

## PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. SMITH: A bill (H. R. 12328) for extending the Fort Hall irrigation system in Idaho; to the Committee on Indian Affairs.

By Mr. GILBERT: A bill (H. R. 12329) to authorize the coinage of 50-cent pieces in commemoration of the one hundred and fiftieth anniversary of the founding of the State of Kentucky and of the first permanent English settlement west of the Alleghenies at Harrodsburg, Ky., on June 16, 1774; to the Committee on Coinage, Weights, and Measures.

By Mr. KVALE: A bill (H. R. 12330) authorizing and directing the Postmaster General to grant permission to use special canceling stamps or postmarking dies in the Minneapolis and St. Paul post offices; to the Committee on the Post Office and Post Roads.

By Mr. REED of West Virginia: A bill (H. R. 12331) to amend an act entitled "An act making it a misdemeanor in the District of Columbia to abandon or willfully neglect to provide for the support and maintenance by any person of his wife or his or her minor children in destitute or necessitous circumstances," approved March 23, 1906; to the Committee on the District of Columbia.

By Mr. FREDERICKS: A bill (H. R. 12332) to amend section 2 of the act of June 7, 1924 (Public 270), entitled "An act to provide for the protection of forest lands, for the reforestation of denuded areas, for the extension of national forests, and for other purposes," in order to promote the continuous production of timber on lands chiefly suitable therefor; to the Committee on Agriculture.

By Mr. HUDSPETH: A bill (H. R. 12333) authorizing and directing the Postmaster General to grant permission to use special canceling stamps or postmarking dies in the San Angelo, Tex., post office; to the Committee on the Post Office and Post Roads.

By Mr. MADDEN: A bill (H. R. 12334) to amend the act entitled "An act to provide for the classification of civilian positions within the District of Columbia and in the field services," approved March 4, 1923, and the act amendatory thereof and supplementary thereto; to the Committee on the Civil Service.

By the SPEAKER (by request): Memorial of the Legislature of the State of Iowa petitioning the Congress of the United States to discontinue the appropriation of funds from the Federal Treasury for use in any State-aid purpose; to the Committee on Appropriations.

Also (by request), memorial of the Legislature of the State of Arizona, urging the endowment to the State by the Federal Government of 5,000,000 acres of land for the construction of highways and for the support of its educational and other public institutions; to the Committee on the Public Lands.

Also (by request), memorial of the Legislature of the State of Oregon, favoring the enactment of S. 3779, to provide for aided and directed settlement on Government land in irrigation projects; to the Committee on Irrigation and Reclamation.

By Mr. SMITH: Memorial adopted by the Legislature of the State of Idaho, February 10, 1925, urging the enactment of legislation to use the surplus in the various Federal reserve banks to protect depositors in such banks in the case of failure; to the Committee on Banking and Currency.

By Mr. WILLIAMSON: Memorial of the Legislature of the State of South Dakota, urging Congress to place on the statute books such legislation as will give to agriculture the same protection as is afforded to industry and labor; to the Committee on Agriculture.

By Mr. WARD of North Carolina: Memorial of the Legislature of the State of North Carolina relative to retirement of disabled emergency officers of the Army during the World War; to the Committee on World War Veterans' Legislation.

By Mr. LEATHERWOOD: Memorial of the Legislature of the State of Utah, favoring passage of S. 4060 and H. R. 11555, which provide for suitable recognition for the services of Lieutenant Maughan; to the Committee on Military Affairs.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. FAUST: A bill (H. R. 12335) authorizing the Comptroller General of the United States to allow certain credits in the settlement of accounts of the United States marshal for the western district of Missouri; to the Committee on Claims.

By Mr. FOSTER: A bill (H. R. 12336) for the relief of James S. Black; to the Committee on Military Affairs.

By Mr. SIMMONS: A bill (H. R. 12337) granting a pension to Jacob Byers; to the Committee on Invalid Pensions.

By Mr. WILLIAMS of Michigan: A bill (H. R. 12338) for the relief of Hensler Bros.; to the Committee on War Claims.

## PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

3814. By Mr. CLARKE of New York: Petition of sundry citizens of Broome County, N. Y., asking Congress not to concur in the passage of S. 3218, compulsory Sunday observance bill; to the Committee on the District of Columbia.

3815. By Mr. DALLINGER: Petition of 70 citizens of Melrose, Mass., protesting against the passage of S. 3218, known as the compulsory Sunday observance bill; to the Committee on the District of Columbia.

3816. By Mr. DAVIS of Minnesota: Petition of sundry citizens of Stillwater, Minn., opposed to Sunday observance bill, S. 3218; to the Committee on the District of Columbia.

3817. By Mr. FRENCH: Petition in protest against the compulsory Sunday observance bill, S. 3218; to the Committee on the District of Columbia.

3818. By Mr. GALLIVAN: Petition of Hon. Edward W. Quinn, mayor of the city of Cambridge, Mass., urging early and favorable consideration of the game refuge bill, H. R. 745; to the Committee on Agriculture.

3819. Also, petition of Hon. Andrew J. Peters, Boston, Mass., urging early and favorable consideration of the game refuge bill, H. R. 745; to the Committee on Agriculture.

3820. By Mr. GARBER: Resolution of Carter Club, No. 119, Izaak Walton League of America, Oilton, Okla., urging passage of Federal migratory bird refuge and Federal shooting grounds bill; to the Committee on Agriculture.

3821. By Mr. KING: Petition signed by W. M. Whitney, D. G. Nelson, and other citizens of Vermont, Ill., with reference to the game refuge bill; to the Committee on Agriculture.

3822. By Mr. LEATHERWOOD: Petition of the Ladies Literary Club of Salt Lake City, Utah, favoring the entry of the United States into the World Court; to the Committee on Foreign Affairs.

3823. By Mr. LINEBERGER: Petitions containing several thousand signatures opposing the passage of the compulsory Sunday observance bill (S. 3218) and the passage of any other national religious legislation which may be pending; to the Committee on the District of Columbia.

3824. By Mr. MAJOR of Illinois: Petition of George Graham and other citizens of Springfield, Ill., opposing S. 3218; to the Committee on the District of Columbia.

3825. By Mr. McREYNOLDS: Petition of sundry citizens of the State of Tennessee, protesting against the Sunday observance bill (S. 3218); to the Committee on the District of Columbia.

3826. By Mr. SMITH: Petition containing 64 signatures in protest against the compulsory Sunday observance bill (S. 3218) and all other similar legislation; to the Committee on the District of Columbia.

3827. Also, resolutions of the Idaho Apple Growers' Association, indorsing the enactment of legislation providing for cooperative marketing; to the Committee on Agriculture.

3828. By Mr. TUCKER: Resolution of the Virginia Farm Bureau Federation, Roanoke, Va., opposing H. R. 3923, providing for the establishment of a department of education; to the Committee on Education.

3829. By Mr. VINCENT of Michigan: Petition of sundry residents of St. Charles, Mich., and vicinity, protesting against the enactment of S. 3218 or any similar legislation; to the Committee on the District of Columbia.

## SENATE

WEDNESDAY, February 18, 1925

(Legislative day of Tuesday, February 17, 1925)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The PRESIDING OFFICER (Mr. MOSES in the chair). The Senate will receive a message from the House of Representatives.

## MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Farrell, its enrolling clerk, announced that the House had passed with-

out amendment the bill (S. 2287) to permit the Secretary of War to dispose of and the Port of New York Authority to acquire the Hoboken Manufacturers' Railroad.

The message also announced that the House had passed the bill (S. 2693) in reference to writs of error, with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had passed a bill (H. R. 11445) to amend the national defense act, in which it requested the concurrence of the Senate.

#### ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message also announced that the Speaker of the House had affixed his signature to the following enrolled bills and joint resolution, and they were thereupon signed by the Presiding Officer [Mr. MOSES] as Acting President pro tempore:

S. 3252. An act referring the claim of the State of Rhode Island for expenses during the war with Spain to the Court of Claims for adjudication;

S. 3352. An act to provide for the appointment of an appraiser of merchandise at Portland, Oreg.;

H. R. 5061. An act for the relief of Russell Wilmer Johnson;

H. R. 8741. An act for the relief of Flora M. Herrick;

H. R. 7911. An act to authorize the Secretary of the Treasury to sell the appraisers' stores property in Providence, R. I.;

H. R. 9308. An act to authorize the appointment of Machinist Henry F. Mulloy, United States Navy, as an ensign in the regular Navy;

H. R. 6581. An act authorizing the Postmaster General to provide emergency mail service in Alaska;

S. J. Res. 177. Joint resolution to amend section 2 of the public resolution entitled "Joint resolution to authorize the operation of Government-owned radio stations for the use of the general public, and for other purposes," approved April 14, 1922;

S. 877. An act to provide for exchanges of Government and privately owned lands in the Walapai Indian Reservation, Ariz.;

S. 2209. An act to amend section 5147 of the Revised Statutes;

S. 2746. An act regulating the recovery of allotments and allowances heretofore paid to designated beneficiaries;

S. 3171. An act for the relief of sufferers from earthquake in Japan;

S. 3190. An act to amend section 194 of the Penal Code of the United States;

S. 3398. An act to authorize the city of Norfolk, Va., to construct a combined dam and bridge in Lafayette River, at or near Granby Street, Norfolk, Va.;

S. 4014. An act to amend the act of June 30, 1919, relative to per capita cost of Indian schools;

S. 4109. An act to provide for the securing of lands in the southern Appalachian Mountains and in the Mammoth Cave regions of Kentucky for perpetual preservation as national parks;

H. R. 4548. An act authorizing the Secretary of Commerce to acquire, by condemnation or otherwise, a certain tract of land in the District of Columbia for the enlargement of the present site of the Bureau of Standards; and

H. R. 9095. An act to incorporate the American War Mothers.

#### HOUSE BILL REFERRED

The bill (H. R. 11445) to amend the national defense act was read twice by its title, and referred to the Committee on Military Affairs.

#### CORRECTION OF THE RECORD—PRICES OF OIL

Mr. BROOKHART. Mr. President, in the RECORD of yesterday, February 17, in the colloquy with the Senator from Oklahoma [Mr. HARRELD] as to the prices of crude oil I am quoted as saying:

I paid \$1.50 a barrel.

That statement is incorrect; I made no such statement. The Senator from Oklahoma also informs me that he has corrected the figures that were used at that time. The colloquy as it occurred should be as follows:

Mr. BROOKHART. Mr. President, the Senator says that the increase in the price of gasoline is necessary for the benefit of the oil producer. What has been the increase to the producer?

Mr. HARRELD. There has been a steady increase in the price of the crude during the same interval during which the increase complained of in the price of gasoline has been going on. I do not know the prevailing prices, but I should say that prices of some grades of oil have been raised from 25 cents to 50 cents a barrel.

Those are the figures which were corrected by the Senator from Oklahoma. The colloquy continued as follows:

Mr. BROOKHART. And the price of gasoline has been raised how much?

Mr. HARRELD. Two and three cents, as I understand it.

Mr. BROOKHART. That would make \$1.50 a barrel.

Mr. HARRELD. There are many elements that enter into that. Some oil produces only from 8 to 10 gallons per barrel. Other oils produce more than 30 gallons per barrel.

Mr. BROOKHART. Other products are produced, however, that are of value.

Mr. President, the point I was trying to make was as to the spread between the producer and the consumer, and that the producer had not received the benefit from the increased price which is charged to the consumer to-day after the end of the spread. Since the colloquy occurred I, myself, have obtained some quotations of oil prices from the Department of Commerce and I desire to put them into the RECORD now in connection with this statement.

Up to February 12 the price of Pennsylvania grade oil was from \$3.50 to \$3.60 per barrel; of California oil from \$1.25 to \$2.40 per barrel; of Mid-Continent, Oklahoma, Kansas, and North Texas from \$1.15 to \$2.

On February 14 the Standard Oil Co., of California, advanced the price of California crude from 25 cents to 50 cents per barrel.

In the Texas field there has been an advance of 10 cents a barrel to \$1.80, and there were two or three advances in midcontinent oil. The Sinclair Oil Co. advanced the price for grade 41 and above 5 cents per barrel.

The Prairie Oil & Texas Co. met the advance on their top grade, 42 degrees and above.

Several other companies in the same field met the Sinclair advance of 5 cents in the midcontinent. These include all changes in the price of crude oil since the rise began up to February 12.

This statement illustrates the fact that most of the advances on oil have not accrued to the benefit of the producers of oil. I was a member of the subcommittee which previously investigated this question, and it seemed to me then that at all times the producer got but little of the great profits in the oil business. I think that situation is continuing right up to the present moment.

Mr. HARRELD. Mr. President—

Mr. WADSWORTH. I hope the Senator will let the pending appropriation bill get through, if he can.

Mr. HARRELD. I rise to a point of personal privilege on this matter.

The PRESIDING OFFICER. The Senator from Oklahoma rises to a question of personal privilege.

Mr. HARRELD. In order to make the RECORD correct, I wish to say that when I was asked the question by the Senator from Iowa [Mr. BROOKHART] on yesterday I was not prepared to answer it very accurately, and the answer which I made on the floor at that time was not correct. So I wish merely to make a simple statement giving the information then asked for.

I have since learned that on December 31, generally speaking, the price of below 30-gravity crude oil was 75 cents per barrel. After the rise on February 12 the price was \$1.35.

The price of 30-gravity oil to 32.9-gravity oil on December 31 was 90 cents, and after the rise on February 12 it was \$1.55. Thirty-three to 35.9 gravity oil in the midcontinent field on December 31 was selling for \$1.10, and after the last increase in price on February 12 it was selling for \$1.80.

Thirty-six and above gravity oil on December 31 was selling for \$1.25 a barrel, and since the increase in price on February 12 it has been selling for \$2.35 per barrel. During that same time the price of Pennsylvania crude oil has increased from \$2.75 to \$3.75 per barrel.

#### CHILD LABOR

Mr. BRUCE. Mr. President, I would like to have made a part of the RECORD a most interesting and instructive letter written by the senior Senator from Florida [Mr. FLETCHER] in regard to the proposed Twentieth Amendment to the Constitution.

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

[From the Jasper (Fla.) News, February 13, 1925]

#### SENATOR FLETCHER REPLIES TO WOMAN'S THREAT

WASHINGTON, February 7.—A prominent Florida woman wrote recently to Senator DUNCAN U. FLETCHER threatening "political annihilation" because of his opposition to ratification of the proposed twentieth amendment to the Constitution. In answer to that letter Sena-



for FLETCHER wrote, calling attention to many facts and possibilities which advocates of ratification have not carefully considered. His letter follows:

UNITED STATES SENATE,  
Washington, February 5, 1925.

MY DEAR MADAM: This will answer your criticism of my opposition to ratification of the proposed twentieth amendment to the Constitution of the United States, which provides:

"SECTION 1. The Congress shall have power to limit, regulate, and prohibit the labor of persons under 18 years of age.

"SEC. 2. The power of the several States is unimpaired by this article, except that the operation of State laws shall be suspended to the extent necessary to give effect to legislation enacted by the Congress."

Those favoring ratification of the above speak and write of it as "the child labor amendment," although the word "child" is not mentioned, and all persons under 18 years of age are not children.

Your particular attention is invited to the fact that when the resolution proposing this amendment was before the Senate an amendment was offered under which section 1 would have read:

"The Congress shall have power to limit, regulate, and prohibit the labor of persons under 18 years of age who are engaged in occupations other than agriculture and horticulture."

Another under which section 1 would have read:

"The Congress shall have power reasonably to limit and regulate the labor of persons under 18 years of age and to prohibit such labor in pursuits involving special hazard to health, life, or limb."

Another under which section 1 would have read:

"The Congress shall have power to limit, regulate, and prohibit the labor of persons under 18 years of age, excepting those engaged in outdoor employment."

Another under which section 1 would have read:

"The Congress shall have power to limit and regulate the labor of persons under 18 years of age."

#### DRASTIC LEGISLATION

It is well known that those persons who instigated and are responsible for the adoption of the resolution exerted such influence over a majority of the Senate that all of the amendments offered were rejected, and by reason thereof "the intent and purpose of Congress" was definitely determined, of which judicial notice will be taken should Congress be granted the power to prohibit the labor of all persons under 18 years of age. These same persons now, in their desperate efforts to defeat rejection, give "assurance" that they have no intention, should the amendment be ratified, of demanding that Congress enact any drastic legislation. It would be well, however, to judge what the future may have in store by recalling their refusal to consent to the adoption of any one of the several amendments offered.

The instigators of this proposed amendment also demanded the word "labor" for the obvious reason that it embraces every character of employment.

#### SELFISH PURPOSE

Many good-intentioned women have been imposed upon by those whose purpose is selfish or are parties to a deep-laid plot to "nationalize" all persons under 18 and, if successful, urge another amendment advancing the age to 21 years.

Surely you do not favor granting Congress "the power to prohibit the labor of persons under 18 years of age" regardless of the varying economic and home conditions throughout the 48 States!

Do you not believe that should Congress prohibit the labor of persons under 18 years of age there would be an increase far too great for the imagination to conceive, of idleness and immorality with their resulting effects upon society?

