Mr. LANHAM] as now offered by unanimous consent.

The Clerk read as follows:

Page 2, line 5, after the word "institutions," insert "or returned, without expense to the Government, to the original depositors or their representatives, where demanded in writing by them."

The SPEAKER pro tempore. The question now is on the amendment offered by the gentleman from Texas.

Mr. LOZIER. Mr. Speaker—

The SPEAKER pro tempore. The gentleman from Missouri is recognized.

Mr. LOZIER. Mr. Speaker and gentlemen, I hold no brief either for or against this bill. Nevertheless, I believe it is a bad bill. Certainly it should be given more consideration than is now proposed. I believe that more harm than good will come from the enactment of this bill. Now, let us see what this measure proposes to do. In the Patent Office are many thousand models of inventions, proposed inventions, and mechanical appliances and devices on which thousands of men have spent their lives in an effort to produce a piece of mechanism that would be useful to man. Many of these appliances are obviously impractical. Many are based on correct mechani-

cal principles the practical application of which was difficult. Many of these models represent the unfinished work of men who had mechanical genius and who were working along accepted mechanical formulas, but were unable to develop their ideas to a point where they would be practical. Other students of mechanics, working along the same lines and attempting to apply the same principles, may with profit study the models of those who in former years failed. Frequently the inspection of a crude machine or imperfect appliance will suggest to a keen mechanic new methods by which mechanical principles may be successfully applied. Now, I believe these models should be preserved so that any student of mechanics may have access to them and an opportunity to study them. No doubt men in the future will study along the same lines as men in the past, and if these models which represent failures in the past are preserved for future inspection their study may enable future inventors to overcome the difficulties which were insuperable to those who went before them.

Now, in order to save a little rent it is proposed by this bill to destroy or discard many thousand models which this commission may consider valueless. Men in coming years who have a mechanical turn of mind, who have mechanical genius, by a study of these models may be able to devise instruments, equipment, and machinery which will be of inestimable value to the world. If these models are preserved other men, by studying them, may be able to overcome defects and difficulties which defied and defeated the original designer. It seems to me that we should retain these models as a mechanical museum, to which those having mechanical genius can go at any time in the future, study these models, and, if possible, originate instrumentalities which may be of great value to the people of the United States, just as we retain in the Congressional Library tens of thousands of books of but little comparative value, and yet from these dusty volumes much may be found to edify and instruct.

Mr. BEGG. Will the gentleman yield?

Mr. LOZIER. Certainly.

Mr. BEGG. The gentleman has never known in the past of any disaster coming because this has been done?

Mr. LOZIER. Well, no one can tell how much wisdom and wealth has been lost to the world by the destruction of things considered valueless by this or that generation. Practically every invention represents the work of many minds. One man works along a certain line and builds a machine, which for some reason he is unable to perfect or make practical. Another man comes along, studies the first man's work, discovers its defects, adds a little here and a little there, and the result is a perfected and useful mechanism. Many of the models in the Patent Office preserve—perhaps in a crude manner—the ideals of their creators and are object lessons of what was in the mind of the man who built the model. In after years some one else will come along, take up the work where the other fellow left off, make a new application of an old principle, and, in many instances, solve the problem. Many devices, appliances, and machines which are now useful and practical were at one time condemned as impractical and useless. Frequently a very slight change will transform a mechanical failure to a mechanical success.

Mr. BEGG. This same thing has been done before and no harm has ever come from it.

Mr. LOZIER. We do not know what harm or how much harm has come from it, nor do we know what harm will come from the destruction of these models. Certainly no good can come from selling, giving away, and otherwise scattering these models.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. LOZIER. Certainly.

Mr. LAGUARDIA. The gentleman assumes there is a model with each application for a patent that is filed.

Mr. LOZIER. No; I do not assume anything of the kind. Many applications for patents are not followed up, and frequently applications are abandoned without any models having been deposited in the Patent Office. But such models as are now in the Patent Office ought to be preserved, so that we may in the future get the benefit of any work or any original ideas or any new principle that may be reflected in those models.

Mr. LANHAM. Will the gentleman yield?

Mr. LOZIER. I yield to the gentleman from Texas.

Mr. LANHAM. The gentleman seems to proceed upon the assumption that these models are to be destroyed, whereas the terms of the bill provide that they are to be disposed of by public auction, by gift to Federal, State, or private museums or institutions, or returned to the original depositors or their representatives when they request it, and I would like to ask the gentleman in addition, does not the gentleman think that the

mere fact that the commission is to consist of the Commissioner of Patents, who is familiar with the details of the office—

Mr. LOZIER. Before the gentleman takes up all of my time, I will answer him in this way: No one man, no dozen men, and no 100 men are in a position to say what mechanical contrivance can not be made practical or valuable for future use perhaps by a very simple addition or subtraction. Many useful inventions were for a long time considered impractical and valueless. The bill proposes what is in effect a destruction of these models, because it proposes to scatter them to the four winds, and the gentleman knows that in a very few years these models will be destroyed, even if they are distributed or sold as provided in the bill. They should all be kept together in the Patent Office, accessible to every student of mechanical problems.

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

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

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

SALE OF APPRAISERS' STORES PROPERTY AT PROVIDENCE, R. I.

The next business on the Consent Calendar was the bill (H. R. 7911) to authorize the Secretary of the Treasury to sell the appraisers' stores property in Providence, R. I.

The Clerk read the title of the bill.

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

Mr. RAKER. Mr. Speaker, may the bill be reported?

The SPEAKER. Without objection the Clerk will report the bill.

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized, in his discretion, to sell the property at the southeast corner of South Main Street and Custom Avenue, in the city of Providence, R. I., known as the appraisers' stores property, in such manner and upon such terms as he may deem to be to the best interests of the United States, and to convey such property to the purchasers thereof by the usual quitclaim deed, the proceeds of such sale to be deposited in the Treasury as a miscellaneous receipt.

Mr. RAKER. Mr. Speaker, reserving the right to object, will the gentleman having charge of the bill advise us why this property should not be appraised before it is sold?

Mr. GREEN. It is not the custom in such cases. It is not very valuable property.

Mr. RAKER. Does the gentleman know about what is the value of the property?

Mr. GREEN. Somewhere between \$5,000 and \$7,000.

Mr. RAKER. I once heard on the floor here a gentleman say that a certain piece of Government property was worth little, and then it was sold for \$3,000 or \$4,000; when it was clear it was worth from \$60,000 to \$70,000; but there was no appraisement or anything of that kind before the sale, and I wondered whether this was the same kind of a case.

Mr. GREEN. I do not think so, and I presume the Secretary of the Treasury will get as much for it as he can.

Mr. RAKER. Of course, the presumption is he would get as much as he could for it, and the only question in my mind was through a desire to protect the Government and have it appraised before it was sold, and I wondered why the committee did not include that in the bill.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. GREEN. Yes.

Mr. LAGUARDIA. This is not Government property at all. It is property that is at the appraisers' stores that is unclaimed?

Mr. GREEN. No; this is a small tract of land with a shack on it.

Mr. RAKER. Will the gentleman yield further?

Mr. GREEN. Yes.

Mr. RAKER. There is not even to be a public sale of the property?

Mr. GREEN. No.

Mr. RAKER. Why should we sell Government property without notice, without appraisement, and not at public sale, but simply meet a man in the dark and fix up a price that is agreeable to the purchaser and then sell it privately?

Mr. GREEN. If this was property of any considerable value there might be some point to the gentleman's statement.

Mr. RAKER. If I had \$7,000 worth of property I would think I was pretty well fixed.

Mr. GREEN. I do not think this is worth putting up at public auction, and the Government does not want to be obliged to sell it for bids that may be offered. The Secretary is not required to sell it.

Mr. BLANTON. The gentleman from Iowa ought to tell the gentleman from California that the purchaser has already been found and is known to the department and is willing to give \$7,000 for it.

Mr. GREEN. No; I do not know of anyone who is willing to give any such price. If gentlemen are going to object, I wish they would object and not take up the further time of the House.

Mr. RAKER. Oh, why put it in that way, that the gentleman does not care anything about the bill. Is it not the usual practice for the Government, where Government property is sold, first to have it appraised, then to have it sold at public auction, after advertisement? The only thing that I am trying to find out is why this property is so different from anything else.

Mr. GREEN. It is not the general rule—the gentleman is mistaken—to dispose of property of small value in the way the gentleman has indicated. If the gentleman wants to object, let him object.

Mr. RAKER. If the gentleman keeps pressing me, I shall be obliged to object.

Mr. GREEN. I do not care anything about it.

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

Mr. GREEN. Yes.

Mr. BANKHEAD. What are the facts with reference to the sale of this property? Why is it necessary to sell it to protect the interests of the Government?

Mr. GREEN. It is not necessary to sell it to protect the interests of the United States, except that the Government is getting very little benefit from it. The situation with reference to the property is this. Some time ago the Government had a building on this property which was called the appraisers' stores building, and that is the reason why this is now called the appraisers' stores property. Then the city proceeded to pass an ordinance, with the consent of the Government I believe, widening the street, and paid damages for the widening of the street, which necessitated the wrecking of the building then on the property and cutting down the size of the lot so much that it is not now of a size where the Government would desire to construct a building. It is not big enough. There is a little shack on the land and the Government gets a nominal rent from it, but not enough to compensate it for the real value of the property.

Mr. BANKHEAD. Has it been necessary for the Government to acquire other property to carry on the business of the appraisers' stores there in that port?

Mr. GREEN. So I understand; I am informed that it did some time ago acquire the other property necessary for that purpose. I am not certain about that, however.

Mr. BANKHEAD. This is really just a surplus piece of property that the gentleman has been advised in the interest of the Government to dispose of?

Mr. GREEN. That is the situation exactly. It is a surplus piece of property the Government has no use for.

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

There was no objection.

The Clerk again reported the bill.

Mr. BLANTON. Mr. Speaker, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment by Mr. BLANTON: Page 1, line 4, after the word "discretion" insert the words "after advertisement," and after the word "sell" in the same line insert the words "at public auction."

Mr. GREEN. I have no objection to the amendment.

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

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

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

LIMIT OF COST OF CERTAIN NAVAL VESSELS

Mr. SNELL, from the Committee on Rules, reported H. Res. 393, providing for the consideration of the bill (H. R. 11282) to authorize an increase in the limits of costs of certain naval vessels, which was referred to the House Calendar.

THE CONSENT CALENDAR

The SPEAKER. The Clerk will report the next bill in order on the Consent Calendar.

TERMS OF DISTRICT COURT IN IOWA

The next business on the Consent Calendar was the bill (S. 3792) to amend section 81 of the Judicial Code.

The Clerk read the title of the bill.

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

Mr. DENISON. Mr. Speaker, I reserve the right to object for the purpose of asking if there is anyone here who can state briefly what the bill does?

Mr. DOWELL. Mr. Speaker, the bill is a mere correction of the time of holding terms of district court in the State of Iowa. The report of the committee is very short, consisting of three lines, and I shall read it:

This bill merely changes the times for holding court in the district of Iowa. It provides for no additional places for holding court and will involve no additional expense to the Government.

It merely changes the time for holding the court for the convenience of the court and to save additional expense to the litigants.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the fifth paragraph of section 81 of the Judicial Code is hereby amended to read as follows:

"Terms of the district court for the eastern division shall be held at Keokuk on the fourteenth Tuesday after the second Tuesday in January and the eighth Tuesday after the third Tuesday in September; for the central division, at Des Moines on the fifteenth Tuesday after the second Tuesday in January and the tenth Tuesday after the third Tuesday in September; for the western division, at Council Bluffs on the second Tuesday after the second Tuesday in January and the second Tuesday after the third Tuesday in September; for the southern division, at Creston on the fourth Tuesday after the third Tuesday in September and the second Tuesday in January; for the Davenport division, at Davenport on the twelfth Tuesday after the second Tuesday in January and the sixth Tuesday after the third Tuesday in September; and for the Ottumwa division, at Ottumwa on the first Tuesday after the second Tuesday in January and the third Tuesday in September."

The SPEAKER. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read the third time, and passed.

STANDARD WEIGHTS, ETC., FOR FLOURS, ETC.

The next business on the Consent Calendar was the bill (H. R. 3241) to establish a standard of weights and measures for the following wheat-mill, rye-mill, and corn-mill products, viz, flour, hominy, grits, and meals, and all commercial feeding stuffs, and for other purposes.

The Clerk read the title of the bill.

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

Mr. DOUGHTON. Mr. Speaker, I object.

Mr. VESTAL. Mr. Chairman, will the gentleman withhold his objection for a moment?

Mr. DOUGHTON. Yes.