Would not the minds of such persons become fertile fields for cultivation by socialists and communists?

What would the harvest be!

What justification is there for assuming that a future Congress, once granted the power, could not be influenced to enact legislation prohibiting the labor of all persons under 18 years of age—bearing in mind that a majority of the present Congress voted in favor of submitting this proposed amendment to legislatures!

Do you not believe that parents would eventually lose control of their children should such legislation be enacted?

Such legislation may be desirable under a socialistic form of government or if parental obligations to society are to be ignored.

I have yet to find a father or mother who, with a full conception of all the possibilities under this proposed amendment, favors its ratification.

One of the "stock arguments" in favor of ratification is that all persons under 18 years of age should have an opportunity to attend school, yet there is no provision in this proposed amendment for the education of such persons; and, besides, every State maintains public schools, colleges, or universities.

Another is that boys and girls 16 to 18 years of age should not be employed in competition with men and women.

#### WHERE DANGER LIES

The average boy or girl who does not learn to work before attaining the age of 18 is more likely to become a criminal or public charge than a thrifty law-abiding citizen.

Work under proper conditions never injuriously affected the morals of young persons.

Are those who have no desire for an education and those who prefer work to idleness to be compelled by law to walk the streets and depend upon parents, relatives, or the State for food, clothing, and spending money?

Would there not be greater temptations than now exist for idle boys and girls to frequent the devil's workshops?

If there are isolated sections of the country where the labor of children is exploited or the school attendance laws not enforced, it is not necessary to ratify this proposed amendment in order to overcome conditions which should be rectified by citizens of the locality who have or can obtain full knowledge of the situation.

I am as much opposed to the exploitation of the labor of children and as much in favor of every child having the advantage of an education as anyone; but I prefer that Congress be not granted the power to legislate on those subjects and thereby make it possible for laws to be dictated and administered by selfish persons or by sentimental theorists lacking conception of parental rights, duties, and responsibilities.

#### OUTSTANDING QUESTIONS

The outstanding questions are:

What would be possible for the selfish propagandist and sentimental lobbyist to accomplish should this proposed amendment be ratified by the legislatures of 36 States?

Would it be wise to vest such unlimited power in a future Congress with the childlike confidence that the socialistic legislation possible under the terms of this proposed amendment would not be enacted?

Would it be prudent for the legislatures to ratify this proposed amendment based upon the mere "assurance" that drastic legislation will not be demanded of or enacted by a future Congress?

Why grant a power which it is claimed will not be exercised!

Why favor ratification of this proposed amendment which would change our plan and form of government when there is no national demand or necessity for it?

There is a great principle involved and its disregard would produce infinite harm. Let those who insist upon changing our form of government seek their remedy in the States.

Would it not be the height of folly and display lack of wisdom to ratify this proposed amendment and thereby make it possible for a future Congress to take from parents that Divine authority which has existed and been exercised from time immemorial over their children and vest it in a centralized bureau, located in Washington, to be administered in such a manner as could bring into disrepute the laws applicable to parent and child, break down respect for all law, and thereby destroy the morale of future generations?

Would civilization advance under such conditions?

I say to you, in all candor, that this proposed amendment is most revolutionary; and I feel confident that when you and others have a full understanding and conception of the object and purpose of those responsible for its introduction you will change your views as have thousands of others who, at first, enthusiastically favored ratification because of misleading propaganda and imaginary illustrations picturing little tots forced by cruel parents, relatives, or the capitalists to work at hard labor.

Such propaganda and illustrations are for the purpose of arousing the sympathy and support of those not acquainted with all of the facts.

#### URGES CAREFUL CONSIDERATION

May I not express the hope that you will take the time to carefully read and consider the literature submitted on this subject and reach the conclusion, as have thousands of others, that the instigators of this particular amendment have well-defined selfish or political objects in view which, if realized, would eventually prove most detrimental to the future welfare of parents, children, and the State.

I always give careful consideration to public questions and express my views and vote according to the dictates of my conscience, with full knowledge of the fact that some of my constituents may feel disposed to hold me accountable for not agreeing with their views.

Very truly,

DUNCAN U. FLETCHER.

#### RETIREMENT FOR DISABILITY IN THE LIGHTHOUSE SERVICE

Mr. KING. I withdraw the motion heretofore made by me to reconsider the vote by which the bill (S. 3613) to provide for retirement for disability in the Lighthouse Service was passed.

The PRESIDING OFFICER. The motion to reconsider is withdrawn.

#### PETITIONS AND MEMORIALS

Mr. McKINLEY presented a memorial numerous signed by sundry citizens of Chicago, Ill., remonstrating against the passage of the so-called compulsory Sunday observance bill for the District, which was referred to the Committee on the District of Columbia.

Mr. ROBINSON presented a memorial of sundry citizens in the State of Arkansas of Greek origin, remonstrating against the alleged mistreatment of Greeks by the Turks and the recent expulsion of the Greek patriarch from Constantinople and urging that all Christian nations use their influence in preventing further persecutions, which was referred to the Committee on Foreign Relations.

Mr. BRUCE presented a memorial signed by approximately 995 citizens of Baltimore, in the State of Maryland, remonstrating against the passage of the so-called compulsory Sunday observance bill for the District, which was referred to the Committee on the District of Columbia.

Mr. WATSON presented a memorial signed by approximately 390 citizens of Indianapolis and vicinity, in the State of Indiana, remonstrating against the passage of the so-called compulsory Sunday observance bill for the District, which was referred to the Committee on the District of Columbia.

Mr. COPELAND presented a memorial numerous signed by sundry citizens of New York, N. Y., remonstrating against the passage of the so-called compulsory Sunday observance bill for the District, which was referred to the Committee on the District of Columbia.

Mr. NORBECK presented a communication in the nature of a petition of Mrs. J. W. Pay and 10 other members of the Women's Foreign Missionary Society of the Methodist Episcopal Church, of Milbank, S. Dak., praying a reconsideration and amendment of the recently enacted immigration law, etc., which was referred to the Committee on Immigration.

He also presented the petition of Christian Thomson and sundry other citizens of Rapid City, Folsom, Sturgis, Winner, and Watertown, all in the State of North Dakota, praying for the passage of legislation in the interest of veterans, widows, and orphan children of the Indian wars, which was referred to the Committee on Pensions.

Mr. SHEPPARD presented petitions of sundry citizens of the State of Texas, praying for the passage of the House bill 11798 and Senate bill 3920, providing pensions for veterans of the Indian wars, their widows, and orphan children, which were referred to the Committee on Pensions.

Mr. SWANSON presented the following telegram, which was referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD:

[Postal telegram]

RICHMOND, VA., February 16, 1925.

Hon. CLAUDE SWANSON,

Senate Office Building, Washington, D. C.:

Our ninth annual meeting of Farmers' Milk Producers Association, representing producers who ship annually over 5,000,000 gallons of milk into Richmond, have instructed us to protest against Congress passing any bill providing for Federal registration and auditing of cooperative marketing associations, and to protest against attempting to amend Capper-Volstead cooperative act in this session. We do not oppose Federal assistance, but we are vigorously opposed to any start by Government toward Federal control.

W. M. CEASE,  
W. J. BURLER,  
G. L. OLIVER,  
Committee.

Mr. OVERMAN presented the following joint resolution of the Legislature of the State of North Carolina, which was referred to the Committee on the Judiciary:

Joint resolution 28 to reject the proposed amendment to the Constitution of the United States providing for the regulation by Congress of the labor of persons under 18 years of age.

Whereas the Sixty-eighth Congress of the United States submitted to the several States for ratification, a proposed amendment to the Constitution of the United States, as follows:

#### "ARTICLE —

"SECTION 1. The Congress shall have power to limit, regulate and prohibit the labor of persons under 18 years of age.

"SEC. 2. The power of the several States is unimpaired by this article except that the operation of State laws shall be suspended to the extent necessary to give effect to legislation enacted by the Congress"; and

Whereas the people of North Carolina, firmly believing in the preservation of the rights remaining in the several States, and entirely confident that they now have in force State laws providing fully for the protection of the youth of the State, are unalterably opposed to this unnecessary surrender of the further power to the National Congress. Now, therefore,

Be it resolved by the senate, the house of representatives concurring:

SECTION 1. The General Assembly of North Carolina does hereby reject and refuse to ratify the amendment to the Constitution of the United States proposed and submitted to the several States by the Sixty-eighth Congress of the United States as follows:

#### "ARTICLE —

"SECTION 1. The Congress shall have power to limit, regulate, and prohibit the labor of persons under 18 years of age.

"SEC. 2. The power of the several States is unimpaired by this article except that the operation of State laws shall be suspended to the extent necessary to give effect to legislation enacted by the Congress."

SEC. 2. The secretary of state of North Carolina shall transmit, under the seal of his office, a certified copy of this resolution to the Secretary of State of the United States, as required by law.

SEC. 3. This resolution shall be in effect from and after its ratification.

In the general assembly read three times and ratified this the 23d day of August, 1924.

W. B. COOPER,  
President of the Senate.  
JNO. G. DAWSON,  
Speaker of the House of Representatives.

Examined and found correct:

JOHN W. KING,  
For Committee.

STATE OF NORTH CAROLINA,  
DEPARTMENT OF STATE.

I, W. N. Everett, secretary of state of the State of North Carolina, do hereby certify the foregoing and attached (Two (2) sheets) to be a true copy from the records of this office.

In witness whereof, I have hereunto set my hand and affixed my official seal.

Done in office at Raleigh, this 16th day of February in the year of our Lord 1925.

[SEAL.]

W. N. EVERETT,  
Secretary of State.

Mr. KING presented the following memorial of the Legislature of the State of Utah, which was referred to the Committee on Banking and Currency:

STATE OF UTAH,  
EXECUTIVE DEPARTMENT,  
SECRETARY OF STATE'S OFFICE.

I, H. E. Crockett, secretary of state of the State of Utah, do hereby certify that the attached is a full, true, and correct copy of H. C. M. No. 6, by Mr. Whittaker, memorializing Congress to pass the Pittman bill relating to the purchase of 14,437,000 ounces of American-produced silver at \$1 per ounce, as appears on file in my office.

In witness whereof I have hereunto set my hand and affixed the great seal of the State of Utah this 6th day of February, 1925.

[SEAL]

H. E. CROCKETT,  
Secretary of State.

H. C. M. No. 6 (by Mr. Whittaker), memorializing Congress to pass the Pittman bill relating to the purchase of 14,437,000 ounces of American-produced silver at \$1 per ounce.

Whereas the Secretary of the Treasury of the United States failed to fully carry out the provisions of the so-called Pittman Act by refusing to purchase what is reported approximately 14,437,000 ounces of American-produced silver at \$1 per ounce, thus depriving our Utah mines of the fullest benefit of the law: Therefore be it

Resolved by the Legislature of the State of Utah, That the United States House of Representatives be, and is hereby, memorialized to pass the Pittman bill passed by the United States Senate at its last session, whereby the requirements of the original Pittman Silver Purchasing Act may be fully met, and that a copy of this memorial be sent to each individual member of the Utah congressional delegation.

The foregoing H. C. M. No. 6 was publicly read by title and immediately thereafter signed by the president of the senate in the presence of the house over which he presides, and the fact of such signing duly entered upon the journal this 4th day of February, 1925.

A. B. IRVINE,  
President of the Senate.

Attest:

H. L. CUMMINGS,  
Secretary of the Senate.



The foregoing H. C. M. No. 6 was publicly read by title and immediately thereafter signed by the speaker of the house in the presence of the house over which he presides, and the fact of such signing duly entered upon the journal this 4th day of February, 1925.

WM. B. MCKELL,  
Speaker of the House.

Attest:

E. L. CROPPER,  
Chief Clerk of House.

Received from the house of representatives this 4th day of February, 1925. Approved February 5, 1925.

GEO. H. DERN, Governor.

Received from governor and filed in the office of the secretary of state this 5th day of February, 1925.

CHAS. HEINER,  
Deputy Secretary of State.

Mr. KING also presented the following resolution of the Legislature of the State of Utah, which was referred to the Committee on Military Affairs:

House joint resolution 3 (by Mr. Hunt), memorializing Congress to take favorable action on Senate bill 4060 and H. R. 11555, which provides for suitable recognition for the services of Lieutenant Maughan

Whereas a native-born son of Utah, Lieut. Russell L. Maughan, during the World War, distinguished himself for valor in combat with enemy aircraft over the battle fields of France; and

Whereas Lieutenant Maughan brought to the United States Air Service the world's championship for speed by winning the Pulitzer airplane speed contest; and

Whereas Lieutenant Maughan has brought further renown to his State and his country by performing the marvelous feat of crossing the United States by the light of a single day, all of which redounds to the credit and well-being of the people of the United States as well as being a distinct contribution to the science of flying; and

Whereas there has been introduced in the Senate of the United States by Senator REED SMOOR and in the House of Representatives by Congressman DON B. COLTON, a bill that would offer suitable recognition for the services of Lieutenant Maughan: Therefore be it

Resolved, That the Legislature of the State of Utah hereby memorialize the Congress of the United States to take favorable action on the above-described Senate bill No. 4060 and H. R. 11555 with the full conviction that the record of Lieutenant Maughan is a matter of national pride, and that his bravery, endurance, and successful navigation of the air should be thus fittingly recognized.

#### REPORTS OF COMMITTEES

Mr. JONES of Washington, from the Committee on Commerce, to which was referred the bill (H. R. 11472) authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, reported it with amendments and submitted a report (No. 1143) thereon.

Mr. SPENCER, from the Committee on Claims, to which were referred the following bills, reported them severally with an amendment and submitted reports thereon:

A bill (S. 1633) for the relief of James F. Jenkins (Rept. No. 1144);

A bill (S. 2630) for the relief of F. M. Gray, jr., Co. (Rept. No. 1145); and

A bill (S. 2881) for the relief of the Mallory Steamship Co. (Rept. No. 1146).

Mr. SPENCER, also from the Committee on Claims, to which was referred the bill (S. 4043) for the relief of Ida Fey, reported it with an amendment and submitted a report (No. 1155) thereon.

Mr. BAYARD, from the Committee on Claims, to which was referred the bill (H. R. 1076) for the relief of the State Bank & Trust Co., of Fayetteville, Tenn., submitted an adverse report (No. 1147) thereon.

Mr. CAPPER, from the Committee on Claims, to which was referred the bill (H. R. 4913) to pay to Jere Austill fees earned as United States commissioner, reported it without amendment and submitted a report (No. 1148) thereon.

Mr. SWANSON, from the Committee on Naval Affairs, to which was referred the bill (S. 4228) for the relief of Robert B. Sanford, reported it without amendment and submitted a report (No. 1149) thereon.

Mr. MAYFIELD, from the Committee on Claims, to which was referred the bill (H. R. 5660) for the relief of Charles Spencer, reported it without amendment and submitted a report (No. 1150) thereon.

Mr. BRUCE, from the Committee on Claims, to which was referred the bill (H. R. 8297) for the relief of the Canadian

Pacific Railway Co., reported it without amendment and submitted a report (No. 1151) thereon.

He also, from the same committee, to which were referred the following bills, reported them each with an amendment and submitted reports thereon:

A bill (S. 3231) for the relief of all owners of cargo laden aboard the U. S. transport *Florence Luckenbach*, on or about December 27, 1918 (Rept. No. 1152); and

A bill (S. 3232) for the relief of the owners of the steamship *Basse Indre* and all owners of cargo laden aboard said vessel at the time of her collision with the steamship *Housatonic* (Rept. No. 1153).

Mr. BRUCE, from the Committee on Claims, to which was referred the bill (S. 4050) for the relief of Herman Shulof, reported it with an amendment and submitted a report (No. 1154) thereon.

Mr. MAYFIELD, from the Committee on Claims, to which was referred the bill (S. 1502) for the relief of the widow and minor children of Ed Estes, deceased, reported it without amendment and submitted a report (No. 1156) thereon.

Mr. LADD, from the Committee on Agriculture and Forestry, to which was referred the bill (H. R. 157) to authorize the more complete endowment of agricultural experiment stations, and for other purposes, reported it without amendment.

He also, from the Committee on Commerce, to which was referred the bill (H. R. 11825) to extend the time for the construction of a bridge over the Ohio River near Steubenville, Ohio, reported it without amendment and submitted a report (No. 1170) thereon.

Mr. LADD also, from the Committee on Public Lands and Surveys, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

A bill (H. R. 1948) for the relief of Samuel Friedman, as trustee for the heirs and devisees of B. Friedman and Henry Mills, and as trustee for the heirs and devisees of Emanuel Loveman, deceased (Rept. No. 1157);

A bill (H. R. 6044) authorizing the Secretary of the Interior to sell and patent certain lands to Lizzie M. Nicky, a resident of De Soto Parish, La. (Rept. No. 1158);

A bill (H. R. 6045) authorizing the Secretary of the Interior to sell and patent certain lands to Flora Horton, a resident of De Soto Parish, La. (Rept. No. 1159); and

A bill (H. R. 6710) to authorize the Secretary of the Interior to lease certain lands (Rept. No. 1160).