Mr. VESTAL. This bill is the exact language that it was when it passed the House by unanimous consent at the last Congress. It went to the Senate a few days before adjournment, and they had no opportunity to pass upon the bill in the Senate. The bill is not objected to by the manufacturers of flour or corn, the wholesale grocers, and the retailers. There is a demand for this bill by those who are in the business of manufacturing flour and by the wholesale grocers and retailers all over the country.

It only has to do with the fixing of the standard so that it will in no way hurt the consumer, but will help the consumer and help the manufacturer and retailer as well, and I hope the gentleman will not object to the bill. It has had the endorsement of these people all over the country, and it has been before the House, discussed thoroughly at the session before last, and passed at the last session by unanimous consent.

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

Mr. VESTAL. I will be glad to do so.

Mr. McKEOWN. If this bill is passed, will it not cause a considerable expense to the manufacturers who now manufacture under the 96 pounds, whose machinery is so made and adjusted that they will have to put in new machinery for packing?

Mr. VESTAL. Let me answer the gentleman on that proposition. If there could be any burden on anybody it would be upon the manufacturers of flour, but every manufacturer of flour all over the country is in favor of the bill, and it will not be a burden because it will reduce the number of packages

they will have to carry. Let me give the gentleman one illustration of what it means now. Take the manufacturer of flour in Pennsylvania for instance. He can not sell in North Carolina flour that he manufactures in Pennsylvania because the package he manufactures in Pennsylvania contains more flour than is legal in North Carolina. That is absolutely made unlawful.

Mr. BLANTON. Will the gentleman yield?

Mr. VESTAL. I will.

Mr. BLANTON. Does not this bill affect every little gristmill in the United States that grinds on Saturday afternoon its corn meal?

Mr. VESTAL. It absolutely affects every person who manufactures.

Mr. BLANTON. Every farmer boy who rides old Beck to a corn mill is going to be affected by it.

Mr. VESTAL. Not at all.

Mr. BLANTON. I have ridden old Beck—

Mr. VESTAL. The gentleman is mistaken about that.

Mr. BLANTON. Mr. Speaker, I object to the bill.

Mr. DOUGHTON. Mr. Speaker, I object.

The SPEAKER. Objection is heard.

VALIDATING CERTAIN PAYMENTS MADE BY ARMY OFFICERS

The next business on the Consent Calendar was the bill (H. R. 6065) authorizing the Secretary of War to validate certain payments made by Army officers.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. BLACK of Texas. Mr. Speaker, I object.

The SPEAKER. Objection is made. The Clerk will report the next bill.

AUTHORIZING INCREASE IN THE LIMITS OF COST OF CERTAIN NAVAL VESSELS

The next business on the Consent Calendar was the bill (H. R. 11282) to authorize an increase in the limits of cost of certain naval vessels.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. BLANTON. Mr. Speaker, reserving the right to object, the chairman of the Committee on Rules has just introduced on the floor of the House a rule that makes this bill in order. He has not called it up, but he will do it as soon as Calendar Wednesday is over. I hope the membership will take notice of that pending rule, and take notice of this bill, and we fellows who are not committed to a big Navy or a big Army ought to be here to vote down that rule and kill the bill if we can. Mr. Speaker, I object.

The SPEAKER. Objection is heard.

MINORITY VIEWS ON H. R. 10604

Mr. LOWREY. Mr. Speaker, I ask unanimous consent to file minority views on the bill (H. R. 10604) to amend section 8 of an act entitled "An act to incorporate the Howard University in the District of Columbia," approved March 2, 1867.

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

Mr. BEGG. Mr. Speaker, I did not hear the gentleman's request.

The SPEAKER. The gentleman asks unanimous consent to file minority views from the Committee on Education. The Clerk will report the next bill.

LIBRARY INFORMATION SERVICE IN BUREAU OF EDUCATION

The next business on the Consent Calendar was the bill (H. R. 633) to provide for a library information service in the Bureau of Education.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. BULWINKLE. Mr. Speaker, I object.

Mr. DALLINGER. Will the gentleman withhold his objection?

Mr. BULWINKLE. I will withhold it for the moment.

Mr. DALLINGER. Mr. Speaker, I simply want to say that the Committee on Education will not have an opportunity at this session of Congress to bring any of the bills reported by it before the House, except by unanimous consent by a special rule, or under suspension of the rules. This bill, I may add, has been favorably reported unanimously by the Committee on Education in two Congresses, and while on its face it may appear, I may say to the gentleman from North Carolina, to cause an increase of expenditure by the Government, as a matter of fact it will, in the opinion of the committee, result in a large saving to the taxpayers.

The object of the bill is to increase the efficiency of American libraries as educational agencies by supplying them with

up-to-date information concerning Government activities, together with digests, indices, and other aids that are essential to make the material readily available to the people who use the libraries of the country.

The Government Printing Office issues annually more than 120,000,000 publications and periodicals at a cost of nearly \$6,000,000. These publications contain a mine of material on various subjects of general public interest. Experience demonstrates, however, that a large percentage of this output of the Government Printing Office is wasted, due to the fact that a majority of the people of the United States are totally ignorant of the existence in printed form of most of this information.

Miss Edith Guerrier, of the Boston Public Library, was given leave of absence by that institution during the war and performed valuable service for the United States Food Administration, being in charge of a library information service and general exhibits in connection with that branch of the Government service. She found librarians everywhere eager to receive and to use the Government material. The Secretary of the Interior permitted her to demonstrate for six months the possibilities of a library information service in connection with all the Government departments. As a result of this experiment direct connection was established for the first time between the Government and the libraries of the country, which was at that time welcomed not only by the libraries but by the heads of the different executive departments as well.

The method by which the division of library information service created by the proposed bill would operate is described briefly by Miss Guerrier as follows:

The proposed service would function as a central information office and clearing house between Government offices and libraries, which are the people's own educational extension centers. It would establish and maintain contact with all Government offices. It would maintain a subject card catalogue, giving sources of information, and it would send out news notes on current publications to libraries throughout the United States.

The Public Printer in his 1922-23 report estimates a yearly waste of \$1,000,000 worth of printed matter, part of which was distributed to persons who threw it into the wastebasket, and the larger part of which was never distributed at all. Through the efforts of the proposed library information service at least half this waste should be eliminated.

Twenty-three thousand five hundred dollars spent in salvaging half a million dollars' worth of Government property looks like an economy measure.

The total appropriation authorized by the proposed bill is \$23,500, based upon the following estimate:

	Per annum
Salary of director	\$5,000
Salary of assistant director	4,000
Salary of chief clerk	2,500
Salary of stenographer	2,000
Extra stenographic and messenger service	1,000
Travel	4,000
Stationery	1,000
Printing and binding	4,000
Total	23,500

In his annual report for the fiscal year ending June 30, 1923, the Public Printer says:

It seems fair to assume that the total waste in publications printed for free distribution by the departments in the last 10 years will be fully 25,000,000. Figuring the cost of these publications at 20 cents each (many of them being small pamphlets), the total loss to the Government may be placed at \$5,000,000 for the 10 years. This is in addition to the estimated loss of \$1,000,000 in 8 years on the free publications which Congress likewise failed to distribute. Therefore, the total loss to the Government on publications printed for free distribution by Congress and the departments may be conservatively estimated at not less than \$600,000 a year.

The primary purpose of the proposed bill is to salvage this vast annual wastage of Government publications. By reason of its direct contact with the libraries throughout the country and by means of its card catalogues and indexes, the division of library information service would be in a position to know the demand for any particular Government publication. A twofold benefit could therefore be accomplished: First, publications in which there is an interest would be made readily available through speedy channels to those who wish them, and, secondly, publications in which there is no interest would not be printed, thus eliminating a large portion of the cost of printing publications which in most instances are consigned to the wastebasket.

Using the most conservative estimate of the Government Printer, we find that the annual cost of wasted Government

publications amounts to more than the total of the annual appropriations authorized by this bill for the next 25 years.

It is the opinion of the Committee on Education that the small annual appropriation authorized by this bill, which for the first time would place within easy reach of a majority of the people of the United States authentic information in regard to the activities of their Government, is in the interest of wise economy and businesslike efficiency in the expenditure of the people's money.

I trust that the gentleman from North Carolina will withhold his objection.

Mr. BULWINKLE. I will ask that the bill be passed over without prejudice, so that I can have time to examine it.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that the bill be passed over without prejudice. Is there objection?

Mr. BLANTON. Mr. Speaker, I reserve the right to object. The gentleman from Massachusetts [Mr. DALLINGER] knows that his reorganization bill has the approval of the administration and is going to be brought in here under a rule, so the papers say. His bill will embrace this bill.

Mr. DALLINGER. No; the gentleman from Texas is mistaken; it will not embrace this bill.

Mr. BLANTON. It will when it gets in operation. I object to this bill.

The SPEAKER. The gentleman from Texas objects. The Clerk will report the next bill.

The SPEAKER. The Clerk will report the next bill.

PROCEEDINGS IN CONTESTED ELECTIONS

The next business on the Consent Calendar was the bill (H. R. 9493) to determine proceedings in contested-election cases of Members of the House of Representatives.

The title of the bill was read.

The SPEAKER. Is there objection?

Mr. WATKINS. Mr. Speaker, I object.

The SPEAKER. Objection is made. The Clerk will report the next bill.

ADDITIONAL FACILITIES AT WALTER REED GENERAL HOSPITAL

The next business on the Consent Calendar was the bill (H. R. 11252) authorizing the construction of additional facilities at Walter Reed General Hospital.

The title of the bill was read.

The SPEAKER. Is there objection?

Mr. LINEBERGER. Mr. Speaker, I reserve the right to object.

Mr. MCKENZIE. Mr. Speaker, will the gentleman withhold that?

Mr. LINEBERGER. I will reserve the right to object.

Mr. MCKENZIE. This bill is simply to build a permanent hospital for the boys out at Walter Reed to take the place of the frame buildings out there, which are a constant menace to the boys who are there. I hope the gentleman will not object.

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

Mr. MCKENZIE. Yes.

Mr. BEGG. We recently appropriated some \$18,000,000 or \$20,000,000 for hospitals. Was not any of that available? Will we have to appropriate \$2,000,000 more?

Mr. MCKENZIE. That was made available under the Veterans' Bureau. That has nothing whatever to do with this hospital.

Mr. BEGG. That could not be used, even if there was a surplus?

Mr. MCKENZIE. I so understand.

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

Mr. MCKENZIE. Yes.

Mr. LAGUARDIA. We were told heretofore, when that \$18,000,000 bill was passed, that that would care for all the hospitals. That was the understanding I had at the time.

Mr. BEGG. That was my understanding. But the gentleman from Illinois [Mr. MCKENZIE] states otherwise and I accept his statement.

Mr. BLANTON. Some of this money will be spent in constructing roads running in and out of the grounds. Does not the gentleman from Illinois fear that under the authority granted here the proposed Fourteenth Street extension will be opened up through the grounds?

Mr. MCKENZIE. I will say to the gentleman that every Member who is opposed to the proposed extension of Fourteenth Street through those grounds can in no more effective way prevent that than by passing this bill. This bill would block it.

The SPEAKER. Is there objection?

Mr. LINEBERGER. I would not like to object to this bill, but it appropriates \$2,000,000, and I think that is quite a large sum of money to be appropriated here in the House without any discussion or hearing or anything of that kind.

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

Mr. LINEBERGER. I yield.

Mr. MCKENZIE. I want to say to the gentleman from California that this matter has been submitted to the War Department and to the Bureau of Finance, and it has the approval of the War Department and the Bureau of Finance and the Budget and everybody.

Mr. LINEBERGER. Well, Mr. Speaker, I know of a good many other bills pending in this House which have only one or two Members of Congress against them, and yet they are continually being objected to when they come before the House. I think this is entirely too large an amount to appropriate without discussion and full consideration, and therefore I object.

The SPEAKER. The gentleman from California objects. The Clerk will report the next bill.

BRITISH STEAMSHIP "BARON BERWICK"

The next business on the Consent Calendar was the bill (S. 2719) to authorize the payment of an indemnity to the British Government on account of losses sustained by the owners of the British steamship *Baron Berwick* as the result of a collision between that vessel and the United States steamship *Iroquois* (now *Freedom*) and a further collision with the United States destroyer *Truxton*.

The title of the bill was read.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. BOYLAN. I object.

The SPEAKER. Objection is made. The Clerk will report the next bill.

EXCHANGE OF LAND IN EL DORADO, ARK.

The next business on the Consent Calendar was the bill (H. R. 11501) for the exchange of land in El Dorado, Ark.

The title of the bill was read.

The SPEAKER. Is there objection to the present consideration of this bill?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and empowered to convey by the usual quit-claim deed to the city of El Dorado, Ark., for street purposes and for no other purpose, all the right, title, and interest of the United States of America in and to a strip of land off the easterly side of the Federal building site in said city, 30 feet in width: *Provided*, That the city of El Dorado, Ark., shall vacate and convey to the United States of America in lieu thereof a strip of land 30 feet in width along the entire 140-foot frontage of the westerly side of said Federal building site: *Provided further*, That the city of El Dorado, Ark., shall not have the right to sell or convey the land herein authorized to be granted, or any part thereof, or to devote the same to any other purpose than as hereinbefore described, and in the event that the said land shall not be used for street purposes it shall revert to the United States of America.

The SPEAKER. The question is on the engrossment and third reading of the bill.

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

The SPEAKER. The Clerk will report the next bill.

HELIUM GAS

The next business on the Consent Calendar was the bill (H. R. 5722) authorizing the conservation, production, and exploitation of helium gas, a mineral resource pertaining to the national defense and to the development of commercial aeronautics, and for other purposes.

The title of the bill was read.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. LINEBERGER. Mr. Speaker, reserving the right to object, I do so for the purpose of asking the gentleman from Massachusetts [Mr. FROTHINGHAM] whether or not this bill carries an appropriation of any considerable amount?

Mr. FROTHINGHAM. This is the helium bill, so called?

Mr. LINEBERGER. Yes.

Mr. FROTHINGHAM. This is a bill, Mr. Speaker, that has been on the calendar since last year. The idea is to preserve or attempt to preserve the helium, which is in this country almost exclusively, for the use of lighter-than-air ships, for the safety

of the people who go up in those ships, because helium is non-explosive, as hydrogen is not; and if we do not preserve this wonderful thing that nature has given us it will soon be used up.

As a matter of fact, the supply in this country runs from Texas into Oklahoma and through into Pennsylvania, and the only other supply of helium in the world is a very small amount in Canada, a very small amount in Italy, and a minute quantity in Czechoslovakia.

Mr. LINEBERGER. Will the gentleman yield?

Mr. FROTHINGHAM. Yes.

Mr. LINEBERGER. Is this the kind of gas that is used in the *Shenandoah* and *Los Angeles*?

Mr. FROTHINGHAM. This is the kind of gas that is used in the *Los Angeles*, in California and elsewhere, and also in the *Shenandoah*.

Mr. LINEBERGER. I withdraw my reservation, Mr. Speaker.

Mr. LEATHERWOOD. Will the gentleman yield?

Mr. FROTHINGHAM. Yes.

Mr. LEATHERWOOD. I want to remind the gentleman that there has been a large quantity of helium discovered in my State, and the Government has reserved it.

Mr. FROTHINGHAM. I will say, in answer to the gentleman, that, of course, that was a case where the reservation was made of land that was already owned by the Government and it was taken over by order of the President last year. Of course, when it is on private land and not on a Government reservation it is not possible to take it over without authority, and this bill gives that authority.

Mr. McKEOWN. Will the gentleman yield?

Mr. FROTHINGHAM. Yes.

Mr. McKEOWN. I reserve the right to object in order to ask the gentleman if he would not be willing to pass the bill at this time, because at the present time I would be compelled to object to its consideration under the unanimous-consent rule for the reason that the bill puts the Government of the United States into the helium gas business, whereas the Government of the United States could regulate the production of this gas to great advantage by agreeing to take the gas from private persons rather than the Government going out and expending its millions in trying to produce helium gas. For that reason I would like to ask the gentleman if he would not be willing to pass the bill at this time.

Mr. FROTHINGHAM. I do not understand that the bill does that unless necessary, and the gentleman from Texas [Mr. LANHAM], who is an expert, is going to offer an amendment to this bill, and the gentleman from Oklahoma can offer one also.

As a matter of fact, if the bill does not come up now it is probably gone for the session, and it does seem to me that as a matter of safety for the persons who fly in these ships the bill should be passed.

Mr. McKEOWN. I am in full sympathy with the gentleman as to the purposes for which the gas is to be used, but I am opposed to the United States Government going into the helium-gas business when we can get gas for just half what it costs the taxpayers by buying it from those who produce helium gas.

Mr. LAGUARDIA. Will the gentleman tell us from whom we can buy it.

Mr. McKEOWN. Yes; I will tell you.

Mr. FROTHINGHAM. That is one of the things authorized in the bill.

Mr. McKEOWN. But this bill puts the Government in the business, and I think it is launching out on a business that we ought not to take up under unanimous consent.

Mr. FROTHINGHAM. I do not understand that it necessarily does that. It gives them the option of purchasing it or making it as far as necessary.

Mr. McKEOWN. But you give them the entire control of this business; you turn over the entire control to the Government.

Mr. LANHAM. Will the gentleman yield?

Mr. McKEOWN. Yes.

Mr. LANHAM. I do not think it is the plan of the United States Government to remain permanently in the business of producing helium. The gentleman understands, of course, that the original production of helium was a war-time activity, in order to acquire helium for our use during the war. There had been no previous experimentation in the production of helium, except for a few laboratory experiments, and when the war came on the Government was the only agency that could well launch into it. There is no plant to-day anywhere in the world of any consequence except the plant owned and operated by the Government. There are no private concerns that are to-day producing helium and no private concerns that

are at present qualified to produce helium until they learn more of the processes by which it is extracted. It is the purpose of the Government, as I understand it, eventually to stimulate the production of helium commercially by private concerns, and then the Government will get helium for its use by purchase from these various concerns. But at present there is no way in the world that the United States can get this helium except to produce it itself.

Mr. COLTON. Will the gentleman yield?

Mr. LANHAM. Yes.

Mr. COLTON. Is this the same bill that was before the Public Lands Committee and on which hearings were held?

Mr. LANHAM. It is substantially the same. The bill was subsequently referred to the Committee on Military Affairs and was reported from that committee. I will say to the gentleman from Utah that he probably recalls that it was not considered by the Public Lands Committee; that is, no report was made on it by that committee, by reason of the fact that the Committee on Public Lands was of the opinion that it did not have jurisdiction, in view of the fact that at that time no helium of any consequence had ever been discovered on public lands.

Mr. COLTON. Then, as I understand the bill, it does not put the Government in the business of producing it only to this extent, that it is for the purpose of conserving the gas.

Mr. LANHAM. The purpose of this bill is primarily for conservation.

Mr. COLTON. And as soon as private companies produce it the Government will, perhaps, withdraw?

Mr. LANHAM. That is correct.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. LANHAM. Yes.

Mr. LAGUARDIA. For the information of the gentleman from Oklahoma, is it not true that the Government is the only customer for helium gas?

Mr. LANHAM. It is.

Mr. LAGUARDIA. And unless it protects itself in this way it will be either at the mercy of some individual who can develop it or else not have any at all.

Mr. LANHAM. And not only that, but the Government would have to wait until some private concerns do go into it and develop it.

Mr. LAGUARDIA. And the Government thus far has developed it and reduced the cost over 100 per cent.

Mr. LANHAM. Yes; very much more than that.

Mr. McKEOWN. I will say to the gentleman that this is the situation: The Government of the United States prevents private parties from developing it. The Government assumes to control it, and they ought to have the control if they will take the entire output.

Here is the language of the bill to which I object. It is the language contained in lines 8, 9, 10, 11, and 12, on page 2, in which the Government assumes and reserves ownership and the right to all the helium in the United States.

Mr. LAGUARDIA. It has got to do that at this time.

Mr. McKEOWN. Mr. Speaker, I feel compelled to object or else have the bill passed over.

Mr. FROTHINGHAM. Mr. Speaker, this measure is a question of life or death to the men who go in these machines, and if the gentleman from Oklahoma objects to any part of the bill, it would seem the best parliamentary procedure for him to offer an amendment, and I have no doubt we could agree about it.

Mr. LANHAM. May I say to the gentleman from Oklahoma that the bill in its present shape is not entirely satisfactory to me and I anticipate offering some amendments in case the bill is considered.

Mr. McKEOWN. If gentlemen will just hear me for a minute or two and will allow me to explain the situation, then the House can do as it wants to. I do not want to assume here the responsibility of dictating to the House what it ought to do but I want to give you some facts, and then you can determine what you want to do.

Here is the truth about this matter. Helium was discovered in Kansas. It is found all through the Osage country. It is in nearly all the gas that comes out of the ground in northern Oklahoma. The concerns that produce gas can produce this helium cheaper, in my opinion, than the United States can ever produce it, because they have the greater quantities of gas from which to produce it.

Mr. LANHAM. Can the gentleman give us some statistics on what they have produced?

Mr. McKEOWN. I will give the gentleman some information about that.

The SPEAKER. Did the gentleman withdraw his objection?
Mr. McKEOWN. Just a minute, Mr. Speaker.

The SPEAKER. The Chair thinks there is no use wasting the time of the House, if the gentleman is going to object.

Mr. McKEOWN. My mind is open about it, Mr. Speaker.
[Laughter and applause.]

Mr. DOWELL. Is it necessary for the gentleman to speak for a few minutes before he can get his mind made up?

Mr. McKEOWN. No; but I want to explain the situation. I know something about this helium gas that the House ought to know. Several private parties came before a committee of Congress at the time the Government of the United States went down to Fort Worth and established a plant there that was clear away from where the helium was found, with all due regard to my distinguished friend, the gentleman from Texas [Mr. LANHAM]. They established there a plant that cost the Government an immense lot of money.

Mr. DOWELL. I think this discussion is entirely premature.

Mr. FROTHINGHAM. This is a very important matter and I hope the gentleman will not demand the regular order.

Mr. McKEOWN. I am simply trying to explain to you gentlemen just what the situation is.

Mr. DOWELL. The gentleman can have time to make this explanation if this bill is going to be considered and unless it is to be considered, I think we are wasting time.

Mr. FROTHINGHAM. Unless the gentleman wants to prevent the bill from being passed I hope he will allow the gentleman from Oklahoma to proceed. I think we can meet the gentleman's objections.

Mr. DOWELL. I want the gentleman to state what he intends to do and I demand the regular order, Mr. Speaker.

Mr. McKEOWN. I simply want to explain the situation, Mr. Speaker. I have an open mind on the bill. I do not want to do any injustice to the bill, but there is an important matter involved here.

Mr. DOWELL. If it will make the gentleman feel any better to proceed a few minutes, I am willing to wait a little while, but in a few moments I shall insist on the regular order unless the gentleman closes.

Mr. McKEOWN. I can give the gentleman a few things to think about if he will just wait a minute. [Laughter.]

The situation is that private individuals, and I could name some of them, can produce helium cheaper than the United States Government, but you will not permit them to produce this helium. Here is what I want you to do, and it is all I want. I want the United States Government to buy the helium gas where it can buy it cheapest and save as much money as they can to the taxpayers of this country, and at the same time encourage the production of helium.

Mr. FROTHINGHAM. Will the gentleman yield?

Mr. McKEOWN. In just a moment. I do not want the Army or Navy of the United States to squelch the private production of helium, and that is what they have been doing in order to keep up the Government plants. They have discouraged private production, and all I am insisting on is the right of the Government to buy its helium where it can buy it the cheapest, and if you will amend the bill in that way I have no objection.

Mr. FROTHINGHAM. That is the question I was going to ask the gentleman. If the gentleman will offer such an amendment I will accept it.

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

There was no objection.

The SPEAKER. The Clerk will read the bill.

The Clerk read as follows:

Be it enacted, etc., That for the purpose of producing helium with which to supply the needs of the Army and Navy and other branches of the Federal Government, the Secretary of the Interior is hereby authorized to acquire land or interest in land by purchase, lease, or condemnation where necessary to explore for, procure, or conserve helium-bearing gas; to drill or otherwise test such lands; and to construct plants, pipe lines, facilities, and accessories for the production, storage, and repurification of helium: *Provided*, That any known or probable helium gas-bearing lands on the public domain not covered at the time by leases or permits under the act of February 25, 1920, entitled "An act to promote the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain," may be reserved for the purposes of this act.

SEC. 2. That the Bureau of Mines, acting under the direction of the Secretary of the Interior, is authorized to maintain and operate helium production and repurification plants, together with facilities and accessories thereto; to store and care for helium; to conduct exploration for and production of helium on and from the lands acquired or set

aside under this act; to conduct experimentation and research for the purpose of discovering helium supplies and improving processes and methods of helium production, repurification, storage, and utilization.

With the following committee amendment:

Page 2, line 7, strike out the word "act" and the period following it and insert: "Act, and that the United States reserves the ownership and the right to extract, under such rules and regulations as shall be prescribed by the Secretary of the Interior, helium from all gas produced from lands so permitted, leased, or otherwise granted for development."

Mr. LANHAM. Mr. Speaker, I offer the following amendment which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. LANHAM: Page 2, lines 13 and 14, after the figure "2," strike out the remainder of line 13, and on line 14, down to the word "is," and insert in lieu thereof the following: "That the Secretary of the Navy." And in lines 17 and 18, strike out the words "and production of," and on line 17, after the semicolon and before the word "to," insert: "that the Bureau of Mines acting under the direction of the Secretary of the Interior is authorized."