Mr. CAMERON, from the Committee on Public Lands and Surveys, to which was referred the bill (H. R. 6713) to define trespass on coal land of the United States and to provide a penalty therefor, reported it without amendment and submitted a report (No. 1161) thereon.

Mr. PITTMAN, from the Committee on Public Lands and Surveys, to which was referred the bill (H. R. 2905) to authorize an exchange of lands with Ed Johnson, of Eagle, Colo., reported it without amendment and submitted a report (No. 1162) thereon.

Mr. KENDRICK, from the Committee on Public Lands and Surveys, to which was referred the bill (H. R. 11067) to provide for the relinquishment by the United States of certain lands to the county of Kootenai, in the State of Idaho, reported it with an amendment and submitted a report (No. 1163) thereon.

Mr. DILL, from the Committee on Public Lands and Surveys, to which was referred the bill (H. R. 11210) to grant certain public lands to the State of Washington for park and other purposes, reported it without amendment and submitted a report (No. 1164) thereon.

Mr. COPELAND, from the Committee on Naval Affairs, to which was referred the bill (S. 4106) for the relief of Stephen A. Farrell, reported it with an amendment and submitted a report (No. 1165) thereon.

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

A bill (H. R. 2016) for the relief of William M. Phillipson (Rept. No. 1166); and

A bill (H. R. 8072) for the relief of Emma Zembsch (Rept. No. 1167).

Mr. SHORTRIDGE, also from the Committee on Naval Affairs, to which was referred the bill (H. R. 5637) for the relief of Edward R. Wilson, lieutenant commander Supply Corps, United States Navy, reported it with amendments and submitted a report (No. 1168) thereon.

Mr. STEPHENS, from the Committee on Claims, to which was referred the bill (H. R. 5236) for the relief of Mrs. M. J. Adams, reported it without amendment and submitted a report (No. 1169) thereon.

## INVESTIGATION OF BUREAU OF INTERNAL REVENUE

Mr. COUZENS, from the select committee on investigation of the Bureau of Internal Revenue, pursuant to Senate Resolution 168, reported the testimony taken before that committee on January 19, 20, 21, 22, 23, 24, 27, 28, 30, and 31.

## BILLS AND JOINT RESOLUTIONS INTRODUCED

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

By Mr. STEPHENS:

A bill (S. 4336) to provide for the payment of the amount of a war-risk insurance policy to the beneficiaries designated by Lieut. Lewis Wesley Kitchens, deceased; to the Committee on Finance.

A bill (S. 4337) for the relief of James T. Conner; to the Committee on Claims.

By Mr. McKINLEY:

A bill (S. 4338) granting the consent of Congress to the Iowa Light & Power Co. to construct, maintain, and operate a dam across the Des Moines River; to the Committee on Commerce.

By Mr. RALSTON:

A bill (S. 4339) granting a pension to Margaret Cody (with accompanying paper); to the Committee on Pensions.

By Mr. JONES of New Mexico:

A bill (S. 4340) confirming in States and Territories title to lands granted by the United States in the aid of common or public schools; to the Committee on Public Lands and Surveys.

By Mr. COPELAND:

A bill (S. 4341) granting a pension to Chester R. Hopper; to the Committee on Pensions.

A bill (S. 4342) authorizing the President to appoint Cecil Clinton Adell, formerly an ensign, United States Navy, to his former rank as ensign, United States Navy; to the Committee on Naval Affairs.

By Mr. LENROOT:

A bill (S. 4343) authorizing the construction, maintenance, and operation of a bridge across the Mississippi River between the cities of Prairie Du Chien, Wis., and McGregor, Iowa; to the Committee on Commerce.

By Mr. JOHNSON of California:

A bill (S. 4344) to amend an act entitled "An act to provide for a uniform rule for the naturalization of aliens throughout the United States and establishing the Bureau of Immigration and Naturalization," approved June 29, 1906; to the Committee on Immigration.

By Mr. HARRELD:

A joint resolution (S. J. Res. 189) authorizing the enlargement of the Federal Veterans' Hospital, at Muskogee, Okla., by the purchase of an adjoining city hospital and authorizing the appropriation of \$150,000 for that purpose; to the Committee on Public Buildings and Grounds.

By Mr. WILLIS:

A joint resolution (S. J. Res. 190) to provide for the expenses of delegates of the United States to the Pan American Congress of Highways; to the Committee on Foreign Relations.

By Mr. WALSH of Montana:

A joint resolution (S. J. Res. 191) to appropriate certain tribal funds of the Flathead and other Indian tribes in Montana, to bring test suits in the United States District Court of Montana, and for other purposes; to the Committee on Public Lands and Surveys.

## HEARINGS BEFORE MILITARY AFFAIRS COMMITTEES

Mr. WADSWORTH submitted the following concurrent resolution (S. Con. Res. 30), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

*Resolved by the Senate (the House of Representatives concurring).* That the Committee on Military Affairs of the Senate of the United States and the House of Representatives, or subcommittees thereof, be, and hereby are, authorized to sit jointly during the sessions or adjourned intervals of the Sixty-eighth and Sixty-ninth Congresses, at such times and places as may seem advisable to the said committees or their subcommittees; to make investigations of the condition of Army posts and forts, and other properties maintained for the military arm of the Government; to employ such clerical or other assistance as may be required in the judgment of said committees, to send for persons, books and papers, to administer oaths, and to employ a stenographer or stenographers at a cost of not to exceed 25 cents per hundred words to report such hearings as may be had in furtherance of the purposes hereof; the expenses thereof to be paid one-half from the contingent fund of the Senate and one-half from the contingent fund of the House of Representatives upon vouchers certified to by the chairmen of the said committees or of their subcommittees and properly approved.

## APPROPRIATIONS FOR THE DISTRICT OF COLUMBIA

The PRESIDING OFFICER. At the period of taking the recess the District of Columbia appropriation bill had been reported from the Committee of the Whole to the Senate, and the question being upon concurring in the amendments made as in Committee of the Whole, all such amendments were concurred in with the exception of the amendment on page 75, lines 18, 19, and 20.

Mr. PHIPPS. Mr. President, there is one other matter—The PRESIDING OFFICER. Will it not be necessary, may the Chair suggest to the Senator, in view of the fact that the Senate voted last night to proceed to the consideration of the legislative appropriation bill, that by motion this bill should be taken up now?

Mr. PHIPPS. I move that the Senate proceed to the consideration of the District of Columbia appropriation.

The motion was agreed to, and the Senate resumed the consideration of the bill (H. R. 12033) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1926, and for other purposes.

Mr. PHIPPS. Mr. President, I desire to call attention to the fact that there is one other item of appropriation in the bill that has an effect upon the bathing-beach question.

The PRESIDING OFFICER. Does the Senator refer to lines 15, 16, and 17, on page 75?

Mr. PHIPPS. There is one preceding that. If Senators desire to address themselves to the question at this time, I shall be glad to have them do so.

## SALE OF COTTON-OIL PRODUCTS

Mr. OVERMAN. Mr. President, I ask unanimous consent to have read at the desk a telegram which I have received from the Governor of North Carolina which contains some amazing information.

The PRESIDING OFFICER. Is there objection? There being no objection, the clerk will read as requested.

The reading clerk read as follows:

RALEIGH, N. C., February 17, 1925.

Senator LEE S. OVERMAN,

United States Senate, Washington, D. C.:

It has been brought to my attention that there is pending in the Legislatures of Wisconsin, California, Idaho, Indiana, Missouri, Nebraska, Ohio, Oregon, and Utah measures which would practically deny the sale of cotton-oil products in those States. I need not say to you that such legislation is likely to work serious injury to a great product of North Carolina and other cotton States of the South. I am calling this matter to your attention, confident that you will desire to do whatever is possible to induce the Senators from these States to advise against such discriminatory legislation. It would seem to me that if western agricultural States enacted laws that are injurious to the interests of southern agricultural States, it would endanger that sympathetic spirit of cooperation and friendly solidarity that now exists and should continue to exist between these great agricultural sections.

A. W. McLEAN, Governor.

Mr. OVERMAN. Mr. President, I can not believe that those great States would pass such legislation and bring about a most intolerable condition in the country. Congress alone has the right to regulate commerce between the States; and if those States should place an embargo upon southern products, Southern States would have to place an embargo upon the manufactured products of Missouri, Indiana, Nebraska, and the other States and prevent the sale of their shoes and other products. I trust Senators will call the attention of their States to the fact that this is a highly intolerable thing that ought not to be done, and that it is against the very spirit of our institutions for one State to lay an embargo against another State.

Mr. SMITH. Mr. President—

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from South Carolina?

Mr. OVERMAN. I yield.

Mr. SMITH. Has the Senator any communication or information relative to any of the bills contemplated to be enacted into law?

Mr. OVERMAN. The telegram is all the information I have. The Governor of North Carolina wired me that certain legislation is pending and named the States in which it is pending, the States proposing to legislate against the great sovereign States of the South which raise cotton.

Mr. JOHNSON of California. Mr. President—



The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from California?

Mr. OVERMAN. Certainly.

Mr. JOHNSON of California. I would like to inquire of the Senator from North Carolina just what the contemplated legislation is?

Mr. OVERMAN. I have no other information than that contained in the telegram. The governor of my State has the information and I have had his telegram read for the purpose of advising the Senators from those States in order that they may bring the matter to the attention of their legislatures. I can not believe that any great State would be guilty of initiating such legislation because it would be unconstitutional and against the very spirit of our institutions.

Mr. GOODING. Mr. President—

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

Mr. OVERMAN. I yield.

Mr. GOODING. I want to say that I do not believe the Legislature of the State of Idaho is considering seriously any such legislation.

Mr. OVERMAN. I am glad to hear the Senator say so.

Mr. GOODING. I shall immediately wire the governor and find out. I agree with all that the Senator from North Carolina has said. Such legislation to my mind would be nothing less than an outrage and I shall oppose it with all the vigor that is in me. I shall immediately take steps to find out whether such legislation is being considered seriously or not.

Mr. OVERMAN. I have no doubt other Senators from the States mentioned will feel the same way.

Mr. SMITH. I would suggest to the Senator that the Senators from the States mentioned in the telegram be asked to inquire of their respective governors whether or not any such legislation is contemplated so that we may deal intelligently with the matter and not do an injustice by implication because I do not think there ought to be even discussed here such a question as is involved in the telegram unless we have the facts before us.

Mr. JOHNSON of California. Does not the Senator think we ought to know first at what the legislation is aimed?

Mr. SMITH. That is exactly what I think. Senators representing those States should inquire of their legislatures or governors if there is any legislation pending looking toward discriminating against the products of other States.

Mr. NORRIS. Mr. President, may I ask the Senator from North Carolina to have the telegram read again. Several of us came in late and have not heard its contents.

Mr. GLASS. Mr. President, does not the whole thing rise out of the one circumstance that the State of Wisconsin is about to put a 10-cent tax on oleomargarine?

Mr. OVERMAN. I do not know. I have had the telegram read for the benefit of the able and patriotic Senators in this body, who should ascertain if any such legislation is pending in their respective States and stop it if they can. I ask that the telegram be read again.

The PRESIDING OFFICER. The Secretary will read as requested.

The reading clerk again read the telegram.

#### LEGISLATIVE APPROPRIATION BILL

Mr. NORRIS. I do not want to interfere with the pending appropriation bill, but I want to enter now, to be taken up later, a motion to reconsider the vote by which House bill 12101, the legislative appropriation bill, was passed last night.

The PRESIDING OFFICER. The Chair is informed that the bill has been messaged to the House. Will it not be necessary to enter a motion to recall the bill from the House?

Mr. NORRIS. As I remember the rule, though I do not have it before me, that would follow naturally when a motion to reconsider is entered. If it is necessary, I also move that the House be requested to return the bill to the Senate.

The PRESIDING OFFICER. Does the Senator wish to enter that motion now?

Mr. NORRIS. Yes; and I am willing to take it up now, but I did not want to interfere with the regular proceeding on the District of Columbia appropriation bill.

The PRESIDING OFFICER. The District of Columbia appropriation bill is before the Senate, and the Senator from Colorado [Mr. PHIPPS] is recognized.

#### APPROPRIATIONS FOR DISTRICT OF COLUMBIA

The Senate resumed the consideration of the bill (H. R. 12033) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1926, and for other purposes.

Mr. PHIPPS. Mr. President, I desire to say for the subcommittee that the question of bathing beaches is one that has given us a great deal of trouble. We have given it careful consideration.

The first item of appropriation for the purpose was contained in the District appropriation bill for the fiscal year ending June 30, 1923, for the construction of a bathing beach and bathhouse for the colored population of the city, \$25,000. The amount was not expended during that year on account of difficulties in the way of determining which would be the most suitable site. It was attempted to locate it in the Anacostia River, but there was a claim that the waters were impure. An attempt to locate it at the end of the Georgetown bridge was made, and it was found that the cost of installation and arranging for proper transportation of the people who would patronize the beach was prohibitive. It then came up in the bill for the fiscal year 1924 and the appropriation was continued. The next site that was recommended and practically agreed upon was that at the end of Key Bridge. When that fact became known there was a great deal of protest entered against it, particularly by the people of Georgetown, and no work was done. The item came up again in the bill approved December 5, 1924, which contained the following paragraph:

For construction and development work in Potomac Park on the west shore of the Tidal Basin to provide public bathing facilities, and for the maintenance thereof, \$50,000, to remain available until June 30, 1925: *Provided*, That the unexpended balance of the appropriation of \$25,000 contained in the District of Columbia appropriation act for the fiscal year 1923 for the construction of a bathing beach and bathhouse for the colored population of the city, continued and made available during the fiscal year 1924 by the District of Columbia appropriation act for the fiscal year 1924, is further continued and made available during the fiscal year 1925 for the construction and maintenance of said bathing beach and bathhouse.

In pursuance of that act, Colonel Sherrill, who is in charge, in a communication to the Secretary of War under date of December 22, submitted a copy of a letter which had been received from the Commission of Fine Arts, in which they did not advise the acceptance of the proposed plan for the bathing beach. In answer to it he said:

The commission discusses the matter under the following headings:

1. The sanitary condition of the water at the site.
2. Removal of the Japanese cherry trees.
3. Congestion of traffic.
4. Locker capacity of the proposed building.
5. Removal of both bathing beaches to another site.
6. Sterilization of bathing suits and interior arrangement of the building.

The following remarks are pertinent in reference to the objections of the Commission of Fine Arts referring to the same number:

1. The average volume of water passing into and out of the basin twice daily is 107,811,000 gallons, and the change of water at the site of the beach twice daily is 1,181,250 gallons. In view of the fact that the purity of the water in the immediate vicinity of each of the two bathing beaches is dependent on chlorination at each place, it is believed that the water at the site for the colored bathing beach will be quite as sanitary as that of the present beach. This volume of water is so great as to disprove any claim that "the flow of water on that side between the intake and the outlet produced a sufficient current to carry off impurities."

2. The bathhouse and bathing beach has been so located as to obviate the necessity of the removal of more than three or four cherry trees at the outside and probably will not involve the removal of a single one out of the large number surrounding the basin.

3. The particular site selected for the bathing beach for colored people will be freer from the congestion of traffic than any place that I can think of in the parks, for the reason that the wide expanse of the old cinder speedway lying north of the main road will be available for parking all the cars that may come to the beach.

4. Arrangements have been made for extending the number of lockers within the oval area surrounded by trees in case this should be necessary, but it is my fixed opinion that the building now planned will be quite sufficient for all the demands that may be made upon it.

5. This recommendation is of such a general nature as to have no bearing.

That was the removal of both beaches to another site.

6. Sterilizing bathing suits is something that can be readily accomplished within the building as designed.

It will be observed from the above that the only question of art involved in this discussion is the effect on the Japanese cherry trees.

As to the cherry trees, I learned this morning that only six of them had been trimmed and that it is not necessary to remove any of them.

Colonel Sherrill at that time submitted a copy of a letter from the Commission of Fine Arts to which that is an answer, and had a memorandum delivered to him by the Secretary of War under date of December 26, 1924, reading as follows:

WAR DEPARTMENT,  
Washington, December 26, 1924.

(Memorandum for Colonel Sherrill)

I have examined the memorandum received from you under date of December 22 relative to the erection of buildings on the west shore of the basin for a bathing beach for the colored people. After having examined every possible available location I have regretfully concluded that we can not in justice to the colored population of the District of Columbia take any other course than the one provided for by legislation. I have done this regretfully, because I do not think there should be bathing by any class of people in the basin. If I had the power to do it, when the Memorial Bridge is completed I would transfer both bathing beaches to Columbia Island, which, I think, would be a suitable place and not too conspicuous.

In the meantime you may proceed with the plans which have been made for the erection of the building and other facilities for the purpose provided for by the act of Congress recently passed, using special care that the cherry trees, if any, which may be in the way of this development shall be removed to some other location, and so moved that there shall be the least possible chance of their loss.

JOHN W. WEEKS,  
Secretary of War.

Mr. President, I do not think it necessary to read into the RECORD the hearings which the committee of the House and the committee of the Senate held on this subject on three different occasions. It was gone into very thoroughly with Colonel Sherrill. The work has been begun and has progressed to a point where it could be completed by June 30 next, the date set for completion. The amount of expenditure already made on the project is estimated to be \$25,000, and by a personal examination of the work made this morning I believe that those figures are approximately correct.