Mr. LANHAM. Mr. Speaker, the primary purpose of this bill is for the conservation of helium. The first section of the bill has that in view. The fourth section provides against the export of helium.

All experimental matters with reference to helium, exploration, repurification, devising lower methods of cost, and so forth, perhaps, properly belong to the Bureau of Mines, but helium is extracted for the use of the Army and the Navy. Under the direction of the Helium Board the Navy has had charge of the production plant and has reduced the cost of extraction until now it is between 4 and 5 cents a cubic foot, and I have advices from those in charge which lead them to believe that before the present year is ended they will further reduce that cost to about 2 cents a cubic foot. The part of this bill which, in my judgment, should not pass without some amendment, is that which transfers the production of helium, the actual operation of the plants, to the Bureau of Mines. In other words, you take it out of the hands of the people who are operating it most successfully and efficiently, change horses in the middle of the stream, and turn the production end over to the Bureau of Mines. The Bureau of Mines is made an intermediary between the Army and the Navy. The Bureau of Mines does not use helium. It is used by the Army and the Navy, and the Army and the Navy through their understanding now are permitting the Navy to extract the helium from the gas. One can imagine the great misunderstanding that may arise when you have to take funds out of the Army and the Navy, take them to the Bureau of Mines, and then come back to the Army and the Navy with the audit and the bookkeeping and the squaring of those accounts. In addition to these administrative troubles, it seems to me that we should not without further opportunity for consideration take this operation away from those who are now carrying it on successfully and place it in the hands of those who have not been charged with the operation.

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

Mr. LANHAM. Yes.

Mr. McKEOWN. Will this bill with this proposed amendment prevent a private individual from producing helium and selling it to the Government?

Mr. LANHAM. In my judgment, there is nothing to prevent that now, and I believe it is the object of those in authority that that very thing the gentleman desires will be done. I know that gentlemen who are interested in the production of helium recently appeared before the American Petroleum Institute, that met in my home city of Fort Worth, and urged upon them their interest in the matter of producing helium. Up to this time no private concerns have produced it. At present the Government is the only agency that is producing it at all.

Mr. McKEOWN. Will this bill encourage private individuals to produce helium, or will the Government here make regulations to make its production absolutely necessary?

Mr. LANHAM. It certainly will not discourage them and, in my judgment, will encourage them, because in the next section provision is made for the encouragement of commercial aviation with any surplus helium that may be acquired.

Mr. JONES. And this merely authorizes the Government to control such lands as it may lease?

Mr. LANHAM. That is all.

Mr. JONES. Leaving all outside lands for private enterprise and in another paragraph it authorizes the leasing of them.

Mr. LANHAM. Yes; that is all. And I may say this with reference to the leasing of those lands. There are fields of gas in this country to-day with a high content of helium, and so low in British thermal units as to be of little value commercially. Those fields can be leased and set aside for the conservation of helium without in any way crippling industry or commerce, because the gas is not available in its present form for commercial purposes. The amendment that I have offered leaves the Bureau of Mines as the proper experimenting and exploring agency to find the gas and to proceed to lease the lands and condemn them, if necessary, and purchase them, to preserve helium. I think that is a proper function, I do not believe that when we are conducting our operation so successfully, with the cost being constantly reduced by those who are in charge, that we ought to take it away from the Army and the Navy and place it in another branch of the Government without mature deliberation, and the purpose of my amendment is to prevent that.

The SPEAKER. The question is on agreeing to the amendment offered by the gentleman from Texas.

The amendment was agreed to.

Mr. MCKEOWN. Mr. Speaker, I offer the following amendment which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. MCKEOWN: Page 1, line 7, after the word "necessary," insert "or can not be purchased from private parties at a less cost."

Mr. FROTHINGHAM. Mr. Speaker, I accept that amendment.

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

The amendment was agreed to.

The SPEAKER. The question is on agreeing to the committee amendment to section 1.

The committee amendment was agreed to.

The SPEAKER. The Clerk will read the next section.

The Clerk read as follows:

SEC. 3. That immediately upon the passage of this act all existing Government plants operated by the Government or under lease or contract with it for the production of helium shall be transferred to the jurisdiction of the Bureau of Mines: *Provided*, That the Army and Navy and other branches of the Federal service requiring helium may requisition it from the said bureau and make payment therefor by transfer of funds on the books of the Treasury from any applicable appropriation at actual cost of said helium to the United States, including all expenses connected therewith: *Provided further*, That any surplus helium produced may, until needed for Government use, be leased to American citizens or American corporations under regulations approved by the President: *And provided further*, That all moneys received from the sale or leasing of helium shall be credited to a helium-production account and shall be and remain available for the purposes of this section; and that any gas belonging to the United States after the extraction of helium, or other by-product not needed for Government use, shall be sold and the proceeds of such sales shall be deposited in the Treasury to the credit of miscellaneous receipts.

Mr. LANHAM. Mr. Speaker, I offer the following amendment which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. LANHAM: Page 2, line 23, after the figure "3," strike out all of lines 23, 24, and 25, and on page 3, strike out lines 1, 2, 3, 4, 5, 6, 7, and through the word "further," on line 8.

Mr. LANHAM. Mr. Speaker, this amendment is really but a part of the amendment which I offered before to the provisions in the preceding section, and this does the same thing in reference to this section that the amendment already adopted did to the other section.

Mr. FROTHINGHAM. Mr. Speaker, the amendment is acceptable.

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

The Clerk read as follows:

SEC. 4. That hereafter no helium gas shall be exported from the United States, or from its possessions, until after application for such exportation has been made to the Secretary of the Interior and permission for said exportation has been obtained from the President of the United States, or such authority as he may designate to give such permission. That any person violating any of the provisions of this section shall be guilty of a misdemeanor and shall be punished by a fine of not more than \$5,000 or by imprisonment of not more than one year, or by both such fine and imprisonment, and the Federal courts of the United States are hereby granted jurisdiction to try and determine all questions arising under this section.

The committee amendment was read, as follows:

Page 3, line 25, strike out the language "or such authority as he may designate to give such permission" and insert "on the joint recommendation of the Secretary of War, the Secretary of the Navy, and the Secretary of the Interior."

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

Mr. WATKINS. Mr. Speaker, I offer an amendment.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 3, line 21, after the word "possessions," strike out the remainder of said page and lines 1 and 2 on page 4.

Mr. WATKINS. Mr. Speaker, the amendment I propose simply means helium can not be exported, and I believe with the situation as it exists we should not permit it, and I therefore offer the amendment in that spirit.

Mr. MCKEOWN. Mr. Speaker, I rise in opposition to the amendment to say this is an amendment which I think will prevent the exportation of helium. I think it should be left to the officers when the time comes, because helium is not only used for the purpose of aircraft but it is also used in the manufacture of light globes and things of that character, and maybe they will discover other very useful things that we want to export, so I think the gentleman's amendment ought not to prevail, but it ought to be left to the Secretary.

Mr. FROTHINGHAM. Mr. Speaker, I think the bill reported by the committee prevents the exportation sufficiently, and I trust the amendment will be voted down.

The SPEAKER. The question is on the amendment offered by the gentleman from Oregon.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

Page 4, after line 9, insert:

"SEC. 5. The Army and Navy may each designate an officer to cooperate with the Department of the Interior in carrying out the purposes of this act, and shall have complete right of access to plants, data, and accounts."

Mr. LANHAM. Mr. Speaker, I offer an amendment.

Mr. FROTHINGHAM. Mr. Speaker, in view of the amendment adopted, I ask that this committee amendment be voted down.

Mr. LANHAM. That is the purpose of my amendment, and I defer to the gentleman.

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

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

On motion of Mr. FROTHINGHAM, a motion to reconsider the vote by which the bill was passed was laid on the table.

REGULATING THE HEIGHT OF BUILDINGS IN THE DISTRICT OF COLUMBIA

The next business on the Consent Calendar was the bill (H. R. 11214) to amend an act regulating the height of buildings in the District of Columbia, approved June 1, 1910, as amended by the act of December 30, 1910.

The Clerk read the title of the bill.

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

Mr. BEGG. Mr. Speaker, reserving the right to object, I would like to know what the present limitation is on the height of buildings?

Mr. BLANTON. It is eight stories, not to exceed 90 feet. This bill has been submitted to the commissioners and it comes to the Committee on the District of Columbia with their strong approval, and the approval of the zoning commission, and at their instance they got the chairman of the committee [Mr. REED of West Virginia] to introduce the bill for them.

Mr. BEGG. I understand that, but an eight-story building in the business section is not high for a city of a half million inhabitants.

Mr. BLANTON. It was thought best by those who govern the situation here, and that is a zoning commission appointed by the Congress, not to make of this city a city of high buildings such as New York or Chicago. They want to preserve this as a city of beauty rather than a city of commercial uses.

Mr. BEGG. Does not the gentleman think we ought to pass it over here until we get a little more light?

Mr. WINGO. Will the gentleman permit a suggestion?

Mr. BLANTON. It is a unanimous report of the Committee on the District of Columbia, something which is very rare, indeed.

Mr. HILL of Maryland. Does it raise the height or lower it?

Mr. BLANTON. It permits buildings on residential streets to be 90 feet high.

Mr. HILL of Maryland. Does it make a lower limit or a higher limit?

Mr. WINGO. I will tell the gentleman, if he will listen to me, that when I first looked into this bill it was with the idea of possibly objecting; but reading the present law, I have come to this conclusion, and my opinion is confirmed in the report of what this bill does. It permits a 5-foot additional height in the residential portion of the city. They now have the right to build 90-foot business houses in the residential portions where it is permitted, but the limitation still goes to 85 feet for apartment houses, hotels, and such as that. This will enable them to make them still only eight stories, but permits those eight stories to be 5 feet higher. The American Institute of Architects desires this in order to give additional space in the architectural treatment. It increases the limitation only 5 feet on residential buildings, permitting them to be 5 feet higher. That is all it does, in my opinion.

Mr. BEGG. I shall not object to it, although I think it is rather hazardous.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc. That paragraph 3 of section 5 of an act entitled "An act to regulate the height of buildings in the District of Columbia," approved June 1, 1910, as amended by the act of December 30, 1910, be, and it is hereby, further amended to read as follows: "On a residence street, avenue, or highway no building shall be erected, altered, or raised in any manner so as to be over eight stories in height or over 90 feet in height at the highest part of the roof or parapet, nor shall the highest part of the roof or parapet exceed in height the width of the street, avenue, or highway upon which it abuts, diminished by 10 feet, except on a street, avenue, or highway 60 to 65 feet wide, where a height of 60 feet may be allowed; and on a street, avenue, or highway 60 feet wide or less, where a height equal to the width of the street may be allowed: *Provided*, That any church, the construction of which had been undertaken but not completed prior to the passage of this act, shall be exempted from the limitations of this paragraph, and the Commissioners of the District of Columbia shall cause to be issued a permit for the construction of any such church to a height of 95 feet above the level of the adjacent curb."

Mr. BOYLAN. Mr. Speaker, I move to strike out the last word.

The SPEAKER. The gentleman from New York moves to strike out the last word.

Mr. BOYLAN. Mr. Speaker, I just want to say that in answer to an objection we were told by the District Committee that it was the intention of the commissioners to make this city a city of beauty rather than a commercial city. Yet I have observed, in coming to the Capitol from the west, along Pennsylvania Avenue, that we encounter such beautiful objects as two and three story dumps; we have Chinese laundries; we have Indian fortune tellers; we have soothsayer signs and signs advertising clairvoyants; we have one-night stands, and other objects of beauty. Buildings that will give us the idea that when we go back to our home towns that we should try to emulate them. [Laughter.]

Mr. BLANTON. That is the overflow from the metropolitan city of New York. [Laughter.]

Mr. BOYLAN. Well, be that as it may, it exists. We see these objects of beauty. Only a short time ago a distinguished former Member of this House, now a Member of the Senate, was almost killed in passing that beautiful section of Washington along Pennsylvania Avenue, the westerly approach to this wonderful Capitol, in this beautiful city of Washington.

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

Mr. BOYLAN. Certainly.

Mr. BLANTON. I will vote for every bill that the gentleman from New York will introduce that will wipe out every joint on Pennsylvania Avenue, from the Capitol on down to Georgetown and Arlington. [Applause.]

Mr. BOYLAN. I would be glad to have somebody do something here to make Washington a city of beauty. We ought to hold up Washington as a mirror to the rest of the country, so that the benighted Members here can carry back to their home towns a vision of beauty in their minds, so that they could emulate this city of beauty in their home towns.

Mr. BLANTON. Have these sights been bothering the gentleman at any time?