Mr. KENDRICK. Mr. President, I wish to ask the Senator from Colorado as to the distance between these two proposed bathing beaches?

Mr. PHIPPS. The beaches are approximately a half mile apart. The present beach is in use and is to be more thoroughly screened than it is at the present time by the planting of additional trees. Nearly all of the trees there now are deciduous trees, but it is proposed to plant evergreens and low bushes that will make a more effective screen. The proposed new beach on the west side, on which work is now progressing, will be in the same manner absolutely screened from view from the driveways. The people using both of these bathing beaches will go over the pathways to the bathhouses where they change their costumes and go directly into the water. They will not be permitted to go out from the shores to the driveways. The bathers are absolutely under control, so far as that is concerned.

Mr. KENDRICK. Did I understand the Senator from Colorado to say that those in authority who were looking into this matter had failed to find any other satisfactory place where such a beach could be established which would not be subject to controversy?

Mr. PHIPPS. Yes; I made that statement; and that is the opinion of all those who have had to do with the matter. The objection in the case of the Anacostia River frontage, where we have been reclaiming land, is that the sewage system can not be completed for a term of years so as adequately to take care of the sewage; and there is raw sewage in that stream to-day. We are trying to progress as rapidly as possible with the work on the Potomac and on Rock Creek, and to complete what is known as the main Potomac interceptor so to take care of the sewage and carry it all below the city of Washington to the sewage-disposal plant and absolutely keep it out of the Potomac River. At the present time, of course, some of the sewage is going into the river, but the water at the Tidal Basin is being frequently and regularly examined, I may say almost daily, and tested, and it is believed to be as pure as can be obtained from the Potomac River at this time.

Mr. OVERMAN. Mr. President, did we not get along without a bathing beach here for 100 years, and can we not wait a few more years until we can purify the water of the Anacostia River, instead of building bathing beaches at the foot of the Washington Monument and the Lincoln Memorial, and desecrating the beautiful driveways which we have there at this time?

Mr. PHIPPS. Of course, that is a matter of personal opinion; but it seems to me that, to be consistent, we must do one of two things: We must either continue this work and

carry out the present program, looking upon it as a temporary matter, to last only for three or four years, perhaps, or we must close the beach that we now have. I think it would be very inconsistent if we were to stop the work on the bathing beach for the colored people and at the same time permit bathing by white people at the present bathing beach.

Mr. WALSH of Montana. Mr. President, the question before the Senate is on the adoption of the following amendment recommended by the Senate committee, namely:

For purification of waters of the beach and improvement, maintenance, and operation of the bathhouse and beach on the west shore of the Tidal Basin, \$6,000.

I hope, Mr. President, that the amendment will not be adopted, and if, upon a test of the sentiment of the Senate, it shall not be, I shall offer the amendment which I send to the desk and ask to have read for the information of the Senate.

The PRESIDING OFFICER. The Secretary will read, as requested.

The PRINCIPAL LEGISLATIVE CLERK. On page 75 it is proposed to strike out lines 15, 16, and 17 and to insert in lieu thereof the following:

The unexpended balance of the sum of \$50,000 and the appropriation of \$25,000 provided in the second deficiency act, the fiscal year 1924, approved December 5, 1924, for the construction and maintenance of the bathing beach and bathhouse on the west shore of the Tidal Basin, in Potomac Park, is hereby directed to be covered into the Treasury to the credit of the District of Columbia.

Mr. WALSH of Montana. I desire, Mr. President, to dispel, if I can, any idea that in pressing this subject upon the attention of the Senate again, as I did yesterday morning, I am actuated by the slightest hostility to or the slightest aversion for the colored people of Washington or anywhere. On the contrary, when this matter first came before the Senate of the United States I voted in favor of an appropriation to provide the colored people of the city of Washington with a bathing place. I insist that they are just as much entitled to a bathing place as are the white people of the city of Washington, and I believe that a bathing place ought to be provided for both the colored and the white population. But, Mr. President, as I stated on yesterday, when the matter first came before the Senate in 1923 the appropriation of \$25,000 which we made at that time carried no intimation whatever that this bathing beach was to be located within the Tidal Basin. It read simply as follows:

For the construction of a bathing beach and bathhouse for the colored population of the city, \$25,000.

Mr. President, at that time it was intimated about the Chamber and circulated quite generally that the purpose was to locate that bathing beach upon the west side of the Tidal Basin, but we were assured by some one who pretended to speak with authority that there was no such purpose in mind at all. Accordingly the provision was adopted, by the help at least of my vote and, I think, the votes of others who would have voted against it at the time had it been frankly stated that it was the purpose to construct this bathing beach within the Tidal Basin.

Now it appears, Mr. President, that in a subsequent appropriation the same course was taken. In the appropriation act for 1924 the following language was contained:

The appropriation of \$25,000 contained in the District of Columbia appropriation act for the fiscal year 1923, for the construction of a bathing beach and bathhouse for the colored population of the city, is continued and made available during the fiscal year 1924 for the construction and maintenance of said bathing beach and bathhouse.

Thus the Senate was, in a way, again assured by the language of the continuing appropriation that the bathing beach was not to be constructed within the Tidal Basin. However, it appears now that by the deficiency appropriation act, which was approved on the 5th of December last, it was therein recited that the bathing beach was to be constructed and established within the Tidal Basin on the west side thereof. Accordingly, work is now in progress, and a site has been selected immediately to the west of the foot of Seventeenth Street where it meets the Tidal Basin, perhaps the most conspicuous place anywhere about the basin.

As I said, Mr. President, I am actuated in no wise whatever by any aversion toward the colored people. I insist that that is an indefensible course to take, in the first place upon esthetic grounds, and in the second place upon sanitary grounds. The Tidal Basin is one of the most attractive features of the beautiful city of Washington. Few tourists come to the city who do not ride about that beautiful sheet of water. The walks about it are lovely, as many of the Sen-



ators will be able to attest. I undertake to say that practically three-fourths of the automobiles entering Potomac Park enter immediately at this place where a bathing beach is to be established. It is bad enough to have one bathing beach within that beautiful area, but it would be, as I stated yesterday, a disgrace to put another one there. The fact is that this is so indisputable that when the Commission of Fine Arts was apprised of the purpose to put it where it is, the chairman of that commission wrote a letter protesting against that course. I desire to read it.

This letter is under date of December 22 last, by Charles Moore, the chairman of the Fine Arts Commission, directed to Lieut. Col. C. O. Sherrill, officer in charge of public buildings and grounds, as follows:

THE COMMISSION OF FINE ARTS,  
Washington, December 22, 1924.

DEAR SIR: The Commission of Fine Arts, to whom the studies for a proposed bathhouse on the Tidal Basin were referred during the meeting of the Commission of Fine Arts on December 5, 1924, have considered the plans, and report, as follows:

1. The commission have been informed by physicians of standing and experience that the bathing beach already installed is a prolific source of ear trouble and other diseases; that the basin is too shallow and the flow of water through it is too limited to make it safe even for its present occupation. When the existing bathing beach was proposed it was with the understanding that the flow of water on that side between the intake and the outlet produced a sufficient current to carry off impurities. Such, however, has proved not to be the case. To place an additional beach on the opposite side of the basin where there is almost no change in the water, would be a menace to health and a continuing source of contagion.

It was understood when the bathing beach was placed along the basin that immediate steps would be taken to provide bathing facilities in connection with the recreation features in East Potomac Park; also that provision would be made along the Anacostia and along Water Street. If facilities were provided in all the places named, the present inadequate bathing facilities would be better provided for. In none of the plans submitted to the commission thus far have such facilities been shown.

2. The location of a bathing beach at the point specified, namely, on the westerly side of the Tidal Basin, will necessitate the removal of such a number of the Japanese cherry trees as virtually to destroy one of the most attractive features of Washington. These trees were a gift from the mayor of Tokyo to Mrs. Taft and from her to the Government. Those around the basin are perhaps the most attractive of the city, drawing many visitors to Washington at the time of their blossoming.

3. The location of a bathing beach at this spot will increase the congestion at the most congested point at the entrance to Potomac Parks. The flow of traffic through this narrow neck is already much greater than can be accommodated on Sundays, and indeed on any fine day in summer.

4. The plans as drawn provide for only 1,000 lockers and will very soon call for such enlargements as already have been effected along the opposite beach, and should the entire area of the basin be taken up by both beaches the space would be all too small to provide adequate facilities for a population of 500,000 people.

5. In place of so much expenditure to accomplish a result that must, from the nature of things, be merely temporary, the Commission of Fine Arts suggest that during the present session of Congress legislation be sought to remove the bathing beaches from the Tidal Basin to another site, in East Potomac Park or along the water front.

6. The commission call attention to the fact that no facilities are provided for sterilizing bathing suits, a feature insisted upon and carefully watched over in other cities.

The commission seriously question the advisability of adding a dining room and kitchen. The arrangement proposed in the building and its architecture are such as to require a restudy of the plans.

For these several reasons the plans are returned to you herewith without the approval of the commission.

Very respectfully,

CHARLES MOORE, *Chairman.*

Lieut. Col. C. O. SHERRILL,  
*Officer in Charge of Public Buildings and Grounds.*

This commission was created, Mr. President, in order that structures about the city that are not in keeping with the ideas of beauty that ought to obtain in public works should be banned, and certainly the recommendations of the commission with respect to this matter seem to be entirely well founded.

Reference is made therein to the fact that not only would this be unsightly, not only would it contribute to the congestion from which the city is suffering at the present time in automobile traffic, but it would be a menace to the public

health. This, Mr. President, is the testimony of all physicians, I believe, who have given any attention to the subject.

The Public Health Service was called upon some time ago to inquire into this matter, and the Surgeon General appreciated at once the likelihood of contagion and infection from waters in which sometimes as many as 10,000 people per day bathe during the summer. I have a letter from him, sent me this morning as follows:

TREASURY DEPARTMENT,  
BUREAU OF THE PUBLIC HEALTH SERVICE,  
Washington, February 18, 1925.

Hon. THOMAS J. WALSH,

*United States Senate, Washington, D. C.*

MY DEAR SENATOR WALSH: In response to your inquiry regarding the Tidal Basin, I beg leave to inform you that on August 3, 1920, Major Ridley, the officer in charge of public buildings and grounds, requested the Public Health Service to make a sanitary survey of the Tidal Basin Bathing Beach with a view to a possible enlargement and revision of the chlorine purifying apparatus.

In accordance therewith an experienced sanitary engineer of this service, Mr. Crohurst, was detailed for this purpose, and as a result of his survey it was found that the conditions then existing in the basin were unsatisfactory from the standpoint of health. The water at that time was found to be rather highly contaminated with the colon bacillus, which is the usually accepted indicator of the presence of fecal contamination. Mr. Crohurst's report suggested a change in the method of the treatment of the water with a view to making it less unsafe for bathers.

Since that time no request has been received from the officer in charge of public buildings and grounds for a reexamination, and hence I do not know the conditions which now exist in the summer time, when a large number of bathers are using the existing facilities. I have, however, heard several of the practicing physicians in this city attribute certain throat and ear troubles to the use of the bathing beach during the summer.

It would appear desirable to have constant sanitary supervision over these waters in view of the large number of people of the District who are using the beach. I may add that the city health officer informs me that he has no jurisdiction over these waters and has made no examination of them.

Sincerely yours,

HUGH S. CUMMING, *Surgeon General.*

In confirmation of the statement thus made by the Surgeon General concerning the spread of diseases of the ear and throat occasioned by these waters I desire to read a letter from Dr. Charles W. Richardson, a well-known physician of this city and an expert in his line, of the same date, February 18, 1925:

1337 CONNECTICUT AVENUE,  
Washington, D. C., February 18, 1925.

Senator WALSH,  
*Montana.*

MY DEAR MR. WALSH: I was asked to write a line certifying the fact that infectious diseases of the ear, particularly of the external ear, is a common type of infection of those who bathe in the bathing beaches. It is so common that I have directed those coming to me to avoid these beaches. There can be no question that other infectious diseases, especially venereal diseases, occur from this promiscuous bathing of so many people. The flow in the basin of the bathing beach, tidal, is very low on account of it being at the end, acting as a sort of reservoir. That these infections are recognized is evidenced by the fact that Congress has ordered or is about to appropriate \$6,000 for chlorine to disinfect this pool. Increasing the bathers twofold will necessitate the employment of chlorine in sufficient quantity to prevent infection, making bathing impossible on account of irritation from chlorine gas.

Both bathing beaches should be placed where there is a distinctive tidal flow.

Sincerely,

CHARLES W. RICHARDSON.

Mr. FLETCHER. Mr. President—

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

Mr. WALSH of Montana. I do.

Mr. FLETCHER. I will ask the Senator if he does not intend also, then, in connection with the amendment he has suggested, to move to strike out lines 15, 16, and 17 on page 75 of the bill?

Mr. WALSH of Montana. I have signified that I shall, and have sent the amendment to the desk.

Mr. FLETCHER. I understood that amendment to refer to some other appropriation.

Mr. WALSH of Montana. No.

Mr. FLETCHER. This is the item of \$12,300, beginning in line 15?

Mr. WALSH of Montana. Yes. If the Senate shall reject the amendment offered by the committee, being lines 18, 19, and 20, on page 75, signifying its attitude with respect to that matter, I shall then offer an amendment to strike out lines 15, 16, and 17, and to cover the amount unexpended into the Treasury.

Mr. KENDRICK, Mr. PEPPER, and Mr. PHIPPS addressed the Chair.

The PRESIDING OFFICER (Mr. ASHURST in the chair). To whom does the Senator yield at this juncture?

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

Mr. KENDRICK. I desire to ask the Senator the purpose of that elimination. Is it the thought to eliminate both bathing beaches?

Mr. WALSH of Montana. I hope that will result; yes.

Mr. KENDRICK. The Senator does not object, in case the one is retained, to providing another bathing beach elsewhere?

Mr. WALSH of Montana. Certainly not. I have, as I have signified, voted repeatedly for appropriations to provide the colored people of the city with a bathing beach.

Mr. PEPPER. Mr. President—

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

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

Mr. PEPPER. I wish to be sure just what the amendment to be proposed by the Senator is, in the event the Senate should reject the suggestion of the committee.

Mr. WALSH of Montana. If the Senate should reject the suggestion of the committee I shall propose to strike out lines 15, 16, and 17, which make an appropriation for the operation of both bathing beaches.

Mr. PEPPER. I wanted to make sure of that, Mr. President, because it seems to me that two things are clear: First, that there should be equality of treatment of the two races; second, that any bathing beach in the Tidal Basin is little short of a disgrace to the community, both from the point of view of hygiene and from the point of view of desecrating a place that ought to be consecrated to beauty.

Mr. WALSH of Montana. I am glad to find the Senator from Pennsylvania in entire accord with my own views on the subject.

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

Mr. WALSH of Montana. I yield.

Mr. PHIPPS. At this point I should like to inquire of the Senator if he also proposes to offer an amendment that will stop the work of improvement on the western beach, now in progress, and to have the unexpended money returned to the Treasury?

Mr. WALSH of Montana. My amendment so provides.

Mr. PHIPPS. That was my understanding, as it was read from the desk.

Mr. WALSH of Montana. Mr. President, reference has been made to the attitude of the health service of the city. I have here a letter under date of February 16, from Doctor Fowler, the head of the health service of the District, which reads as follows:

Referring to our conversation over the telephone this morning with respect to the bathing beach at the Tidal Basin, I beg to say that this basin is, I understand, under the exclusive control of the Federal authorities and the local health department has not undertaken an examination of the water in this basin or in any other way supervised it.

That seems a rather remarkable statement. Perhaps the Senator from Colorado will be able to advise us about it. The local health department declares it has no supervision over it. The Public Health Service declares it has no supervision over it. Who does exercise any supervision over the sanitary conditions there?

Mr. PHIPPS. The War Department, in whose charge are the public parks and grounds. They have their experts, just as well qualified as the physicians under the Federal or the District Governments are to supervise. As I have stated, they make regular examinations of the water, and they have not found the water to be dangerous or polluted to the extent that it would be considered unfit for use. True, the water is not clear, it has not been filtered; but it is as pure as the water that flows in the Potomac.

At this point I wish to interject a statement, with the Senator's permission. If we close both beaches, it will be at least four years before we can establish free bathing facilities anywhere in the District. In the meantime the Potomac River and the Eastern Branch will undoubtedly be used promiscu-

ously by both white and colored people, just as they see fit. It will be almost impossible to keep them from bathing in those streams. Here they would be under control, and it is only now, when this proposed new bathing beach is under way, that a definite complaint is registered, and statements are made that the water in the Tidal Basin is so impure as to be unfit for bathing. I have been unable to find in the record any assurance, pledge, or promise that the western side of the Tidal Basin would not be adapted for the use of a bathing beach. The Senator has referred to that once or twice. I have been unable to find any such assurance given by any officials, and I know that it is not in the records of the hearings that were taken by our committee.