Mr. BOYLAN. No; but I have an esthetic sense, and when I travel up and down the Avenue, to and from the Capitol, those things grate upon my esthetic sense.

Mr. BLANTON. Those garlic smells grate on me, too. [Laughter.]

Mr. HILL of Maryland. Mr. Speaker, will the gentleman yield?

Mr. BOYLAN. Yes.

Mr. HILL of Maryland. On page 1, line 9, of the bill it says, "No building shall be erected, altered, or raised in any manner so as to be over eight stories in height or over 90 feet in height." Is the gentleman, who is familiar with this bill, sure that that will preclude buildings over eight stories high?

Mr. WINGO. I will say in reply to that question that I think the language justifies that idea, that the eight-story limitation is still there, and the 90-foot limitation. The only change they make is to increase the 85-foot limit on residential property to a 90-foot limit, which is now applicable to business property.

Mr. HILL of Maryland. I wonder if it really accomplishes that. It says, "over 90 feet."

Mr. WINGO. I understand it permits an eight-story building 90 feet high instead of an eight-story building of 85 feet.

Mr. HILL of Maryland. Is that entirely clear on line 9 of page 1? I think there should be a limitation to make it 90 feet.

Mr. WINGO. That is a limitation. No building shall be erected to be over eight stories or over 90 feet. They might make it eight stories and 90 feet. That is the highest elevation.

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

Mr. HILL of Maryland. Yes.

Mr. BLANTON. I did not know that the gentleman from Baltimore was interested in a 90-foot limit. I thought he was interested in a 3-mile limit. [Laughter.]

Mr. HILL of Maryland. Since the gentleman from Texas has violated the 3-mile limit, I am in favor of a 90-foot limit. [Laughter.]

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The question is on the engrossment and third reading of the bill.

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

The SPEAKER. The Clerk will report the next bill.

JUDICIAL DISTRICTS IN ARKANSAS

The next business on the Consent Calendar was the bill (H. R. 5197) to amend section 71 of the Judicial Code, as amended.

The title of the bill was read.

The SPEAKER. Is there objection to the consideration of this bill?

Mr. WINGO. I object.

The SPEAKER. The gentleman from Arkansas objects.

Mr. PARKS of Arkansas. Mr. Speaker, I ask unanimous consent that the bill retain its place on the calendar.

The SPEAKER. The gentleman from Arkansas asks unanimous consent that the bill retain its place on the calendar. Is there objection?

Mr. BEGG. What is the object of that? It stays on the calendar, and the next time it will be objected to. I think I will object to it now.

The SPEAKER. The gentleman from Ohio objects. The Clerk will report the next bill.

CLOSING CERTAIN STREETS IN THE DISTRICT OF COLUMBIA

The next business on the Consent Calendar was the bill (S. 1179) to authorize the Commissioners of the District of Columbia to close certain streets, roads, or highways in the District of Columbia rendered useless or unnecessary by reason of the opening, extension, widening, or straightening, in accordance with the highway plan of other streets, roads, or highways in the District of Columbia, and for other purposes.

The title of the bill was read.

The SPEAKER. Is there objection?

Mr. BLANTON. I reserve the right to object.

Mr. BEGG. Mr. Speaker, I reserve the right to object.

The SPEAKER. The gentleman from Ohio is recognized.

Mr. BLANTON. I reserved the right to object first.

Mr. BEGG. I would like to ask a man who is interested in this bill a question.

Mr. BLANTON. I can tell the gentleman something about it if he will yield to me.

Mr. BEGG. Certainly I will yield to the gentleman.

Mr. BLANTON. This bill would be all right except for one point in it. If you pass this bill you will permit Fourteenth Street to be opened up through the Walter Reed Hospital. That is one of the main designs of this bill. I was going to object, but I will wait and let the Speaker recognize the gentleman from Ohio to object.

Mr. BEGG. Mr. Speaker, I object.

EXPENSES OF THE GOVERNMENT OF THE DISTRICT OF COLUMBIA

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

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. BLANTON. I object, Mr. Speaker.

TERMS OF COURT IN THE EASTERN DISTRICT OF SOUTH CAROLINA

The next business on the Consent Calendar was the bill (S. 3509) to change the time for the holding of terms of court in the eastern district of South Carolina.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 5 of an act entitled "An act to amend an act entitled 'An act to amend an act entitled 'An act to provide for the appointment of a district judge, district attorney, and marshal for the western district of South Carolina, and for other purposes,'" approved September 1, 1916, so as to provide for the terms of the district court to be held at Spartanburg, S. C.," approved March 4, 1923, be and the same is hereby amended by changing the times for the terms of the district court for the eastern district of South Carolina, so as to read as follows:

"SEC. 5. That the terms of the district court for the eastern district of South Carolina shall be held at Charleston on the second Monday in October, the third Monday in January, and the fourth Monday in May; at Columbia on the first Monday in November and the third Monday in March; at Florence on the first Monday in December and the fourth Monday in April; and at Aiken on the fourth Monday in September and the third Monday in February.

"Terms of the district court of the western district shall be held at Greenville on the first Tuesday in April and the first Tuesday in October; at Rock Hill, the second Tuesday in March and September; at Greenwood, the first Tuesday in February and November; at Anderson, the fourth Tuesday in May and November; and at Spartanburg, on the third Tuesday in February and second Tuesday in December.

"The office of the clerk of this district court for the western district shall be at Greenville, and the office of the clerk of the district court for the eastern district shall be at Charleston.

"This act shall take effect on the 1st day of July next ensuing its passage."

With the following committee amendment:

Page 2, line 12, strike out the word "third" and insert the word "second."

The SPEAKER. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The SPEAKER. The question is on the third reading of the bill.

The bill was ordered to be read a third time, was read the third time, and passed.

TARIFF ACT OF 1922

The next business on the Consent Calendar was the bill (H. R. 11638) to amend the tariff act of 1922, and other acts, and to change the official title of the Board of United States General Appraisers and members thereof to that of the United States Customs Court, presiding judge, and judges thereof.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. WATKINS. Mr. Speaker, I object.

DIPLOMATIC AND CONSULAR ESTABLISHMENTS OF THE UNITED STATES IN TOKYO, JAPAN

The next business on the Consent Calendar was the bill (H. R. 9700) to authorize the Secretary of State to enlarge the site and erect buildings thereon for the use of the diplomatic and consular establishments of the United States in Tokyo, Japan.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. BLANTON. Mr. Speaker, I reserve the right to object in order to ask a question. Is it the policy of those who have in charge the passage of legislation to furnish such quarters

as are contemplated in Tokyo, Japan, to all of our embassies and legations? If it is, this bill ought to pass.

Mr. MOORE of Virginia. I did not catch the gentleman's question. The gentleman from Pennsylvania [Mr. TEMPLE], who is immediately in charge of the bill, is not here; but I happen to be a member of the committee and can probably answer the gentleman's question.

Mr. BLANTON. I want to know whether the gentleman is in favor of doing for our representatives in all foreign countries what we are proposing to do in Tokyo, Japan?

Mr. MOORE of Virginia. It has been done in a good many countries but it has not been done in all. This bill does not propose any general policy, but it does propose to make provision for the housing of our diplomatic and consular representatives in Tokyo.

Mr. BLANTON. I am not going to object to it, but we are embarking on a very expensive policy.

The SPEAKER. Is there objection?

Mr. BLACK of Texas. Mr. Speaker, I reserve the right to object. Can the gentleman from Virginia give us any information as to the prospective cost of this housing?

Mr. MOORE of Virginia. The total cost will be something over \$1,000,000.

Mr. COLE of Iowa. One million two hundred and fifty thousand dollars.

Mr. MOORE of Virginia. One million two hundred and fifty thousand dollars less an unexpended sum of \$100,000. The total expenditure will include the purchase of necessary land and the construction of buildings.

Mr. BLACK of Texas. Mr. Speaker, I greatly regret to object at this time.

Mr. RAKER. Will the gentleman yield before he objects? I hope the gentleman will not object to this bill, and I hope that no other Member of the House will object. The passage of this bill will do a great deal of good to the service. There is nothing we can do that will do as much good as to pass this bill. We should properly provide for our consular and diplomatic officers at Tokyo, Japan.

Mr. BLACK of Texas. Can the gentleman from Virginia give the House any information as to how the probable cost of this enterprise will compare with the cost of our embassy buildings in the city of London and in the city of Paris, for example?

Mr. MOORE of Virginia. My friend remembers that the building in London was given to this Government.

Mr. BLACK of Texas. Yes; I remember that.

Mr. MOORE of Virginia. The building in Paris, which only takes care of the embassy, cost a much less sum than the sum I have mentioned. It will be necessary to acquire a parcel of real estate adjoining that now owned by the United States and another smaller parcel of real estate in the down-town or commercial section of the city. I will say this to the gentleman: We have had communications from the Secretary of State and we have had before our committee Mr. Wilson, who has been engaged in the foreign service in Tokyo and is familiar with the whole situation, and there seems no sort of doubt that the land desired to be acquired will be gotten if this legislation passes at a very reasonable figure.

Mr. COLE of Iowa. Will the gentleman yield?

Mr. MOORE of Virginia. I yield to the gentleman.

Mr. COLE of Iowa. This appropriation includes also houses for the employees of the Government which, of course, are not included in the figures as to London or Paris, but it is necessary to acquire them at Tokyo.

Mr. MOORE of Virginia. Yes; that is true.

Mr. REED of New York. Is it true that because of the earthquake over there the Government is very much embarrassed at this time on account of not being able to get quarters?

Mr. MOORE of Virginia. Very much, and then, as the gentleman from Iowa [Mr. COLE] has just suggested, it is necessary to provide housing for our diplomatic and consular representatives in Tokyo.

Mr. BLACK of Texas. Will the gentleman from Virginia yield for one further question?

Mr. MOORE of Virginia. Yes.

Mr. BLACK of Texas. Is this a unanimous report from the Committee on Foreign Affairs?

Mr. COLE of Iowa. Yes.

Mr. MOORE of Virginia. So far as I recall, it is a unanimous report.

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

Mr. MOORE of Virginia. Yes.

Mr. RAKER. In addition to what the gentleman stated in answer to the gentleman from New York [Mr. REED], about

this being necessary on account of the earthquake and so forth, as I understand it, we can get this land now much cheaper than we can if we wait even a short time; is not that the fact?

Mr. MOORE of Virginia. It is certainly understood by our people that the piece of land adjoining a parcel which our Government now owns can be gotten at a very low figure.

Mr. BLACK of Texas. Mr. Speaker, I withdraw the reservation of objection.

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

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of State be, and he is hereby empowered, at a cost not exceeding \$1,250,000, to acquire in Tokyo, Japan, additional land adjoining the site of the former American Embassy and construct thereon suitable buildings for the use of the diplomatic establishment of the United States, and also appropriate land and to construct thereon suitable buildings for the use of the consular establishment, the said buildings to include residences for the diplomatic and consular representatives, and the furnishing of the same, and an appropriation of \$1,150,000 is hereby authorized for this purpose in addition to the sum of \$100,000 already available.

With the following committee amendments:

Page 1, line 6, after "Embassy," insert "and such other land as may be necessary."

Page 1, line 7, after "diplomatic," insert "consular" and change the word "establishment" to "establishments."

Page 1, line 9, strike out all after "States" down to and including "establishment," line 10.

The SPEAKER. The question is on agreeing to the committee amendments.

The committee amendments were agreed to.

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

FORT BLISS, TEX.

The next business on the Consent Calendar was the bill (H. R. 8267) for the purchase of land adjoining Fort Bliss, Tex.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of this bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the sum of \$366,000 is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for the purchase of 3,618 acres of land adjoining and to the east of the present military reservation at Fort Bliss, Tex., and the Secretary of War is hereby authorized and directed to make said purchase.

With the following committee amendments:

Line 3, after the word "that," strike out the article "the" and in lieu thereof insert the article "a."

Line 3, after the word "sum," strike out the word "of" and insert in lieu thereof the words "not to exceed."

Line 5, beginning with the word "three," strike out all thereafter down to and including the word "of," in line 6.

Line 6, after the word "land," strike out all the line down to and including the word "of," in line 7, and insert in lieu thereof the words "in the vicinity of and for use in connection with."

Line 8, strike out the words "and directed."

The SPEAKER. The question is on agreeing to the committee amendments.

The committee amendments were agreed to.

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

FEES IN NATURALIZATION PROCEEDINGS

The next business on the Consent Calendar was the bill (H. R. 5428) to provide for accounting by clerks of United States district courts of fees received by them in naturalization proceedings.

The Clerk read the title of the bill.

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

Mr. BLACK of New York, Mr. BOYLAN, and Mr. LAGUARDIA rose and objected.

Mr. HUDSPETH. Mr. Speaker, I move to reconsider the vote by which the bill H. R. 8267 was passed and to lay that motion on the table.

The SPEAKER. It will save time if the gentleman will not do that.

Mr. HUDSPETH. Then, Mr. Speaker, I withdraw the motion.

Mr. CHINDBLOM. Mr. Speaker, in view of the manner in which this calendar was called up unexpectedly to-day, without notice to the Members save through the calling of the roll when they were brought over on a point of no quorum, I personally ask that no Member make a motion to reconsider a vote and to lay that on the table to-day in respect to any bill that has been passed to-day.

The SPEAKER. The gentleman from Texas withdrew his request.

UNITED STATES VETERANS' BUREAU HOSPITAL RESERVATION AT KNOXVILLE, IOWA

The next business on the Consent Calendar was the joint resolution (S. J. Res. 61) authorizing the Director of the United States Veterans' Bureau to grant a right of way over United States Veterans' Bureau Hospital reservation at Knoxville, Iowa.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

There was no objection.

The Clerk read the joint resolution, as follows:

Resolved, etc., That the Director of the United States Veterans' Bureau is hereby authorized to grant to the State and municipal authorities for use as a public highway so much of said reservation as may be necessary therefor; and to make, execute, and deliver all needful conveyances. The director is further authorized in his discretion to receive on the part of the United States a grant of the land covered by the highway to be closed.

The SPEAKER. The question is on the third reading of the Senate joint resolution.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed.

LIVESTOCK EXPERIMENT STATION AT DALHART, TEX.

The next business on the Consent Calendar was the bill (H. R. 9362) to provide for the establishment of a dairying and livestock experiment station at Dalhart, Tex.

The Clerk read the title of the bill.

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

Mr. BEGG. Mr. Speaker, I reserve the right to object, and say to the gentleman from Texas [Mr. JONES] that unless he gets the endorsement of the Department of Agriculture I shall be forced to object to the bill.

Mr. JONES. Mr. Speaker, they have at this point a dry-land experiment farm. An appropriation was made about 1916 or 1917 to have a livestock experiment station in connection with it. They have the land already. In order to secure the station, the citizens were induced to raise \$3,000 for the purchase of land. The land was purchased by the citizens. An appropriation of \$40,000 was made by the Government, but the war came on, and building prices increased so much that the appropriation was allowed to revert to the Treasury. There is no other farm in that section of the State.

Mr. BEGG. Has the gentleman taken this up at all with the Department of Agriculture?

Mr. JONES. I took it up with the Department of Agriculture about a year ago. It was after the Budget had made out its report, and they said they did not like to do anything contrary to the recommendations of the Budget. This is a livestock country primarily.

Mr. BEGG. I understand that.

Mr. JONES. The Government operates a dry-land farm there.

Mr. BEGG. The only reason the gentleman has offered to the House is the resolution of the Chamber of Commerce of Dalhart. I can get a resolution from my chamber of commerce if the gentleman will undertake to establish a livestock experiment station in my town. I do not care to prolong the discussion. I shall object to the consideration of the bill, or will agree to pass it over without prejudice.

Mr. JONES. Let me read what the Secretary of Agriculture says:

The Agricultural appropriation bill for 1917 carried an appropriation for \$40,000 for establishing livestock farms in connection with dairying and meat-production enterprises in the arid and semiarid regions of the western United States, including the purchase of livestock and erection of barns and other necessary buildings. This appropriation has continued each year up to the present time.

In the years 1917 and 1918 livestock farms were gotten under way at Ardmore, S. Dak., and Huntley, Mont. The next two stations to be established were at Bellefourche, S. Dak., and Dalhart, Tex., but

because of the excessive costs for buildings, and because it was thought inadvisable to compete for labor and materials during 1918 and 1919, the other two stations were not started.

Mr. BEGG. I suggest to the gentleman that he ask unanimous consent to pass the bill over without prejudice until the next consent day, and in the meantime get an indorsement from the Department of Agriculture.

Mr. JONES. I do not know whether I could secure it or not. If the gentleman insists, I shall have to do that, but I want to say in that connection that it would be very difficult to get the Department of Agriculture to indorse anything unless the Bureau of the Budget had first indorsed it. Of course, at this time it would be impossible to interest the Bureau of the Budget in the matter.

Mr. BEGG. Oh, I hope the conditions in our Government have not gotten to the point that before anybody can recommend the Congress do anything they have to go to the Bureau of the Budget. The department knows whether they need this for the benefit of agriculture, and if the Department of Agriculture say they need it, that will be a guide to me; but because the chamber of commerce at Dalhart say they need it does not weigh very heavily with me.

Mr. JONES. Well, I do not know about the chambers of commerce the gentleman is talking about, but in my country they are composed of good citizens. Of course, at this date it would be practically impossible to get action by the department in time to be useful at this session. I represent a district that is as large as the gentleman's State. I have 53 counties.

Mr. BEGG. And how many people has the gentleman in his district?

Mr. JONES. About 400,000.

Mr. BEGG. I have that many in my five little counties.

Mr. JONES. That may be true, but this section produces and has in it, according to the census, more cattle than any other district in the United States. It has not as many sheep as the district of my colleague, Mr. HUDSPETH. That is what this section of the country produces more than any other thing, and the Government is maintaining a dry-land station. The citizens there made up \$3,000 to purchase this land for that use at the time this first appropriation was made. They were able to raise this money by virtue of the fact that the appropriation was to be made for that purpose. That is what the folks are interested in.

The SPEAKER. Is there objection?

Mr. BEGG. Mr. Speaker, I object.

Mr. JONES. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL

Mr. ROSENBLUM, from the Committee on Enrolled Bills, reported that this day, January 21, they had presented to the President of the United States, for his approval, the following bills:

H. R. 3847. An act granting a certain right of way, with authority to improve the same, across the old canal right of way between Lakes Union and Washington, King County, Wash.;

H. R. 9804. An act to amend the act entitled "An act to create a commission authorized under certain conditions to refund or convert obligations of foreign Governments held by the United States of America, and for other purposes," approved February 9, 1922, as amended February 28, 1923; and

H. R. 10082. An act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1926, and for other purposes.

ENROLLED BILLS SIGNED

Mr. ROSENBLUM, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 10467. An act granting the consent of Congress to the Huntington & Ohio Bridge Co. to construct, maintain, and operate a bridge across the Ohio River between the city of Huntington, W. Va., and a point opposite in the State of Ohio;

H. R. 4168. An act to amend an act entitled "An act to punish the unlawful breaking of seals of railroad cars containing interstate or foreign shipments, the unlawful entering of such cars, the stealing of freight and express packages or baggage or articles in process of transportation in interstate shipment, and the felonious asportation of such freight or express packages or baggage or articles therefrom into another district of the United States, and the felonious possession or reception

of the same," approved February 13, 1913 (37 Stat. L. p. 670); and

S. 3622. An act granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a bridge across the Bayou Bartholomew at each of the following-named points in Morehouse Parish, La.: Vester Ferry, Ward Ferry, and Zachary Ferry.

MEMORIAL IN MEMORY OF LIEUT. LOUIS BENNETT

The next business on the Consent Calendar was (H. J. Res. 319) granting permission to Mrs. Louis Bennett to erect a memorial in memory of Lieut. Louis Bennett as a gift to the people of the United States.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. HILL of Maryland. Mr. Speaker, I object.

Mr. TAYLOR of West Virginia. Will the gentleman withhold his objection?

Mr. HILL of Maryland. I will.

Mr. TAYLOR of West Virginia. I want to ask the gentleman from Massachusetts if this Lieutenant Bennett is the son of Hon. Louis M. Bennett, of West Virginia?

Mr. LUCE. Mrs. Bennett lives in New York City. I could not inform the gentleman—

Mr. TAYLOR of West Virginia. I am quite sure he is the young man in whose memory the memorial is to be erected, who comes from West Virginia and who gave his life in defense of his country during the war. I desired it brought out in the Record that he was from West Virginia.

Mr. HILL of Maryland. Mr. Speaker, in making objection there is no reflection on the gentleman in whose memory this memorial is to be erected, but I do not think we ought to have special memorials erected to individuals in that way, and therefore I objected.

IMPROVEMENT OF THE SYSTEM OF OVERLAND COMMUNICATION ON THE SEWARD PENINSULA, ALASKA

The next business on the Consent Calendar was (H. J. Res. 60) authorizing the improvement of the system of overland communications on the Seward Peninsula, Alaska.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection?

Mr. BLACK of Texas. Mr. Speaker, I object.

The SPEAKER. This ends the calendar.

Mr. SUTHERLAND. Will the gentleman from Texas withhold his objection for just a moment?

Mr. BLACK of Texas. I will.

Mr. SUTHERLAND. This bill has been on the calendar during this entire session of Congress, and it is a matter of great importance to the people of the Seward Peninsula to have an improved transportation system. The road commission of Alaska, War Department, operates under an act which provides for the construction of roads and trails. This act will permit the construction of a tramway system which is found to be much cheaper in the way of maintenance than public roads.

Mr. BLACK of Texas. Mr. Speaker, I would be willing for the bill to go over without prejudice until I can read some of the hearings on the bill. I did read the hearings on the construction work the War Department has been doing in Alaska, and I would not care to give my consent to the extension of that construction without the House taking more time than it would have this afternoon to consider the merits of the legislation.

Mr. SUTHERLAND. This bill has application to the Federal road act system and to the particular section which provides that the Territory shall cooperate to the extent of 20 per cent.

Mr. BLACK of Texas. I shall still let the objection stand until I can have more time to study the bill. I will be glad to get the bill and the hearings and, perhaps, when the Consent Calendar is called again, I shall not object.

THE AMERICAN JOURNAL OF SOCIOLOGY

Mr. SHERWOOD. Mr. Speaker, I ask unanimous consent to print in the RECORD an article from the American Journal of Sociology on the "Permanence of the American Democracy," by Prof. James Harrington Boyd, of Toledo, Ohio, who is one of the notable scholars of the country.

The SPEAKER. The gentleman from Ohio asks unanimous consent to extend his remarks by inserting an article from a newspaper. Is there objection? [After a pause.] The Chair hears none.

Mr. SHERWOOD. Mr. Speaker, under the leave granted to extend my remarks in the RECORD I insert an article from the American Journal of Sociology on the "Permanence of the American Democracy," by Prof. James Harrington Boyd, of Toledo, Ohio.

The article is as follows:

[From the American Journal of Sociology, July, 1924, vol. 30, No. 11]
PERMANENCE OF THE AMERICAN DEMOCRACY

(By James Harrington Boyd, B. A., Sc. Dr., Toledo, Ohio)

I

It is an outstanding fact of history that all of the civilizations of the Old World have followed the same cycle of development—Babylonian, Persian, Egyptian, Greek, Roman, and Spanish. Each in its turn became conqueror of the then known commercial world in its lust for silver, gold, lands, and commercial and political world power. Each made advances over its predecessors in learning, art, science, law, accumulations of wealth, and the control of the world's commerce and political supremacy. Each surpassed its predecessors in magnificent displays of wealth, in the national follies of its peoples, and the deep depravity and moral debasement of its ruling classes. Each fell from the supreme height of power.

What are the governmental practices which a nation must adopt and exercise in order to perpetuate a high standard of civilization? Can they be determined from the past history of the races and their accomplishments?

II

"What are the most destructive germs which cause political decay, and which have been fatal to the nations that have gained and lost the power to rule the world?"

The germs which cause political decay may be discovered from the history of the rise and fall of many nations; for example, that of the Romans.

Following the reign of Augustus there were three great causes which impeded a sound political, social, and economic development of the people: The imperial Roman system, the institution of slavery, and the gladiatorial shows. Each of these exerted an influence of the widest and most pernicious character on the morals and economic conditions of the people.

1. THE IMPERIAL ROMAN SYSTEM

The theory of the Roman Empire was that of a representative despotism. The various offices of the Republic were gradually concentrated in a single man. The privileged classes were gradually depressed, ruined, or driven by the dangers of public life into orgies of private luxury. The poor were conciliated, not by any increase of liberty, opportunity, or even of permanent prosperity, but by free distribution of corn and by public games, while the emperors undertook to invest themselves with a sacred character through religious devices which established the worship of themselves as gods and divinities. We recall how Tiberius deprived the Asiatic town of Cyzicus of its freedom, chiefly because it had neglected the worship of Augustus. The images of the emperors were invested with a sacred character. They were the recognized refuge of the slave of the oppressed, and the smallest disrespect to them was punished as a heinous crime. A woman was executed for undressing before the statue of Domitian.

Liberty is always favorable to morals, for the most effective method that has been devised for diverting men from vice is to give free scope to greater opportunities and higher ambitions. This scope was absolutely wanting in the Roman Empire.