Mr. WALSH of Montana. I did not desire that I should be understood as asserting that any official of the Government who had any authority to give any assurance of that kind had given any such assurance. I spoke of the assurance given on the floor of the Senate when the matter was under consideration. The idea that it was to be located within the Tidal Basin was simply scouted by those who were advocating the appropriation at that time.

I continue reading the letter received from Doctor Fowler. He said:

I might say that, during the past few years, this department has received telephone messages from citizens complaining that the water in this Tidal Basin was irritating the eyes and ears of some of the persons bathing therein. When these messages have been received at the health department, the complainants have been informed that the Tidal Basin is under the exclusive control of the Federal Government and that the local authorities have no jurisdiction over the place.

I believe that a few years ago the United States Public Health Service made a survey of the basin and an analysis of the water therein for the purpose of determining whether the water in this basin was regarded as safe for bathing purposes. You might be able to obtain some information from the United States Public Health Service as to when this survey was made and the findings of the officers who made such survey.

Very sincerely,

W. C. FOWLER, M. D.,  
Health Officer.

Reference has been made by the Senator from Colorado to the relative purity of the water in the basin and the waters of the Potomac River. I think everyone must realize that whatever current there may be in the Tidal Basin is negligible. It must of necessity be so, because there is but one orifice, so that the flow in and the flow out is through the opening under the bridge. It results, it seems to me, as a matter of course, that the water is to a very large extent stagnant. Not only that, Mr. President, but the orifice is itself guarded by a gate, so that the water does not even acquire the current which would ordinarily obtain if there were no obstruction to the flow.

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

Mr. WALSH of Montana. I yield.

Mr. PHIPPS. The figures given by the War Department as to the flow through the Tidal Basin I have read into the RECORD. I suggest this point to the Senator. Taking a given volume of water that is held under control, if the gates are opened and the water allowed to pass through, there will be a more rapid flow than if the same volume of water were passing through over a period of 24 hours. In other words, if a vessel is emptied in 6 hours instead of 24, the flow will be more rapid at the time the gateways are opened. One of the objects of having the gates there is to keep the tidal flow from coming up the stream into the Tidal Basin.

Mr. WALSH of Montana. I find it difficult to understand that, except that the gates are opened when the tide is out, and the level of the water in the river is lower than the level of the water in the Tidal Basin. Then, of course, there would be a flow out.

Mr. PHIPPS. Mr. President, of course the committee desires to carry out the wishes of the Senate, and so soon as we can have a vote on the amendment we will obey the mandate of the Senate. I am not for a moment trying to take the Senator off the floor, or anything like that; but as I am on my feet, I wish to state that I do not think I have anything further to add. The decision will hinge on the vote on the pending amendment, as I take it.

Mr. WALSH of Montana. I think so. I am practically through, but I desire to submit a general review of this matter that was made for such aid as it may contribute:

There is no flowage of water through the Tidal Basin. There is a water gate on the south side of the basin, where the small concrete bridge is arched over the one outlet to the Potomac River. How-



ever, this water gate is kept closed to prevent the water from the river from entering the basin.

In the summer time from 4,000 to 10,000 persons a day bathe in the Tidal Basin from the white beach already there. This in spite of the fact that the water is not cleansed or purified by constant flowage.

If the colored beach is allowed to be built, the number will be doubled—20,000 human bodies, and many of them diseased, in the one pond.

Time and again the District health office has analyzed the Tidal Basin water and has found it impure. It has ordered that chemicals be placed in the water to avoid an epidemic of contagious diseases.

The danger naturally will be doubled when the second bathing beach is completed.

In order to avoid this, the Committee of the Whole House, while considering the District appropriation bill, struck from the bill the appropriations for both the colored and white bathing beaches. The amendment contained a proviso that would have turned the money previously appropriated for a colored beach back into the Treasury.

Although this amendment was adopted in the Committee of the Whole, it was put back on a roll call, which MADDEN, of Illinois, demanded. I am certain that few of the Members knew exactly what they were voting on when they answered the roll call. They were told that the call was on "the colored bathing beach." Even so, the items were restored by a small margin.

It is regrettable, as a matter of course, that whatever money has thus far been expended on this work of construction should thus be lost; but as I understand the Senator from Colorado, the work would be only temporary anyway. It is not contemplated that the bathing beaches shall remain there more than a limited period of years. It is hoped, as I understand, that a bathing beach for both white and colored will eventually be established on the island in the Potomac River near where the Arlington Bridge is to cross.

Mr. PHIPPS. That is the present recommendation of the War Department, under the present Secretary. The time of the completion of the Arlington bridge is problematical, of course. The Senate has approved the plan, but the House has not yet acted. It might be several years before that Columbia Island in the Potomac River could be made available for the erection of the Arlington Bridge.

Mr. WALSH of Montana. That is the point I am making, that at best this is to be a temporary arrangement anyway. We are asked to spend \$75,000 in this work of construction, to mar the beauty of the park, to occasion the congestion which will necessarily result at the foot of Seventeenth Street by the establishment of the beach there, and all this for a temporary purpose only, if the present plans are carried out, as they should be, which contemplate the establishment eventually of bathing beaches for both the colored and the white populations on the island in the river. Under these circumstances I think the wise course would be to arrest this work, as is proposed, and take chances upon the matter until we can arrive at some definite plan which is to be permanent in its character.

#### APPROPRIATIONS FOR THE STATE AND OTHER DEPARTMENTS

Mr. JONES of Washington. I desire to submit a conference report on House bill 11753, making appropriations for the Departments of State and Justice and for the judiciary, and for the Departments of Commerce and Labor for the fiscal year ending June 30, 1926, and for other purposes, and I ask for its immediate consideration.

The PRESIDING OFFICER. The Senator from Washington submits a conference report, which the Secretary will read.

The report was read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11753) making appropriations for the Departments of State and Justice and for the judiciary, and for the Departments of Commerce and Labor, for the fiscal year ending June 30, 1926, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 6, 9, 13, and 21.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, 4, 5, 7, 8, 11, 12, 14, 15, 16, 17, 18, 19, 20, 22, and 23, and agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment as follows: In lieu of the sum proposed insert: "\$447,600"; and the Senate agree to the same.

Amendment numbered 25: That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment, amended to read as follows: "carrying into effect section 13 of the act of June 29, 1906 (34 Stat. p. 600), as amended by the act approved June 25, 1910 (36 Stat. p. 765), and in accordance with the provisions of the sundry civil act of June 12, 1917; and \$20,000 of the appropriation contained in this paragraph shall be immediately available for such of the purposes covered by the paragraph as the Secretary of Labor may determine"; and the Senate agree to the same.

The committee of conference have not agreed on amendments numbered 1 and 24.

W. L. JONES,  
REED SMOOT,  
SELDEN P. SPENCER,  
LEE S. OVERMAN,  
WM. J. HARRIS,

*Managers on the part of the Senate.*

MILTON W. SHREVE,  
ERNEST R. ACKERMAN,  
W. B. OLIVER,

*Managers on the part of the House.*

Mr. JONES of Washington. The Senate will notice that two items have been reported as in disagreement. We have in reality reached an agreement, but under the rules of the House the House conferees have to take those two matters back to the House.

Mr. ROBINSON. The Senator is asking for the present consideration of the conference report?

Mr. JONES of Washington. I am.

Mr. ROBINSON. What are the two items which will have to go back to the body at the other end of the Capitol?

Mr. JONES of Washington. One is the item in the Department of State appropriation relating to the provision that vice consuls shall receive compensation equal to half the salary of the consul when they take his place and perform his duties. The other item is the immigration provision which was added to the bill in the Senate.

Mr. ROBINSON. The House conferees have not agreed to those?

Mr. JONES of Washington. The conferees have in fact agreed, but under the rules of the House the House conferees have to take the items back.

Mr. ROBINSON. What Senate amendments will be eliminated from the bill if the conference report is agreed to? It is impossible to identify them by number.

Mr. JONES of Washington. I can not tell the Senator exactly all that have been eliminated. The Senate conferees have receded from items totaling \$71,000, and the House conferees receded from items totaling \$139,000 involving matter the Senate put on the bill. There are two items relating to domestic commerce as to which the Senate conferees receded, and the House conferees accepted two amendments the Senate put on, and also accepted an amendment to another item increasing the appropriation by \$15,000. They accepted the provision relating to New York, with a modification which seems to be satisfactory both to the House and to the Senate.

Mr. ROBINSON. The agreement is unanimous?

Mr. JONES of Washington. The agreement is unanimous.

Mr. ROBINSON. I have no objection to the report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

#### AFFAIRS OF CHIPPEWA INDIANS—CONFERENCE REPORT

Mr. HARRELD. Mr. President, I submit a conference report on the disagreeing votes of the two Houses on the Senate amendments to House bill 9343, and ask for the immediate consideration of the report.

Mr. ROBINSON. What is the report? We could not hear the Senator.

Mr. HARRELD. It relates to Chippewa Indian affairs. It is a bill to refer the matter to the Court of Claims. The conference report involves only one or two minor changes, the striking out of two or three words in one sentence. I move that the Senate agree to the conference report.

Mr. ROBINSON. Let the report be read by the Secretary.

Mr. HARRELD. The conference report deals only with one or two minor amendments of the Senate bill, and I ask unanimous consent for its present consideration.

The PRESIDING OFFICER. The Senator from Oklahoma asks unanimous consent for the immediate consideration of the conference report.

Mr. HARRELD. It pertains to referring certain Chippewa Indian affairs to the Court of Claims. The conference report involves only one or two minor changes and the striking out of two or three words and one sentence. I move the adoption of the report.

The PRESIDING OFFICER. The reception of the report is in order and it has been received. Is there objection to its present consideration? Senators are entitled to know what the report is and the Secretary will read the report.

The reading clerk read the conference report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9343) to authorize the adjudication of claims of the Chippewa Indians of Minnesota, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with amendments as follows: On page 2, in the fourth line of section 2, strike out the word "Lawfully"; on page 5, in the fourth line of section 6, after the word "annum" insert "for a period of not exceeding five years"; on page 6, line 4, strike out "including the salaries paid said attorneys or firms of attorneys"; on page 6, at the end of line 6, change the colon to a comma and add "and in no event shall such additional compensation for the two attorneys or firms of attorneys exceed \$40,000"; and the Senate agree to same.

That the House recede from its disagreement to the amendment of the Senate to the title and agree to the same.

J. W. HARRELD,  
JOHN B. KENDRICK,  
CHAS. L. McNARY,

*Managers on the part of the Senate.*

H. P. SNYDER,  
SCOTT LEAVITT,  
CARL HAYDEN,

*Managers on the part of the House.*

Mr. ROBINSON. Mr. President, I inquire of the Senator from Oklahoma, presenting the conference report, whether it was agreed to unanimously by the conferees?

Mr. HARRELD. Absolutely.

Mr. ROBINSON. I have no objection to its present consideration.

Mr. KING. Mr. President, I am interested in this matter for the reason that I offered a resolution to investigate alleged wrongs to which Indians had been subjected. I am not sure whether a thorough investigation was had. I understand that the legislation is for the purpose of seeking to carry out that which I had in view in the resolution which is before the committee of which the Senator from Oklahoma is chairman. I want to ask the Senator, because I have not seen the report, whether it guards the interests of the Indians; whether it authorizes the Court of Claims to consider not only legislation which has been enacted, but whether that legislation has been in derogation of treaty rights and destructive of property rights on the part of the Indians?

Mr. HARRELD. Without going into detail about it, I will say to the Senator that the chief controversy in the conference was whether the word "unlawful," in section 1 of the bill, should be retained. The conference report does not include the word "unlawful," and I understand that is in accordance with the Senator's wishes in respect of that point.

Mr. KING. I have been amazed at the hostility of the Indian Bureau, particularly Commissioner Burke, to the investigation of the charges made by the Indians of wrongdoing by the Indian Bureau and by the Government, as a result of which it is claimed they have lost millions of dollars. I am told that the Indian Bureau has sought to circumscribe this legislation and to so limit it that the effect of the same would be to deny the Indians the relief which they claim they are entitled to. If the Senator can assure me that the efforts of the Indian Bureau have been abortive, I shall have no objection to the adoption of the conference report.

Mr. HARRELD. Of course, there were differences of opinion between the department and others about the language in which the bill should be couched, but I think the bill is pretty satisfactory to both sides. I do not care to go into detail about it at this time.

Mr. KING. Does the Senator think that under the provisions of the bill the rights of the Indians will be preserved

and the court will have full authority to determine what their rights are and to make awards consonant with justice?

Mr. HARRELD. I think the bill is very liberal to the Indians.

Mr. KING. I have no objection.

The PRESIDING OFFICER. The question is upon agreeing to the conference report.

The report was agreed to.

#### APPROPRIATIONS FOR DISTRICT OF COLUMBIA

The Senate resumed the consideration of the bill (H. R. 12083) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1926, and for other purposes.

Mr. PHIPPS. Mr. President, I ask for a vote on the pending amendment.

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

The PRESIDING OFFICER. The Secretary will call the roll.

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

Ashurst	Fletcher	McLean	Shipstead
Ball	Frazier	McNary	Shortridge
Bayard	George	Mayfield	Simmons
Bingham	Glass	Means	Smith
Borah	Gooding	Metcalf	Smoot
Brookhart	Hale	Moses	Spencer
Broussard	Harrell	Neely	Stanfield
Bruce	Harris	Norbeck	Stanley
Bursum	Harrison	Norris	Stephens
Butler	Hefflin	Oddie	Sterling
Cameron	Howell	Overman	Swanson
Capper	Johnson, Calif.	Owen	Trammell
Caraway	Johnson, Minn.	Pepper	Underwood
Copeland	Jones, N. Mex.	Phipps	Wadsworth
Couzens	Jones, Wash.	Pittman	Walsh, Mass.
Curtis	Kendrick	Ralston	Walsh, Mont.
Dale	Keyes	Ransdell	Warren
Dial	King	Reed, Mo.	Watson
Dill	Ladd	Reed, Pa.	Wheeler
Edge	Lenroot	Robinson	Willis
Ernst	McKellar	Sheppard	
Fess	McKinley	Shields	

Mr. HARRISON. I wish to announce that the senior Senator from Rhode Island [Mr. GERRY] is detained on account of illness.

The PRESIDING OFFICER. Eighty-six Senators having answered to their names, a quorum of the Senate is present. The question is on concurring in the amendment made as in Committee of the Whole.

Mr. WALSH of Montana. I demand the yeas and nays.

The yeas and nays were ordered.

Mr. COPELAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from New York will state the inquiry.

Mr. COPELAND. What is the pending amendment?

The PRESIDING OFFICER. The pending amendment will be stated.

The READING CLERK. On page 75, after line 17, the Senate, as in Committee of the Whole, inserted the following amendment:

For purification of waters of the beach and improvement, maintenance, and operation of the bathhouse and beach on the west shore of the Tidal Basin, \$6,000.

The PRESIDING OFFICER. The question is on concurring in the amendment, on which the yeas and nays have been ordered.

Mr. PHIPPS. Mr. President, I understand the yeas and nays have been ordered?

The PRESIDING OFFICER. The yeas and nays have been ordered.

Mr. NORRIS. The question is still debatable, is it not, Mr. President?

The PRESIDING OFFICER. The question is debatable.

Mr. NORRIS. Mr. President, the Congress of the United States is presenting to the country now the same exhibition of reckless consideration of measures and bills that it presents every two years just before the closing of the short session and the ending of a Congress. It is not the fault of Congress that we get into a legislative jam at the end of every session, the limitation of which is definitely fixed. It is not because of the lack of wisdom or ability, either in the Senate or in the House of Representatives, that so many jokers creep into legislation and so much ill-considered legislation is placed on the statute books; but it is mainly because the limit of the last session of a Congress is fixed definitely. A short session can not commence before the first Monday in December and



must end on the 4th of March, so that a legislative jam necessarily must come and can not be avoided.

The seriousness of the situation has been increasing year after year as the country has grown and legislation becomes more complex and important. We are called upon to consider, under such conditions that it is physically impossible for us to consider it properly within the short length of time allowed, legislation in which more than 100,000,000 people are directly more or less interested. It is the same old story. We read in the newspapers and we hear Senators talk about a filibuster here or a filibuster there, and yet there has been nothing of the kind. It is the same thing that always happens. As we approach the 4th day of March, at the close of a Congress, the intensity increases and the jam and likewise the difficulties also increase. When we approach the end of the session we must legislate practically by unanimous consent because it is within the power of any Senator to hold up almost any measure and in that way often to secure anything he may desire. Filibusters are invited from the very nature of the conditions.

We had come over to us yesterday from the House of Representatives more than 60 bills. Just think of it, Senators! Members of the House of Representatives directly interested in those bills wish them referred promptly to various committees, and they are so referred; they want them reported immediately, although everybody knows that, if fair and honest consideration is given to them, it will be a physical impossibility for them to be considered and passed by the Senate. The result is that a Senator almost takes his life in his hands if he undertakes to discuss at any length any legislation that may be pending, because other Senators honestly and conscientiously interested in other legislation know that every minute taken up in the consideration of one piece of legislation may make it impossible to consider, let alone pass, other legislative matters in which Senators are directly interested.

At a session of the Senate last night, when there was less than a quorum present, we practically passed two of the great appropriation bills in about 32 minutes. I presume the Agricultural Committee is a fair sample of the other committees of the Senate. That committee has been in session every day for a long time past; it was in session last night until long after the Senate had adjourned; it commenced its evening session half an hour earlier than the Senate commenced its session, and the committee will be in session again to-night. It is known now that we will not be able to get through measures which we ought to get through, and which the Senate is demanding shall be reported. For instance, the so-called President's conference made a recommendation in regard to farm legislation. Out of respect to the President and the conference which he had called, everything about it being done honestly and conscientiously, I assume, all the way through, we thought it best to call the members of the conference at once and hear them. We were unable to get them for a week after we undertook to have a hearing for them, but ever since the time when we were able to secure their presence we have been in session. We discovered at once that from all over the country, coming from farm organizations, and others, and particularly from cooperative organizations, there was an avalanche of objections to the bill which had been introduced to carry out the recommendations of the President's conference. In fairness to those men, in fairness to the President, in fairness to the men who represent him and in fairness to the men who are earnestly and honestly and conscientiously opposed to the proposed legislation, the committee had to hear them. They have not been able to get through with the hearings as yet, although we have been running night and day, curtailing them and cutting them off all we could. It is a matter of vital importance; at least, these men think so and I agree with them. They are in dead earnest about it. There is a sharp line of demarcation between the men on each side, all of whom, no doubt, are able and conscientious, and yet if we are to pass any such measure, we must consider and report it, and we must practically present it without amendment, else, as everybody knows, it can not get through both Houses. Yet the demand from the Senate itself to the Agricultural Committee: Why do you not act on the President's recommendation? His own commission took four times as long as the time left to us to consider their recommendations. So we are confronted with a physical impossibility. Congress is going to end on the 4th of March.

It is only another illustration that we can not, no matter how earnest we may be, thoroughly and honestly give consideration to the problem and secure the right kind of legislation without running the risk of enacting into law serious mistakes.

When that bill is reported, if it is reported, there will be only a few days left. Everybody will realize that an amend-

ment may defeat it. That ought not to be. That is not economy of government. That is not efficiency of government. It is just the reverse. Why must it be so? All because at the end of every Congress the limitation of the Congress itself is definitely fixed, and it will take a constitutional amendment to change it.

Why has not this been done? I want to call most solemnly now the attention of the Senate, of the House of Representatives, and of the country to this situation. We could remedy it all if this session were unlimited, like the first session. If the first session were limited it would not make so much difference. It adds to the seriousness of the situation, because at noon on the 4th of March all legislation, no matter what stage of progress it may have reached, is dead. We must commence from the beginning and do it all over. We can not expect any relief from that condition as long as we must adjourn on the 4th day of March and as long as Congress must die at that time.

Moreover, one-third of our successors have been elected. The successors of many Members of the House of Representatives have been elected by the people. They are out of office. Those here who are either going out voluntarily or who have been defeated are in office, still legislating, still doing the business of the country after their successors have been elected. Is there another country on earth that pretends to be civilized that has such a barbaric method of legislating for its people? Not one. Is there a State in the Union that has such an outworn system of legislation? Not a single one.

Now, I want to call the attention of the Senate to a proposed constitutional amendment. In the preceding Congress two years ago the Senate passed a constitutional amendment that would remedy this situation. It went to the House of Representatives. It went to their regular standing committee having jurisdiction of matters of that kind. Within a reasonable length of time it was reported by that standing committee with a favorable recommendation. It was on the calendar of the House of Representatives, unacted on. It remained there until noon on the 4th of March and died with the Congress. Early in this Congress we passed the same joint resolution again in the Senate. I thought I had that joint resolution before me, but I do not happen to have it, so I shall have to speak from memory. I had the joint resolution here on my desk a while ago, with notations of its passage.

We passed that joint resolution in the last session of this Congress, in last March, I think on the 18th day of March, practically one year ago. It went to the House of Representatives. It was referred to the proper committee over there on the 19th day of March, 1924. I am speaking of these dates from memory, and I may be wrong. That committee reported it back to the House in April, 1924. It has been on the calendar of the House ever since. The House never has had an opportunity to vote on it. I have no criticism to offer of the House of Representatives. I have no right, and neither has anyone else any right, to ask that the joint resolution be passed; but we who have to legislate for the country in this barbaric method, in this hideous way, have a right to demand that it at least be voted on. If defeated, then it is all over, and we must submit to it always, and we will do so, of course, as gracefully as possible; but it never has been submitted to the House of Representatives. A favorable report from their committee has been lying on their calendar for nearly a year. It has been impossible to get the joint resolution up. Two or three men only prevent it.

In the first place, Mr. President, if the President of the United States had even expressed a wish, through the leaders who control the situation, that the House should consider the joint resolution and pass it, it would have been considered and voted on without any question. Everybody knows that if it is ever voted on it will pass, as it did in the Senate, practically unanimously. The matter of bringing it up is within the power of the Speaker or the Republican leader, who are standing in the way of this legislation which as a matter of fact, in my opinion, is demanded by 99 per cent of the people of the United States, killing it, not directly but smothering it without giving the House of Representatives an opportunity to vote.

Mr. President, what is the remedy? Who is the gainer by our present system? Nobody except the little coterie of people who, to a great extent, have control over the legislation of Congress. Already the program has been made out by a few men as to what bills shall be taken up and what bills shall pass.

Mr. FLETCHER. Mr. President, may I inquire of the Senator if he is informed at all as to what the basis of the opposition is? What is the reason why they do not put the joint resolution on the program?

Mr. NORRIS. There is not any. They have been importuned to put it on the program, and there is not any opposition. The only objection that will be stated to you, if you talk privately with the men who are holding up the measure, or that has ever been given to me, is: "Oh, we have an election in November, and Congress does not convene regularly until a year from the following December, and that will give them time to cool off after the excitement of the campaign." That is the only objection I have ever received from any of them that I have talked with.

Mr. President, I think—and I am speaking earnestly now, and I mean what I say, although the remedy I suggest is a desperate one, and will not be popular—

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

Mr. NORRIS. Yes.

Mr. DILL. Is it not possible also that men who feel that way want time enough to elapse that they may forget some of the promises they made in the campaign?

Mr. NORRIS. Oh, yes. Why, Mr. President, to my mind there is no argument on the other side. The joint resolution is not being held up with argument. It is being held up because machine politicians can get more out of this jam than the people's representatives can get. That is the real reason for it. They want that condition to continue.

It seems to me that when we are helpless in that kind of a condition we ought to give the machine politicians some of their own medicine. They never want a special session of Congress. They want to avoid a special session of Congress. In any short session of Congress it is within the power of a dozen men, if they will organize, to compel a special session of Congress before the 1st day of the following June. It would be an easy matter for 12 Senators in the short session, and later on ordinarily a much less number, to compel a special session, to prevent the passage of appropriation bills. I want to give notice, although it is two years in advance, that if I can organize it, that is what is going to happen two years from now unless this matter is acted upon. There will be a special session of Congress. There will be a prevention of the passage of appropriation bills.

I think one Senator, if he would get off of committees and attend the sessions of the Senate and do nothing else, could compel that, and do it single-handed. I think we would have been justified in doing it at this session, although it has not been done. The appropriation bills have all been passed except this one, and this one is about to pass; but this thing can not go on forever. This is a game at which two sides can play, and if Senators will just think of it for a moment they will recognize the fact that with perfect ease we can play at the same game. We can prevent the legislation from passing as well as this joint resolution can be prevented from passing, although we do not have control of the Government as a few other people do.

Mr. WARREN. Mr. President, may I ask the Senator a question?

The PRESIDING OFFICER (Mr. MOSES in the chair). Does the Senator from Nebraska yield to the Senator from Wyoming?

Mr. NORRIS. Certainly.

Mr. WARREN. Does not the real trouble, however, come on the House side? I think the Senator has stated that the joint resolution has passed the Senate and is on the House side.

Mr. NORRIS. Oh, yes.

Mr. WARREN. I hardly see how a delay here would bring forth what the Senator desires.

Mr. NORRIS. A delay here will bring a special session.

Mr. WARREN. Undoubtedly.

Mr. NORRIS. And the men who are holding up this legislation would rather have anything else than a special session.

Mr. WARREN. I, myself, do not know of anybody that is holding it up. I would be only too glad to vote for it at any time, and I think the Senator is rather doing an injustice to other Senators, because if there is such a disposition to prevent the passage of this joint resolution I never have been informed of it, and I have not even suspected it. I think we are ready to take up and pass it at any moment that we can get hold of it.

Mr. NORRIS. The Senator perhaps is not aware that the program in the Senate and the program in the House have already been made out. That is not on the program. The leader has been importuned and begged and prayed with that it be put on the program. It has not been put on. Two years ago I did it personally.

Mr. WARREN. How would the leader of the Senate put it on, so long as it is entirely a matter with the House?

Mr. NORRIS. I had no reference to the leader of the Senate. I was speaking about the leader of the House. You

know, we have a leader over there just as well as here. I do not know whether the Senator knows that or not, but that is true.

Mr. WARREN. I enjoy the Senator's sarcasm. I submit myself to it, and I enjoy it.

Mr. NORRIS. That is not sarcasm. That follows from what the Senator said. All this is going on and he did not know anything about it.

Mr. WARREN. The Senator has not yet proved that such things are going on, and I think he will have some difficulty in doing so.

Mr. NORRIS. I am not going to try. I do not attempt anything of that kind. I assume that it is true that the Senator is just as innocent as he says he is. I have not disputed it.

Mr. President, two years ago this was done in the same way, except that the measure was not held up so long. I went to the leader over there and talked with him personally at that time. Other men went to see the President of the United States at that time, and asked him if he would not say just a word to the leader and tell him he would like to have that joint resolution brought out. Other men went to see the Speaker. When I went to talk it over I was told, as I said a while ago, of the argument that was made against it. The leader said: "Men get so excited and worked up during a campaign that they are not fit to legislate, and if we let them rest for 13 months and think over their troubles and their trials and their tribulations they will come down here to Washington in a calm, judicial mind, and give us good legislation." That was the objection to it; the only one made to me. That leader himself had already been defeated for reelection to the House; his successor had already been chosen; and yet he was able to stand in the way of the House of Representatives acting on that joint resolution!

Mr. CARAWAY. Mr. President, may I interrupt the Senator?

Mr. NORRIS. Certainly.

Mr. CARAWAY. The Senator fully realizes, I suppose, that the man who has been defeated is confident that he has better judgment than the man who is going to come after him?

Mr. NORRIS. Certainly.

Mr. CARAWAY. That is human nature.

Mr. NORRIS. I am inclined to think the one to whom I referred did show good judgment, because immediately after Congress adjourned he was given a much better job than the one he lost.

Mr. CARAWAY. He was promoted?

Mr. NORRIS. Yes; he was promoted, although the people thought they had demoted him. I say that without any disrespect to any man, but it is the truth. Those are the facts. That is a matter which concerns the country. We had a wonderful exhibition, a man who had been defeated at the polls holding up the House of Representatives and the whole country, preventing the House from voting on a proposition which, if carried and agreed to by the States, would have made a repetition of such a situation impossible.

Mr. President, I wanted to call attention to this condition. I did not want to offend anybody, but it seems to me that unless something such as I have outlined is done it will be absolutely useless to waste our time again in trying to put through this kind of a resolution.

How many bills are going to die on the 4th of March? How many of the 60 bills which came to us yesterday—and 50 or 60 may come to-day from the House—will we be able to consider? We must either pass them without consideration or we must consider them as best we can, which would mean their defeat, because of our want of time to give them proper consideration.

I know how deeply Senators are interested in various items of legislation. Yesterday I was not in the Chamber more than half the time the Senate was in session, but I went away from the Chamber with my pockets bulging with bills which had been passed by the House, which had been brought to me by Senators, each one saying, "Here is a bill passed by the House. I have one like it pending here. It is before your committee. This House bill will be referred to your committee in the regular routine, and I want you to see that it is reported out." I said to Senators making such appeals to me, "I do not know how we are going to consider it." They would say, "Oh, this will take only a little time." I would answer, "I do not see how we can possibly take it up. We must either report it out without consideration or consider it to the exclusion of everything else." They would say, "Poll the committee and see what will happen."

Each one thought, perfectly naturally, perfectly consistently and honestly, of the particular thing he had in view, not realizing that a dozen other Senators have little bills they want



passed, more or less unimportant bills, to which they know there will be no objection if we get them through the regular routine. Those are small matters, but there are larger ones coming. I presume the chairman of every other standing committee of the Senate has the same experience. We can not consider legislation under those circumstances and do ourselves justice. Senators, the condition is worse now than it was two years ago. It will be worse on the 3d of March than it is now, and we will be like the board of trade, standing around here, everyone clamoring to get this or to get that.

I complain not. I believe Senators will be moved by the very best and the most honorable of motives, but all trying to get into one little gate, to get through before the 4th of March, when it is an impossibility for more than a third to get through. Some of these bills should not be passed, some Senator says. That is very true; I suppose they should not. The right kind of consideration by a committee would sift them out. Senators know how the members of the committees feel. They do not want to be unaccommodating. They know they have only so much time, and they let these things slip through, and thus measures are passed with jokers in them.

Then come conference reports, made up in secret, without any record of the proceedings, and we accept them. We do not have time to give them consideration. That is going to happen from now on until the 4th of March, the Senate adopting conference reports without even having them read. We will have to do it if we are to get anything done and get through.

We should consider these things. The country has a right to demand it. Our own self-respect ought to lead us to give them consideration. We can not properly consider such matters as long as Congress automatically ends on the 4th of March. Every Senator here knows that nearly all of the time of the short session should be taken up and could be profitably consumed in the fair and honest consideration of the great appropriation bills which must be passed, which now go through in a few minutes, with little consideration.

I wanted to say this much, Mr. President. I wanted Senators and others to know that this method of throttling this amendment to the Constitution is not going to be kept up forever. If an attempt is made to hold it up in this way, then Senators may make up their minds that there will be a special session every time we have the last or short session of a Congress. It will be very easy to bring that about, but I do not want to see that done. I know it would be an unpleasant task, and I do not want to be considered as in the attitude of making threats; but as a matter of self-defense that is about the only weapon that is left, and it will have to be used.

The PRESIDING OFFICER. The question is on concurring in the amendment made as in Committee of the Whole.

Mr. COPELAND. Mr. President, I was very much interested in the criticism expressed by the Senator from Nebraska [Mr. NORRIS] on the failure of Congress to act, particularly with reference to the change of date of the opening of the Congress. I am sorry the Senator did not proceed to speak about the failure of Congress to act in other matters.

For instance, I have been wondering why the Senators on the other side of the aisle have not suggested that there be a further reduction of the income tax. There is no reason, with a surplus on hand, why there could not have been another 25 per cent reduction in the tax we are about to pay. But I have heard no suggestion of tax relief coming from the other side of the Chamber.

We have a great program for erecting public buildings which ought to be carried into effect. I hope it may be before we get through, but we are not proceeding very rapidly in that matter.

We have the Muscle Shoals problem yet to solve, and in the matter of agriculture, of which the Senator from Nebraska has just spoken at length, we over here are waiting to have some proposal made which can be voted upon to give relief to American farmers.

The matter of freight rates is another subject engaging the attention of the country. I do not see that the Republicans have made any move to give relief in that direction.

There was a movement on some time ago, about which we heard a lot and read a lot in the newspapers, as to the reorganization of the executive departments. What has become of that particular measure?

Every day I receive letters from constituents inquiring why Congress does not take some action with reference to the World Court. The Senate does not seem to have the slightest thought of bringing that before us for any action, favorable or otherwise.

Thousands of soldiers in my State are discontented because Congress has not modified the bonus law making possible the

payment of a cash bonus. We have heard of no movement from the Republican side to give encouragement to the soldiers who are making this appeal.

We have the bill for the payment of the increases of salaries of postal employees still in the hopper.

We have not heard any discussion about the tariff, and if the mail of other Senators is like mine, thousands of citizens are complaining because of the sugar rate, the aluminum rate, and other rates which have become a scandal in the minds of the people.

There is a demand on the part of many of my constituents for a world economic conference in order that the streams of trade and commerce with Europe may be restored.

No doubt Senators have heard from many constituents asking that the labor laws be changed. When are we to consider them?

Lots of people in New York are asking about the question of Philippine independence. Are we to consider it and when? What about a rent law for the District? Is that to be forgotten?

These are some of the other matters which occur to me which have not been given any consideration by this particular Congress. I hope that when the Senator from Nebraska speaks again, he will speak not alone of the failure of the Republicans to deal with the question of changing the date of the opening of Congress, but that he demand that these many other matters, which are pressing for solution, may be dealt with in a proper way.

I did not rise to speak to that particular matter, however. The Chair may be surprised to know that I rose to speak to the pending amendment.