2. DEGRADATION OF SLAVERY AND THE DECAY OF AGRICULTURE

As the Roman conquests proceeded Rome was filled with slaves, while the home stock of the best men were sent out as soldiers to conquer new provinces. To these also flocked the most enterprising youth of the rural parts of Italy, because there he could grow richer faster than at home. When he became rich he returned home and lived on an estate surrounded by slaves. The poor citizen found almost all the spheres in which an honorable livelihood might be obtained wholly, or in a very great degree, occupied by slaves, while he had learned to regard trade with an invincible repugnance. Every rich man was surrounded by a train of dependents who lived largely at his expense. The mass of the people were supported in absolute idleness by corn, which was given without regard to desert and was received as a right.

3. GLADIATORIAL SHOWS AND DETHRONEMENT OF PITY

Finally, the business and political system of the Roman Empire inevitably led to general depravity and to the most brutalizing amusements. Nero and the other emperors amused the populace for many days at a time by shows in the vast amphitheaters where gladiators, slaves, criminals, captives, and all varieties of wild beasts by the thousands fought to the death for the amusement of the Roman populace and the political and social elect. These shows were only brought to an end by the reenthronement of pity by Christianity.

The foundations of the Roman Empire were so worm-eaten by the time of Vespasian that it was beyond repair. He passed laws to reform and suppress the extravagance of the aristocracy. The continuous period of 84 years during which the emperors, Trajan, Hadrian, Antoninus, and Marcus Aurelius ruled, exhibits a uniformity of good government which no other despotic monarchy has equaled. Yet, these noble rulers were unable to prevent the decay of the Roman Empire. The germs fatal to the vitals of the state had done their work. The good doctors came too late, the state's vital organs had been destroyed and could not be restored.

III. CONDITIONS AFFECTING SOCIAL AND MORAL CONDITIONS OF SOCIETY

- (a) Improvements in the development of machinery and industrial processes.
- (b) Developments of principles of justice due to changes taking place in the adjustment of social and political organizations to fit new conditions.
- (c) Economic conditions controlled by sources of wealth—lands, timber, minerals, and water power.
- (d) Changes in economic and social relations due to applications for inventions and discoveries of science.
- (e) Rapid concentration of population in large industrial centers.
- (f) Seventy per cent of the Nation's population industrialized.
- (g) The rapid concentration of wealth into the control of the few and the great increase in the population of eleemosynary institutions and of the vicious classes.
- (h) How promote justice, liberty, and the efficiency and welfare of the citizens of the State?

IV. HOW HAVE THE CHANGES AND PROGRESS IN THE DEVELOPMENT OF PRINCIPLES OF JUSTICE, SOCIAL RELATIONS, AND ECONOMIC EFFICIENCY BEEN AFFECTED BY OUR INDUSTRIAL PROGRESS?

1. SOCIALIZATION OF JUSTICE

- (a) Works of Frederick Carl von Savigny, Bernard Windschitl, and Rudolph von Jhering.
- (b) State eleemosynary institutions.
- (c) State elementary public school systems.
- (d) Workmen's compensation acts providing compensation for injuries, sickness, old age, and out-of-work pensions, regulation of hours and conditions of employment of men, women, and children.
- (e) The elimination of friction and economic waste arising between employees and employers in collective bargaining.
- (f) Creation of State and Federal commissions to regulate State and interstate commerce and to protect the general public welfare.

2. ECONOMIC CONSIDERATION—NEED FOR CONSERVATION OF SOURCES OF WEALTH

- (a) The growth of population.
- (b) Four sources of wealth.
- (c) Land deterioration.
- (d) Consumption of coal, iron, minerals, and precious metals.

Shall America, Russia, their allies, and the neutrals be duped by the Teuton propaganda of Pan-Germanism in the same fashion as were the Mexicans, South Americans, the West and East Indies, by the Spanish conquerors?

If we were to-day only as wise as the Japanese prime minister was in 1710, then our statesmen would adopt his policy and not export in the future a pound of the product of our mines, excepting in emergencies such as the World War, but limit the exports of the United States to the products of the soil and things produced therefrom, for not a pound of coal, or of any mineral once removed from the mines, can ever be replaced. But the products of the soil can by skillful cultivation be steadily increased and the soil be kept in as good condition, and in most parts of the country in better condition than it now is. The highway to success of the American in the future must be fashioned from the common clod under his feet. He must cease to stimulate his industries and exert himself in the improvement of the production of the products of the farms.

V

"What are the means, if any, for destroying or preventing the development of the germs which cause political decay, and which have been fatal to civilizations and their governmental organizations in the past, which America must recognize in order to prevent the decay of our Government and its institutions, and make them the easy prey of internal and external enemies?"

The French, through the instrumentality of Napoleon, conquered almost the whole of Europe and ruled and governed it for a decade of years. Yet the defeat of Napoleon and the passing of the French dominion over the countries which he had conquered did not result in the extinction of the French civilization nor in a great moral degradation of her people. This is proved by the successes of the French nation in the World War. The French nation in proportion to its population is the equal, if not the superior, of any of the

belligerent nations in the great national virtues, courage, self-denial, morals, thrift, national organization, and intellectual gifts of the highest order.

That the French nation has not gone the way of earlier world conquerors is, we think, due to the socializing principles of justice found in the Code Napoleon and its development, the abolition of hereditary aristocracy and primogenitureship, the limitation of testamentary disposition of property, the introduction of uniform legal procedure in the administration of the law by the courts, the nationalization of educational institutions and elementary schools, the introduction of vocational educational training, social insurance for the working classes, and the establishment of many devices for the encouragement of efficiency and economic thrift of the common people. The war has not redeemed France, as some are wont to say. It has merely revealed France—that France whose national life has been developed under the democratization of its institutions, the foundation of which was the Code Napoleon.

The illustration and analysis given shows that the minimum requirements for the prevention of political decay of modern governments and their institutions are three:

1. The preservation of liberty and opportunity to earn a living for every citizen and the conservation of minerals, soils, forests, and all of our national resources, and the provision of national schemes for encouraging universal thrift.

2. Industrial efficiency, the conservation of the family, and the nationalization of a vocational educational system.

3. The elimination of political waste. Universal and compulsory military and naval service with adequate equipment. The promotion of justice.

All of these requirements are substantially provided for under the Napoleon Code, as developed during the last century. None of them in fact existed under the Roman imperial system of government, and that of the other world powers which have perished. They all were present in the German imperial political system, in their highest perfection, excepting the provision for individual liberty. There, hereditary aristocracy, materialistic as well as social and political, were dominant. Universal suffrage was a mere form. All of the political power of the national importance was centered in the German Emperor and those whom he personally selected, and they were responsible to no one but him. Thus he was able to plunge the entire world into the World War.

The political organization of Great Britain provided for these requirements only in part. It still retains hereditary aristocracy, and has not abolished primogenitureship. Nor has it established a national compulsory common-school system with vocational training for the masses. It has also not conserved its supply of coal, nor divided up its landed estates for agricultural purposes. Hence, it has failed to create a source from which to draw men with the best brains properly skilled not only to direct its affairs of state but also to direct its industrial activities most wisely. It failed to create a deep interest in the minds of the masses in the welfare of their own government. Not only have its statesmen failed during the last 30 years to cope with the efficiency of the organization of the German Government but also failed to successfully compete with the efficiency of the German industrial organization. The aristocratic breed of English statesmen disappeared during the first three years of the World's War from the management of their part in the same.

In the United States we fail to meet these requirements in many particulars. On the one hand, we have too much public and private charity, and on the other hand, we have too little protection of the workman and his family against the hazards of our industrial life. The workman's family lives under a constant dread of want on account of sickness, invalidity, old age, out-of-work, and the high cost of living. For decades our industries have been overdeveloped by artificial stimulation, at the expense of the neglect of the proper cultivation and conservation of our farms. The products of our mines and forests have been wasted. The efficiency of our industrial life has suffered greatly by the lack of universal vocational training in our common-school system. The waste due to inefficient administration of our municipal, State, and Federal Governments is colossal. It alone would support the entire outlay of the cost of administration of the navies, armies, and governments of continental Europe at the beginning of the World's War (1914).

There is but one excuse for government, but one use for law—the preservation of liberty—to give to each man his own, to secure to the farmer what he produces from the soil, the mechanic what he invents and makes, to the artist what he creates, the thinker the right to express his thoughts. Liberty is the breadth of progress.

The chief problem of a government in its relation to the world's commerce is to maintain a high average efficiency of the productive capacity of its citizens, and thereby to be able to take part in the world's business on equal terms with its competitors.

Unwise control of vast concentrations of wealth by the world-conquering powers wrecked their moral, economic, and political organizations. These destructive forces which arise from the uses to which

vast concentrations of wealth are put, or the manner in which they are spent, whether in luxurious living, gambling, and corruption of politics, are independent of the manner in which they have been accumulated. All wealth represents so much work—human effort.

The economic return for the expenditure of money varies from pure waste, and in fact a destructive result, to 100 per cent or more return. If I expend \$5,000 in building apartments or a barn, useful to the community, I get a full return; if I spend the \$5,000 for digging useless holes in a field I get no return for the money, but have done a damage. The reward to the laborer is as much in one case as in the other. A German community, the Dutch people, the French, and Japanese, owing to their national traits of thrift, receive a very large percentage of a full economic return for their expenditures of wealth. In America it varies from a gross waste to a full return.

The World's War developed many improved methods of administration and introduced many new economies, both private and national in character, and has made long strides toward the establishment of the means to save us from the pending disaster, which destroyed the older powers who had conquered the world, by hastening the perfection of the minimum requirements stated above.

1. PRESERVATION OF THE LIBERTIES AND MATERIAL OPPORTUNITIES OF THE CITIZENS

The preservation of the liberties of the citizens is secured by the State and Federal constitutions. The preservation of the opportunities of our citizens depends largely upon the conservation of and regulation of the use of the products of our forests, mines, and soil, and the prevention of private monopolies and the granting of special privileges to the few, which are matters of efficient Federal and State legislation.

2. INDUSTRIAL EFFICIENCY AND THE CONSERVATION OF THE FAMILY, AND NATIONALIZATION OF A VOCATIONAL EDUCATIONAL SYSTEM

There will be competition whether gas engine or electric motor is to be used, whether a local steam turbine plant is to be installed or power brought from a long-distance transmission system. But the decision will be made on the basis of the relative economy in each process.

Financial manipulation for the mere acquisition of more money, without regard to constructive economical organization, will necessarily be impossible. There must be an active cooperation between all producers, from the unskilled laborer to the master mind which directs a huge industrial organization. Such active cooperation presupposes that everybody feels personally interested in the industrial economy. This presupposes that the fear of unemployment, of sickness, and old age has been relegated to the relics of barbarism, and everybody is assured an appropriate living, is assured employment when able to work, and protected against want, maintained in his or her standard of living when not able to work—not as a matter of charity, but as an obvious and self-evident duty of society toward the individual.

This can be accomplished, as it has been done in other countries, by effective social legislation.

As a mainstay of support affecting all of these constructive measures, our common compulsory school system, with advanced vocational training, must be vastly improved and extended in its organization, and the thoroughness of its instruction which must be maintained in keeping with the requirements of our social, economic, and political development. This is necessary not only to maintain industrial efficiency but also is the best means for developing industrial and political leaders from the masses and providing an intelligent population of voters to whom the national leaders can make appeals on national questions and have them receive intelligent consideration.

These fatal diseases can be determined with no great difficulty. It is a harder task to provide the ways and means to overcome them. These ways and means can be created through the existing knowledge of the most efficient forms of organization of our industrial, social, and political institutions. We must provide new and exacting methods of economy, not only in conserving our timber, mines, and soil but also every human effort from that of the common laborer to the master mind which directs a large industrial organization. We must not only provide the man who works an opportunity to earn a living but also to see to it that all who are able to work earn their own living surrounded by incorruptible administration of just laws. He must be provided with an educational system in keeping with the social, industrial, and political conditions of the times.

3. THE ELIMINATION OF POLITICAL WASTE; UNIVERSAL AND COMPULSORY MILITARY AND NAVAL SERVICE, WITH ADEQUATE EQUIPMENT; THE PROMOTION OF JUSTICE

We must infuse into the administration of our municipal, State, and Federal governments economies in expenses and amount of labor used, and place the ablest and best-trained brains at the head of affairs.

These constitute our necessary efficient and potential resources. They can only be defended and preserved by a military organization and equipment, scientific, up to date, universal, and on a scale commensurate with the resources of our country.