I am not quite clear in mind about the plan proposed by the Senator from Montana [Mr. WALSH]. If his plan contemplates the use of the Tidal Basin simply as a feature to add beauty to the park, and if, in his opinion, the use of this basin for bathing purposes mars the beauty of the park or interferes with its development, I have some sympathy for his suggestion. But if his proposal relates purely to the closing of the basin to colored people and does not contemplate a removal of the bathing beach now there for the use of white people, I am in bitter opposition. This matter should be considered, in my opinion, purely as it affects all races and the health of all people, and I know that is the sentiment of the Senator from Montana.

I do not follow the criticisms which have been expressed regarding the insanitary conditions which may prevail in this pool. All places where public bathing is indulged in are insanitary. It is not possible for health officers to reach ideal conditions with reference to almost anything where hygiene is involved. The function of the health officer is to lessen the risks as much as possible.

As compared with the Potomac River, there is no doubt at all that as regards bathing conditions the Tidal Basin is very much safer than the river. We have not solved the great problem of waste disposal, and one of the sanitary crimes of the age is the use of the rivers to carry away the waste of great cities or of small ones. But here we have a body of water which, as I understand the Senator from Colorado, is so arranged that twice in 24 hours, when the tide is low, the gates are opened and the water in the basin is very much lowered or perhaps practically emptied. I am not sure as to that, but if I remember correctly the statement made by the Senator from Colorado, reading a letter from some Government official, was to the effect that twice in 24 hours 1,130,000 gallons of fresh water are pumped in and that in addition to that the water is chlorinated. I venture to say that even under both those processes there will be found bacilli in the water, but this method makes the water comparatively safe.

There is no question, as I stated in the beginning, that all bathing places are dangerous. There are certain germs that will float on the surface of the water which may be picked up by the eyes or nose or mouth and result in infection, and consequently people who make use of such bathing places should use great caution to exclude water from their eyes and from the nose and mouth. But I must say in all frankness that in my opinion, if the statements can be relied upon as made in these letters, and I assume they can be, I doubt exceedingly if there is any danger involved in the use of the Tidal Basin as a place for bathing—I mean comparatively speaking, compared with the river, compared with places where these people would go if they did not go to the Tidal Basin. Therefore I could not bring myself to vote against the use of the basin by the colored people or by others on a sanitary ground. So if the amendment proposes the abandonment of the plan to place the colored bathing establishment there on sanitary or similar grounds I must object



to the amendment. If it is proposed to take away from the Tidal Basin all of the bathing establishments and find places elsewhere, I am in harmony with it.

Mr. WALSH of Montana. Mr. President—

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

Mr. COPELAND. I yield.

Mr. WALSH of Montana. There ought to be no room for doubt or question as to just exactly how the amendment proposed by me operates, nor concerning my attitude with respect to the provisions of the bill before us in view of my statement. The question before us now is concurring in the amendment found in lines 18, 19, and 20, which makes an appropriation for the improvement, maintenance, and operation of a new structure.

I have signified that if that amendment shall be nonconcurrent in, I shall then offer an amendment to strike out lines 15, 16, and 17, which make an appropriation for the purification of waters and for the care, maintenance, and operation of the bathhouse and beach which is there now. It also provides that the unexpended balance of the \$75,000 appropriated heretofore for the construction of a new bathing beach be covered back into the Treasury, so that proposition would be interrupted; but there will be no appropriation for the operation during the ensuing year of either place, so that both places will be closed. I trust that is clear.

Mr. COPELAND. May I ask the Senator if this is the time to make the proposal until some other place has been provided? Where will the people go to bathe?

Mr. WALSH of Montana. The difficulty about the situation is this: During all the years until the bathing beach was established a few years ago within the Tidal Basin the population of the city had to go somewhere else to bathe. We invaded the Tidal Basin some four or five years ago and gave the use of it to the white population of the city. It is now proposed to extend that use and give it to the colored population, and to expend \$75,000 in that work for a temporary purpose only, eventually to be discarded and a beach established somewhere else. The question is, Shall we expend \$75,000 for that purpose at this time and await the other, or shall we discontinue the use of the beach that is established there and thus set about finding some other place for the use of both the colored and the white population?

The Senator expressed some lack of comprehension of the purpose and effect of the amendment. I rose simply to explain what the amendment is and what it provides for.

Mr. KING. Mr. President, will the Senator from New York yield to me?

Mr. COPELAND. Certainly.

Mr. KING. May I have the attention of the Senator from Montana, too? If the motion should be so framed—and I think it could be done by unanimous consent because it would be perhaps against parliamentary rules—as to treat the entire subject in one amendment, and if the affirmative vote should be to reject the amendment offered by the committee and also adopt the second amendment offered by the Senator from Montana and revert the money back into the Treasury, so that by one vote we could dispose of the whole subject in a concrete manner, I am sure the Senator's proposition would have more strength and he would relieve some of the apprehension that we are discriminating perhaps against the colored people and leaving the beach there for the white people.

Mr. COPELAND. I want to make my own position clear. I understand the Senator from Montana—and I think I understood him before—that his proposal is to discontinue all bathing in the Tidal Basin, and he now proposes, in harmony with the suggestion of the Senator from Utah, to combine his suggestions. I could not vote for discontinuance of the use of the Tidal Basin upon any sanitary ground. The argument put forward by the Senator from Montana, including some letters from physicians, does not appeal to me. Whenever we chlorinate water, if we use a sufficient amount of chlorine, there is some smarting of the tissues. I remember going down into a room in the Capitol a few months ago and seeing a dozen Senators in a little room inhaling chlorine gas, tears flowing from their eyes, and fluid running from their noses. They reported to me afterwards that they were benefited by the treatment. I, of course, dispute the conclusion they reached as to why they were benefited.

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

Mr. COPELAND. Certainly.

Mr. NEELY. I should like to inquire if the Senator challenges the conclusion reached by those who are beneficiaries of the gas treatment on the ground that he stated when he

made his inspection, which ground was that there would soon be nothing left for the medical profession to do?

Mr. COPELAND. Of course, as the Senator knows, I have more or less abandoned the practice of medicine, and am not personally interested. However, I still desire to have my brethren have some business, but I only want them to have legitimate business. I do not want them to have the chlorine treatment for colds, because, from my standpoint, it is—I hate to use the word, but there is only one word to use—pure “bunk.”

The chlorine which is found in the water, which may be somewhat irritating to the tissues, will do no harm, and it does kill many of the germs. The chlorinated water in the Tidal Basin, with the cleansing process which is carried on twice in 24 hours, makes the water, in my opinion, very much safer to bathe in than any running water in any river in this locality. I can not vote for the proposed plan on the ground that it is going to improve the health of the community, because I do not believe it will improve the health of the community.

I would be very glad to have notice served on the Committee on the District of Columbia that it is the sentiment of Congress that the use of the Tidal Basin is an improper one and that it interferes with the beauty of the park and with the purposes of the park. But I think it would be a better plan to wait until the committee has found another place and made provisions for the establishment of bathing facilities in some other locality before this one is discontinued, because the people are going to bathe somewhere in the summer time, and if we do not provide facilities which are sanitary and safe, they will go to some place which is insanitary and unsafe.

Mr. WALSH of Montana. Mr. President, I ask unanimous consent for leave to offer at this time the amendments which I have sent to the desk and have had read, and that a vote be taken simultaneously upon the question of nonconcurrency in the amendment made as in Committee of the Whole and on the adoption of the amendment offered by me.

The PRESIDING OFFICER. Is there objection?

Mr. BROUSSARD. Mr. President, I want to state that I think I should make objection to the request. I do not think that the status of the bathing beach for the white people and that for the colored people is on the same basis at this time. One is an established institution there and the other is merely one that is being sought to be established. I do not care to have both propositions submitted as one.

I am decidedly opposed to the so-called committee amendment, and after the action of the Senate on that amendment, then I shall determine how I shall cast my vote on the proposal of the Senator from Montana to eliminate lines 15, 16, and 17, on page 75. For that reason I object to the request of the Senator from Montana to couple the proposals.

The PRESIDING OFFICER. Objection is made.

Mr. PHIPPS. Objection having been made, I will state that in the event of nonconcurrency in the amendment made as in Committee of the Whole, then the amendment proposed by the Senator from Montana would come before the Senate, and I would not be disposed to ask for a yea and nay vote on it. I think the committee would desire to take the whole question to conference with the House.

Mr. SIMMONS. Mr. President, I wish to make a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. SIMMONS. Was consent given to vote upon this question as a consolidated proposition?

The PRESIDING OFFICER. Consent was not given. Objection was made.

Mr. SIMMONS. I hope the Senator from Louisiana [Mr. BROUSSARD] will withdraw his objection to a vote upon both propositions at the same time. I think it would be very much better to vote upon them jointly than separately.

Mr. FLETCHER. May I inquire of the Senator about that? I am a little puzzled about how to do that. For instance, to vote against concurrence in the amendment made as in Committee of the Whole would be a vote “nay,” and a vote for the amendment of the Senator from Montana would be a vote “yea.”

Mr. WALSH of Montana. It contemplates, of course, only one vote. I would suggest that the vote be taken upon the amendment proposed by me, and that the adoption of that amendment would negative the amendment proposed by the committee, or that the vote be taken upon the amendment proposed by the committee, and that the rejection of the amendment proposed by the committee shall be deemed to be a vote adopting the amendment proposed by me; either way. I would



suggest the latter, if that is agreeable to the chairman of the committee.

Mr. PHIPPS. I should have no objection, but I desire to say that I doubt if the Senator from Louisiana [Mr. BROUSSARD] is aware of the fact that about \$25,000 has already been expended on the new bathing beach.

Mr. BROUSSARD. Then we have expended too much already, and we ought to stop it.

Mr. SIMMONS. That is what we are trying to do.

Mr. WALSH of Montana. I ask, then, that the consent given heretofore be vacated, that we agree by unanimous consent that the vote shall be taken upon the amendment proposed by the committee, and that the rejection of the committee amendment be taken to be a vote adopting the amendment submitted by me, and that a vote adopting the committee amendment shall be deemed to be a rejection of the amendment offered by me.

Mr. PHIPPS. That would be satisfactory to me.

Mr. SIMMONS. If the amendment proposed by the Senator from Montana should prevail, it would mean that there would be no bathing-beach facilities in the Tidal Basin at all for either the white or the colored people?

Mr. WALSH of Montana. There would be no appropriation for the present year.

Mr. SIMMONS. Mr. President, I simply arose for the purpose of saying that as an American citizen I have always had great pride in the Capital City. I have desired that it should become, if it has not already become, the most beautiful city in the world. I have always felt that the Congress of the United States ought to be exceedingly liberal in its treatment of the city and ought to legislate always with a view of making it a great and beautiful city of which the American people might well be proud.

To me one of the most attractive spots in the city of Washington is Potomac Park. I have always taken great interest and great pride in it, and when the facilities for bathing for the white people were constructed in the Tidal Basin they became to me an eyesore, and I have always deplored their existence. Why should that beautiful park be marred by making it a center of public bathing for either white or black? I have felt that at some time or other the common sense of the people of Washington and of the Congress would force the abolition of the bathing beach now there, and I am very glad that we now have an opportunity to express ourselves upon the general scheme as well as upon the question of making the basin a bathing place for the colored people.

I can not believe that there is any doubt about the feeling of the Senate or the House of Representatives with reference to the matter. I am opposed to the use of the Tidal Basin as a bathing beach for either the white people or the colored people. In short, I am very much opposed to any bathing at all in the Tidal Basin.

I am opposed to it also because I do not think it is safe and sanitary to establish a public bathing beach in stagnant water, and the water in that basin is at least semistagnant. Although it may now and then be partially emptied and fresh water be allowed to enter, it is, in the main, stagnant water. There is no doubt in my mind that the use of the basin as a bathing beach is deleterious to health, and I have no doubt that contagious diseases may be transmitted through the bathing participated in there by the general public. And for these reasons I think all bathing in the Tidal Basin ought to be discontinued.

I am in favor, Mr. President, of affording the people of this city, both black and white, adequate bathing facilities. I think there are strong sanitary reasons why the Government should provide such facilities in the case of the city of Washington, but I am opposed to placing those facilities in the Tidal Basin, first, for considerations of beautification, and, second, because of considerations of health.

I hope that this measure may be so presented that the matter of race antagonisms may not be involved. I am opposed to the use of the Tidal Basin for either race. I hope that the proposition of the Senator from Montana [Mr. WALSH] to consolidate the vote may be agreed to, so that we may cast a vote which will mean that the bathing facilities for both the white and the black population of the city shall be placed elsewhere than in the Tidal Basin.

That some other suitable place near the city of Washington can be found I have no doubt. I assume that the authorities proceeded to locate the new bathing beach at the Tidal Basin because the white people were allowed to bathe there and because it was supposed that the white people were to continue to be allowed to bathe there. If we shall vote to eliminate

both beaches from the basin, then I have no doubt that the authorities will be able to find some other place probably equally as convenient and certainly more suited to the purpose of bathing for both races.

Mr. WALSH of Montana. Mr. President, I submit another request for unanimous consent, namely, that the vote taken on the question now before the Senate on the adoption of the committee amendment shall be regarded, if it shall be carried, as a rejection of the amendment proposed by me as read from the desk, and that the rejection of the amendment proposed by the committee shall be regarded as the adoption of the amendment proposed by me.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request preferred by the Senator from Montana?

Mr. NORRIS. Mr. President, will the Senator read his amendment; I have not heard it.

Mr. WALSH of Montana. I have sent it to the desk.

The PRESIDING OFFICER. The amendment will be again stated.

The READING CLERK. On page 75 it is proposed to strike out lines 15, 16, and 17, reading as follows:

For purification of waters of the Tidal Basin and care, maintenance, and operation of the bathhouse and beach, \$12,300.

And to insert in lieu thereof the following:

The unexpended balance of the sum of \$50,000 and the appropriation of \$25,000 provided in the second deficiency act, fiscal year 1924, approved December 5, 1925, for the construction and maintenance of the bathing beach and bathhouse on the west shore of the Tidal Basin in Potomac Park is hereby directed to be covered into the Treasury to the credit of the District of Columbia.

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

Mr. NORRIS. Mr. President, I shall have to object to the request.

The PRESIDING OFFICER. Objection is made.

Mr. NORRIS. Mr. President, I have not been able to hear all of the discussion which has taken place on this amendment and, therefore, in some respects may be partially, at least, in the dark; but I had something to do with the location of this bathing beach. I remember that we had quite a controversy over it about 12 years ago, when, for the first time, I think, the Senate put the item in as an amendment to an appropriation bill. It went out in conference, but in a subsequent bill it was restored; the work was commenced, and, as a result, we have the present bathing beach and bathhouse on the Tidal Basin.

I regret to say that I can not agree with the Senator from North Carolina that it is an eyesore. To my mind it detracts in no degree whatever from the beauty of the park. It is a place as well for those who want to bathe as for those who want to rest and watch the bathers. There is quite a large space in a sort of amphitheater there, where those who are going through the park may rest, and it is availed of by a great many people. They regard it as not only restful, but as a source of pleasure, I assume, to watch the bathers in the Tidal Basin. The building is one, it seems to me, that is beautiful to look at. It does not interfere with the beauty of the surroundings in any degree, as I regard it, and I can not see how anyone can feel that way.

The Senator from North Carolina says the water in the Tidal Basin is stagnant. If it is, we ought to fill up the basin. It is not like the river; that is true; but there is a current there. I recall, when it was first decided to build the bathing beach there we had before us all the facts relating to it, and, as I now remember, there is a distinct current coming in from the river, going around to the farther side of the basin, and going out into the Washington Channel.

The water is moving all the time, but not so rapidly as is the water in the river. The basin is not subject to overflow nor to high or low water, as is the river, because the gates where the water comes in may be closed or opened at will. Therefore the water is not muddy and dirty, as is the river water, after a period of high water or severe rains. It was considered then to be a model bathing beach, because the flow of water was so slow and silent that there was no such thing as a rapid; there was no danger in swimming. It was considered perfectly safe, as safe as any place could possibly be, and much safer than the river, where there is a great deal of danger.

When this amendment was first offered by me and put into an appropriation bill and went to conference I shall never forget that the Senator from Virginia, Mr. Martin, at that time

chairman of the Appropriations Committee, one of the finest men I ever knew, came to me when the conference committee was appointed and told me what the objection was. He said that they had the opinion of the doctors that the water was not sufficiently pure in which to bathe. This water comes out of the river. The objection to the purity of the water applied to the river water just the same as to this. I remember that we went out into the room across the hall here, and he brought the doctors, two of them, that appeared before the conference committee, and objected to this item on that ground, and they convinced me—I did not know anything to the contrary—that it ought to go out; that it was not safe to permit people to bathe anywhere in the Potomac River on account of sewage that came into it farther up. It applied not only to this basin but to the entire Potomac River.

Mr. STANLEY. Mr. President—

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Kentucky?

Mr. NORRIS. I do.

Mr. STANLEY. I want to get my bearings on this question with reference to sewage. As I understand, there is a gate which permits the water to enter the basin as the tide comes in and holds the water there on the ebb tide. Is this gate above or below the point where the sewage from the city enters the Potomac River?

Mr. NORRIS. Sewers come into the river both above and below it.

Mr. STANLEY. I was thinking that if the gates had been above the point where the sewage came in the basin would practically escape the sewage.