BIBLIOGRAPHY

The following is a partial list of the authorities and documents consulted in the preparation of this paper. Its statements of fact may be verified by consulting them:

1. Aristotle *De re publica*.
2. James Harrington Boyd, "Socialization of the law," *American Journal of Sociology*, June, 1917, and authorities cited; "Economic and legal basis of compulsory State insurance," *Michigan Law Review*, March and April, 1922.
3. Census Reports: 1860, 1870, 1880, 1890, 1900, 1910, 1920.
4. Code Napoleon.
5. Diodorus, Book III.
6. Crystal Eastman, *Work Accidents and the Law*.
7. Frankel and Dawson, *Workmen's Insurance in Europe* (1910).
8. Griffis, *Mikado's Empire*.
9. J. James Hill, *The Nation's Future* (1906).
10. Helps, *Spanish Conquests*, Vol. III.
11. The Iron Age.
12. Dr. Rudolph von Jhering, *Der Geist des Roemischen Rechts*, Vols. I, II, III, IV; *Der Kamp ums Recht* (1872), Translation, Callaghan & Co., Chicago (1915).
13. Kropotkin, *Fields, Factories, and Workshops*.
14. W. W. H. Lecky, *Morals of Europe*, Vol. I.
15. A. Del Mar, *History of the Precious Metals* (1880).
16. Martin's *China*, Vol. I.
17. Edwin A. Pratt, *The Organization of Agriculture*.
18. Prescott's *History of the Conquests of Mexico*, Vol. II.
19. Reports of the Secretary of Agriculture.
20. Reports of the Secretary of Interior.
21. Reports of the Commissioner of General Land Office.
22. *Scientific American* *passim*.
23. N. S. Shaler, *Man and Earth*.
24. Charles P. Steinmetz, *Industrial Efficiency*.
25. William G. Sumner, *Folkways*.
26. Tagore, Lecture, November 17, 1916, at Toledo, Ohio.
27. Carroll D. Wright, *Fourth Special Report of the Commissioner of Labor of United States* (1893).

PRINTING AS A DOCUMENT SPEECH OF HON. FINIS J. GARRETT OF TENNESSEE

Mr. LONGWORTH. Mr. Speaker, before moving to adjourn I desire to ask unanimous consent that the very instructive and illuminating speech delivered here yesterday by the distinguished gentleman from Tennessee, the leader of the minority, Hon. FINIS J. GARRETT, be printed as a public document, and that 5,000 copies thereof be distributed through the folding room. [Applause.]

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

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted to Mr. KINDRED, indefinitely, on account of illness in family.

ADJOURNMENT

Mr. LONGWORTH. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 48 minutes p. m.) the House adjourned until to-morrow, Thursday, January 22, 1925, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

803. A letter from the Postmaster General, transmitting claim of the legal representatives of William Fries, deceased, former postmaster at Alton, Ill., for credit on account of losses sustained in the burglary of the post office on May 12, 1924; to the Committee on Claims.

804. A letter from the Postmaster General, transmitting claim of Claude T. Winslow, acting postmaster at Mayfield, Ky., for credit on account of losses sustained in the burglary of the post office on October 10, 1923; to the Committee on Claims.

805. A communication from the President of the United States, transmitting a communication from the Secretary of War, submitting eight claims for damages to or loss of privately owned property in the sum of \$2,008.45, which have been adjusted and which require an appropriation for their payment (H. Doc. No. 563); to the Committee on Appropriations and ordered to be printed.

806. A communication from the President of the United States, transmitting a communication from the Secretary of the Navy, submitting an estimate of appropriation in the sum of \$22,737.05, to pay 42 claims which have been adjusted and which require an appropriation for their payment (H. Doc. No.

564); to the Committee on Appropriations and ordered to be printed.

807. A communication from the President of the United States, transmitting communications from the Acting Secretary of Commerce, submitting three claims for damages to privately owned property in the sum of \$387.60, which claims have been adjusted by the Commissioner of Lighthouses, and which require an appropriation for their payment (H. Doc. No. 565); to the Committee on Appropriations and ordered to be printed.

808. A communication from the President of the United States, transmitting a communication from the Acting Secretary of Commerce, submitting claim for loss to privately owned property in the sum of \$15.95, which claim has been adjusted by the Director of the Coast and Geodetic Survey, and which requires an appropriation for its payment (H. Doc. No. 566); to the Committee on Appropriations and ordered to be printed.

809. A communication from the President of the United States, transmitting a communication from the Secretary of Labor, submitting an estimate of appropriation in the sum of \$94.42, to pay a claim which has been adjusted, and which requires an appropriation for its payment (H. Doc. No. 567); to the Committee on Appropriations and ordered to be printed.

810. A communication from the President of the United States, transmitting a communication from the Secretary of the Navy, submitting an estimate of appropriation in the sum of \$7,620.08, to pay 26 claims which have been adjusted and which require an appropriation for their payment (H. Doc. No. 568); to the Committee on Appropriations and ordered to be printed.

811. A communication from the President of the United States, transmitting seven communications from the Postmaster General, submitting estimates of appropriations in the sum of \$13,616.99, to pay 316 claims for damages to or losses of privately owned property which have been adjusted and which require an appropriation for their payment (H. Doc. No. 569); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. SNELL: Committee on Rules. H. Res. 393. A resolution providing for the consideration of H. R. 11282; without amendment (Rept. No. 1264). Referred to the House Calendar.

Mr. WRIGHT: Committee on Military Affairs. H. R. 11546. A bill to define the status of retired officers of the Regular Army who have been or may be detailed as professors and assistant professors of military science and tactics at educational institutions; without amendment (Rept. No. 1266). 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. EDMONDS: Committee on Claims. H. R. 8505. A bill for the relief of Capt. Norman D. Cota; without amendment (Rept. No. 1265). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 of Rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 11814) granting an increase of pension to Annie Tibbils, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. PEAVEY: A bill (H. R. 11815) authorizing the Chippewa Indians of Lake Superior to submit claims to the Court of Claims; to the Committee on Indian Affairs.

By Mr. HAUGEN: A bill (H. R. 11816) to authorize the Secretary of Agriculture to cooperate with State officials, crop-improvement associations, or growers of seeds, and other interested parties to encourage the production of seeds of a high varietal purity and quality, and for other purposes; to the Committee on Agriculture.

By Mr. EDMONDS: A bill (H. R. 11817) to establish home ports of vessels of the United States, to validate documents heretofore issued such vessels, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. HUDDSPETH: A bill (H. R. 11818) granting the consent of Congress to the construction of a bridge across the Rio Grande; to the Committee on Interstate and Foreign Commerce.

By Mr. RICHARDS: A bill (H. R. 11819) to reimburse the Truckee-Carson irrigation district, State of Nevada, for certain expenditures for the operation and maintenance of drains for lands within the Paiute Indian Reservation, Nev.; to the Committee on Indian Affairs.

By Mr. MANLOVE: A bill (H. R. 11820) to extend certain provisions of the act of May 1, 1920; to the Committee on Invalid Pensions.

By Mr. LEATHERWOOD: A bill (H. R. 11821) to amend the second section of the act entitled "An act to pension the survivors of certain Indian wars from January 1, 1859, to January, 1891, inclusive, and for other purposes," approved March 4, 1917, as amended; to the Committee on Pensions.

Also, a bill (H. R. 11822) to increase the pensions of those who have lost limbs or have been totally disabled in the same or have become blind in the military or naval service of the United States during the Spanish War or Regular Establishment; to the Committee on Pensions.

By Mr. VESTAL: A bill (H. R. 11823) to amend paragraph 2 of section 301 of the war risk insurance act as amended March 4, 1923; to the Committee on World War Veterans' Legislation.

By Mr. WARD of North Carolina: A bill (H. R. 11824) to amend section 98 of an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, as amended by the act approved October 7, 1914; to the Committee on the Judiciary.

By Mr. MURPHY: A bill (H. R. 11825) to extend the time for the construction of a bridge over the Ohio River near Steubenville, Ohio; to the Committee on Interstate and Foreign Commerce.

By Mr. McLAUGHLIN of Michigan: A bill (H. R. 11826) to provide for an additional district judge for the western district of Michigan; 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. ARNOLD: A bill (H. R. 11827) granting a pension to Florence Clemens; to the Committee on Invalid Pensions.

By Mr. AYRES: A bill (H. R. 11828) granting a pension to Hattie E. Dyer; to the Committee on Invalid Pensions.

By Mr. BACHARACH: A bill (H. R. 11829) granting an increase of pension to Mary A. Thompson; to the Committee on Invalid Pensions.

By Mr. EDMONDS: A bill (H. R. 11830) for the relief of the Royal Holland Lloyd, a Netherlands corporation, of Amsterdam, the Netherlands; to the Committee on Claims.

By Mr. FITZGERALD: A bill (H. R. 11831) granting a pension to Hannah O'Brien; to the Committee on Invalid Pensions.

By Mr. FLEETWOOD: A bill (H. R. 11832) granting an increase of pension to Ada M. Smith; to the Committee on Invalid Pensions.

By Mr. GREENWOOD: A bill (H. R. 11833) granting an increase of pension to Amanda J. Kirkpatrick; to the Committee on Pensions.

By Mr. HULL of Tennessee: A bill (H. R. 11834) to correct the military record of James Moore; to the Committee on Military Affairs.

By Mr. JACOBSTEIN: A bill (H. R. 11835) granting an increase of pension to Bridget Kelly; to the Committee on Pensions.

Also, a bill (H. R. 11836) granting an increase of pension to May Vickery; to the Committee on Invalid Pensions.

By Mr. KENDALL: A bill (H. R. 11837) granting an increase of pension to Margaret M. Wolfe; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11838) granting an increase of pension to Elizabeth Rossell; to the Committee on Invalid Pensions.

By Mr. KETCHAM: A bill (H. R. 11839) granting a pension to Nannie Ludy; to the Committee on Invalid Pensions.

By Mr. MANLOVE: A bill (H. R. 11840) granting an increase of pension to Jennie Ray; to the Committee on Invalid Pensions.

By Mr. MONTAGUE: A bill (H. R. 11841) granting an increase of pension to Mary E. Stewart; to the Committee on Pensions.

By Mr. MURPHY: A bill (H. R. 11842) granting an increase of pension to Hannah Palmer; to the Committee on Invalid Pensions.

By Mr. PURNELL: A bill (H. R. 11843) granting an increase of pension to Catherine J. Lydick; to the Committee on Pensions.

By Mr. SANDERS of New York: A bill (H. R. 11844) granting an increase of pension to Mary Harvey; to the Committee on Invalid Pensions.

By Mr. SWANK: A bill (H. R. 11845) granting a pension to Josephine Dodson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11846) granting an increase of pension to Anna E. Jones; to the Committee on Invalid Pensions.

By Mr. WAINWRIGHT: A bill (H. R. 11847) for the relief of Herbert T. James; to the Committee on Naval Affairs.

By Mr. WILSON of Indiana: A bill (H. R. 11848) granting an increase of pension to Elizabeth Hill; 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:

3501. By Mr. GALLIVAN: Petition of N. P. Alifas, president District No. 44, International Association of Machinists, Washington, D. C., urging the adoption of an amendment to the independent offices appropriation bill requiring that repairs to and reconditioning of Shipping Board vessels shall be performed at the Government navy yards and arsenals when time permits and when the work can be done there more cheaply than by private contractors; to the Committee on Appropriations.

3502. By Mr. MORROW: Petition of the New Mexico Cattle and Horse Growers' Association, concerning freight rates on livestock; to the Committee on Interstate and Foreign Commerce.

3503. Also, petition of the New Mexico Cattle and Horse Growers' Association, favoring repeal of section 15a of the transportation act of 1920; to the Committee on Interstate and Foreign Commerce.

3504. Also, petition of the New Mexico Cattle and Horse Growers' Association, concerning and indorsing Garner Resolution No. 300; to the Committee on Ways and Means.

3505. Also, petition of the New Mexico Cattle and Horse Growers' Association, concerning the administration of grazing on public domain; to the Committee on the Public Lands.

SENATE

THURSDAY, January 22, 1925

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

Gracious Father, we thank Thee for the sunlight of the morning. We thank Thee for everything that comes from Thy hand, for Thine hand is the hand of love. We rejoice before Thee that it is our privilege to serve in Thy Name, for Thy glory, and the good of our loved country. Hear us, we beseech of Thee, as we ask for the direction of Thy Spirit constantly, and ever enable us to love the things which Thou dost love and to advance in righteousness our country. Hear and help. For Jesus' sake. Amen.

The reading clerk proceeded to read the Journal of the proceedings of the legislative day of Tuesday, January 20, 1925, when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Farrell, one of its clerks, announced that the House had passed without amendment the following bills and joint resolution of the Senate:

S. 1656. An act granting the consent and approval of Congress to the La Plata River compact;

S. 3036. An act to amend the law relating to timber operations on the Menominee Reservation in Wisconsin;

S. 3792. An act to amend section 81 of the Judicial Code; and

S. J. Res. 61. Joint Resolution authorizing the Director of the United States Veterans' Bureau to grant a right of way over United States Veterans' Bureau Hospital reservation at Knoxville, Iowa.