Mr. NORRIS. I hope Senators will follow me now in what I shall say about this matter of sewage, because it has an interesting bearing upon the opinion of these doctors, these specialists.

I agreed with Senator Martin that we could not expect to keep the item in the bill under those circumstances, and he consented to yield to the objection on the part of the House conferees, and it was stricken out. Within a short time after that a gentleman who lives in the neighborhood where I live in Washington called on me, and in a conversation he was telling me of the fine bathing that they had down here in this basin. This was on Monday, and he told me he had been down there the day before, and had gone swimming. I said: "Why, it is dangerous to swim there. The Government will not let you do that." He said, "Oh, there is a bathhouse down there that has been running all the year, and has been running for several years. You can go down there at any time of the night or day." I went down to see, and I saw hundreds of people in the Tidal Basin swimming, going in at a point where there was an old shack of a house that was an eyesore, unpainted, an old building that I presume had been there for years, owned by a private party; and I discovered that he leased the privilege from the War Department, the same department that sent the physicians up here to tell the committee of Congress that it was dangerous to let anybody swim in that water. You had to pay 30 cents, and when you made that contribution your health was guaranteed. There was no danger whatever.

I afterwards took up that matter with Senator Martin. Senator Martin was favorable to this proposition, but he agreed with me that if it was unhealthy, if the waters of the Potomac River were so impure that there was danger to health, we of course, should not establish a public bathing beach there. I took it up with him; I talked it over with him; I told him what I saw, and what was going on down there. I took it up with the War Department. I got a little way in the investigation, far enough to wonder, if it was so dangerous to permit anybody to swim in the water down there, why it was that they were leasing it to a man who was making money out of it, charging for the privilege of swimming that we were trying to make free. So the only difference between Senator Martin's position and mine on the one hand, and the position of the private concern on the other, was that while you swam in the same water, if you went in for nothing it was dangerous to your health, but if you paid 30 cents to the fellow that ran this old shack which was an eyesore to any beauty spot you were all right.

Senator Martin took an interest in that. It afterwards went into the appropriation bill. There was a provision then, or talk of putting in a provision, to purify this water. It was said by the experts later on at hearings that it could be done. There was some investigation made about the sewers. At one time I had in my office a map showing every sewer that came into the Potomac River. Most of them could have been avoided, and I do not know but that they have since been

changed so as to empty into other sewers that in turn empty into the river below the place where the water is taken out that goes into the basin, but I think there are some sewers over in Georgetown that still empty into the river above.

The man who had the privilege of running this private bathing beach down there was not able to continue, for some reason, or at least the matter became sufficiently exciting that the War Department did not lease it to him any more, and he went away; and after he was gone there was no further opposition and no further claim was made that I know of that this water would kill people who happened to swim in it.

Mr. STANLEY. Mr. President—

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Kentucky?

Mr. NORRIS. I yield; yes.

Mr. STANLEY. Has the Senator made inquiry to ascertain whether the movement of the current in the Potomac River, as the tide is coming in, is stronger than the tide? What is the motion or movement of the water on a rising tide?

Mr. NORRIS. I am speaking now from memory, and it has been a great many years; but at the time this matter was put into law I spent a great deal of time and made quite a thorough investigation, I thought, of it. As I remember, this is the current. Is the Senator familiar with the place where it comes in? There is a bridge, and if you are driving through Potomac Park you drive up and down a rather steep grade. It is right under that bridge. That is the inlet to the Tidal Basin.

Mr. STANLEY. I know where it comes in.

Mr. NORRIS. It is controlled by gates. They can shut it off entirely or open it up. Since the Tidal Basin itself is irregular, I can not describe it by points of the compass, but I will say, following that water in, if you will turn to the left and go clear around near the Paul Jones Monument you will come around on the other side down along the Mall, and the outlet is under a bridge near the Bureau of Engraving and Printing Building. The outlet there runs under the bridge into what is known as the Washington Channel. That is the way the water travels. It does not come, as one might naturally think, straight across, but it follows the course that I have taken. As it goes into that inlet it goes to the left and rather circles around, and comes out finally clear down at the other end of the Washington Channel. I think the tide is strong enough so that it raises the water in the Tidal Basin. I may be mistaken about that, but, as I remember, I think it comes up a foot or two at high tide. When that happens, I will say to the Senator from Kentucky, that would for a few hours stop that current. Then when the tide goes down the current becomes more rapid, and it goes out. It all goes down through the Washington Channel; and so Senator Martin and I were given to understand that it practically cleaned itself. That was our understanding, and I think that is the fact.

Mr. STANLEY. This thought occurred to me, just from general knowledge of the stream: The Potomac River is a comparatively small stream a short distance above the city of Washington. From here on to the mouth of the river it is practically an estuary, as I understand.

Mr. NORRIS. That is the Washington Channel.

Mr. STANLEY. The Washington Channel. That mass of water must represent water that comes in from the bay rather than water that comes in from the headwaters of the Potomac. If that is the case, and there is 3 or 4 feet of tide, I should think that when the tide was coming in the current would run upstream, as it does for many miles in the Hudson.

Mr. NORRIS. I am inclined to think it does.

Mr. STANLEY. The same condition prevails in the Hudson River, where they have a considerable range of tide. The water in the Hudson River runs upstream at high tide.

Mr. NORRIS. I am just reminded by the Senator from Colorado [Mr. PHIPPS] that at the outlet at this bridge I have spoken of, where the water runs out, there are gates there, and they can prevent the tide from going in, if they want to, by closing those gates.

Mr. STANLEY. But the purpose of the Tidal Basin is to take the incoming tide, so as to neutralize the tides here in Washington, as I understand. That was the purpose of building that basin—to prevent too high a tide, to take the surplus water.

Mr. NORRIS. I did not understand it that way. That may be true, however. The Tidal Basin, as I understand, is just what resulted when we filled in the ground that now constitutes Potomac Park. We left it at that place and connected it with the river for the purpose of having just what we have.

Mr. STANLEY. I am speaking just from general impression. I hardly know where I gathered it, but my impression is now that the purpose of the Tidal Basin was as I have stated.



Mr. NORRIS. The Senator probably got the idea that that was the purpose because of its name.

Mr. STANLEY. No.

Mr. NORRIS. I do not think that was its purpose. I do not think that had anything to do with it.

Mr. STANLEY. Perhaps so.

Mr. NORRIS. I may be mistaken about that.

Mr. STANLEY. But, in any event, is it true that the gates are open when the tide is coming in?

Mr. NORRIS. That I can not tell the Senator. I suppose sometimes they are and sometimes they are not. They can open both the inlet and the outlet, or they can close them both. The water is under control.

Mr. COPELAND. Mr. President, if the Senator will permit me—

Mr. STANLEY. One minute, and I will make myself clear, and then I am through. If it be true that the tide is stronger than the current of the river, and if the river flows upstream at the point of the erection of these gates at the time of high tide, the incoming tide, then the sewers that are below the Tidal Basin will menace the basin rather than the sewers that are above it, because it will be the water coming in from the bay that you get in the basin, and it will bring back the water from the sewers below the basin.

Mr. NORRIS. Yes; if they left the gates open, that might occur.

Mr. STANLEY. So that it would be just the same as if the current of the stream brought down the sewage from above.

Mr. NORRIS. Of course this tide that comes in immediately comes back and goes out, if they let it in. I do not know what the policy is. Maybe they keep it out altogether.

Mr. STANLEY. I was under the impression that these gates are opened at the time of the incoming tide and closed with the ebbing tide, except when they want to empty the basin.

Mr. COPELAND. Mr. President, my impression is the same as that of the Senator from Kentucky. I understand that there are two sets of gates, the upper gates and the lower gates, and that as the tide recedes the lower gates are opened, and that permits the basin to empty. Then the gates are closed. Then when the tide comes back again the upper gates are opened, and the water runs in.

Mr. HEFLIN. Mr. President, if the Senator will permit me, the water is on a level with the river. It is not drawn out and emptied and then filled up again. It can not empty. Some water circles in there that comes in from the river, but there is not any such thing as drawing it off from the basin, because it is on a level with the river.

Mr. NORRIS. Mr. President, let me tell the Senator from New York about this. Let us imagine that the Senate Chamber is the Tidal Basin and contains 110 acres. Let us suppose the river is out here where the corridor runs from the Senate to the House and that the main entrance to the Senate is the place where the water comes in out of the river, the river running east. Let us suppose the east door of the Senate is the outlet and is the end of the Washington Channel. The water comes in at the main door here and circulates around back of this side and goes out there at the east door. That, as I remember, is the situation described to us by the experts. There are gates between the basin and the river; and if it is desired the gates can be shut, and that prevents the water coming in at all.

I have only a word or two more to say, unless the Senator from New York wants to ask me a question.

Mr. COPELAND. Just a question. As I understand it, the gates are closed, and then the water is chlorinated; the chlorine is added to purify the water. Of course, in this process of emptying the basin it is not entirely emptied, as the Senator from Alabama suggested, but it is emptied to a very considerable degree; and then as it fills it is chlorinated, and is purified in that way.

Mr. NORRIS. I do not think it empties. The water runs out, and at the same time the water is running out there is the same amount of water running in. It is practically the same level at all times.

Mr. COPELAND. As the Senator from Colorado has said, twice in 24 hours over a million gallons of water is taken in from the river, so that it does purify itself, so far as that sort of water can be purified.

Mr. NORRIS. I want to say, in conclusion, that it seemed to me that this was a model place for a bathing beach; that this was a model body of water for such a purpose, located in a beautiful place, protected so that it is as safe a swimming place as could possibly be found, unless you had a body of water only 1 or 2 feet deep. The water here is 9 or 10 feet deep in some places, I believe.

There are in this basin no sudden or swift currents. We have spent a great deal of money in putting sand in the bottom of the basin where this bathing beach is located.

Mr. SMITH. Mr. President—

The PRESIDING OFFICER. Does the Senator yield to the Senator from South Carolina?

Mr. NORRIS. I yield.

Mr. SMITH. I would like to ask the Senator, who seems to be familiar with the conditions there, how near empty the basin becomes when the tide is out and the gates to this basin are opened, if the water is allowed to flow out into the river?

Mr. NORRIS. If both gates were opened the level would not be lowered, except as the tide would ebb.

Mr. SMITH. That is the point I am making. Suppose the inlet is open and the tide comes in and reaches its height and the gates are shut. When the tide goes out, what is the fall of the tide? How much of a fall in the tide is there in the basin?

Mr. NORRIS. I can not give the Senator the rise and fall of the tide here in Washington, but if the gates were opened there would be no more difference in the levels of the water in the Tidal Basin than there would be out in the river.

Mr. SMITH. Is the Tidal Basin as deep as the river?

Mr. NORRIS. It may not be as deep, but it is away below the surface of the river at all times.

Mr. SMITH. The Senator is familiar with the fact that all along with the tidal zone very often it will be found that there are places where the water is 4 or 5 feet deep at flood tide, but at ebb tide there will be no water at all.

Mr. NORRIS. That is not true in respect to the basin. It is never dry. It is never so low that the Senator would not go over his head if he went into it. It runs from 4 to 10 feet deep, and I think varies but little on account of the tide. If the gates are opened and the water is let in there would be the same effect on this water as on the water in the river. It would depend on what the tide is. I do not know the variations in the tide here in Washington, however.

Mr. SMITH. The water in this basin is more or less backwater. It stands to reason that the water contained in the basin, even considering the action of the tide, would not be replenished as the water in the river would be, where there is a constant flow of fresh water. This would be more or less backwater, and more or less stagnant, necessarily so.

Mr. NORRIS. If it were stagnant water, we would fill up the basin; we would not have it. There is nothing stagnant about this water. We would not have a large body of stagnant water in the most beautiful park in the city. It would be impure. It would be a stench, of course. That is not true of this water.

Mr. SMITH. I do not mean stagnant in the sense that there is not a rapid cleansing of it by flow, but for all practical purposes there is scarcely an appreciable flow. The water at least would not be renewed within 48 hours or more, and even then would not be entirely renewed. I have observed that basin, and it seems to me to be most unsanitary to use it as a bathing pool. I have gone along there when the water was absolutely motionless. The fact is that the movement of the tide there is scarcely perceptible. Shut in as it is, with a narrow outlet and a narrow inlet, it stands to reason that this would come more or less under the definition of stagnant water.

My opinion is that neither the character of the water nor the place, located as they are in this city, make this a proper situation for a bathing pool. It is incongruous. It is not adapted to that purpose at all, and neither from a sanitary point of view nor from the point of view of a recreational place is it fitting.

It struck me that the Senator from Montana was right in proposing that both white and colored bathing beaches be removed. Let us find some other place more adaptable to the purposes of bathing for recreation and for health.

Mr. NORRIS. Mr. President, if I still have the floor, I want to conclude what I was about to say when the Senator started asking his questions.

I am sorry to hear Senators say that this is not a fit place for a bathing beach. I have seen hundreds and hundreds of people who have been there to look at it who thought it was one of the finest things in the whole District of Columbia. If Congress ever did one thing for the good of the people who live in the District, it was the establishment of that bathing beach. From the press and the people generally there was universal praise when that was done. It was universally conceded, with the one exception about which I have spoken, that it was a model place for a bathing beach.

Mr. SMITH. Mr. President—

Mr. NORRIS. It is not an eyesore. I yield.

Mr. SMITH. I want to ask the Senator if he attaches no importance at all to the statements of physicians that they had traced certain eye and ear diseases directly to that contaminated water?

Mr. NORRIS. I have not heard that statement.

Mr. SMITH. It was read here by the Senator from Montana.

Mr. NORRIS. As I said before, I was not in the Chamber during the whole debate. I am rather doubtful of physicians' statements along some lines, because of the experiences Senator Martin and I had when they put us clear off the map, and we surrendered absolutely, because we did not want to injure anybody's health, and then discovered that people by the thousands went down there every season, paying their little 30 cents at this so-called "eyesore," and nobody kicked about it. We have spent thousands and thousands of dollars to build there a bathing pavilion which I think is beautiful to look at. It is a good place to go and rest. One can go up there and sit on comfortable seats, in the shade, on the second story of that pavilion, and watch the antics of the young folks as they are bathing out there in that pool. It would do your old gray head good, and it would be just as beneficial to an old bald head. [Laughter.]

Mr. SMITH. Does the Senator refer to the bathers or to the bathing pool?

Mr. NORRIS. Both.

Mr. STANLEY. Mr. President, I do not want to be too technical, but does the Senator refer to the time before or after they adopted the rule about the single-piece bathing suit, when he had this pleasurable sensation? [Laughter.]

Mr. NORRIS. Mr. President, never before have I heard it suggested that this was not a proper place for a bathing beach. If we remove it, and tear down the building, and lose all the money we have put into it, and start to build somewhere else, over in the river, for instance, as has been suggested, we will compel the bathers to get into the current of the river where there is a great deal of danger. I do not think it would be a safe thing to put a bathing beach over on the island referred to, as has been suggested, where the current of the river would make bathing dangerous and unsafe for anybody except expert swimmers. While there is a current in this basin all the time, it is so slow that it is perfectly safe. I do not think anybody has been drowned there in all the years the bathing beach has been located at that place. If anybody has been drowned there, I have not heard of it.

Mr. REED of Missouri. Where? At the bathing beach?

Mr. NORRIS. At the Tidal Basin bathing beach. That will not be the case if the bathing beach is located on the main stream. I do not know of any other place where it could be put in the city.

I do not know how much money we have spent there, but I suppose we have spent two or three hundred thousand dollars in building up that bathing beach. I presume all Senators are familiar with it. One can go down there in the summer time and find the bathhouses overrun. People will be found standing in line for two or three blocks waiting to get in. We have never been able to enlarge it fast enough to supply the demand. Thousands and thousands of young boys and girls, and old men and women, patronize the beach daily during the summer months. It is the most popular resort in the city of Washington, a healthy, popular place of recreation, located in one of the public parks. I have never before to-day heard anybody say that it was an eyesore. It is a beautiful place even to look at, a restful place to go and spend a half hour or an hour, and there are thousands of people who avail themselves of that opportunity.

It seems to me it would be an awful mistake now for us to destroy that building, and lose all the money we have spent, with the idea of putting the beach somewhere else. If we try to locate it somewhere else, we will run into difficulty right away. There is no other place in the city to which we can go without getting on the river itself, which, as I have said, is undesirable. The water would not be nearly as pure as it is in this basin, for the reason that after every rain the water of the Potomac River is muddy, very muddy after a heavy rain. The muddy water can be kept out of the basin, if that is desired.

In my judgment, the Potomac River will not afford a suitable place for any kind of a bathing beach. No one has ever established one there so far as I know anywhere along the stream, and if it were a good place private parties would have availed themselves of it long ago as they did of the Tidal Basin before the Government took it up.

Mr. HEFLIN. Mr. President, I have been down to the Tidal Basin many times, and I am satisfied that if a man should throw a handful of feathers out in the middle of it they would remain there for 30 days. I make that statement to show just

how little the water circulates in the basin. The Tidal Basin in shape is more like a skillet or frying pan. I do not know whether some Senators know what I am talking about or not. The body of the basin is the body of the pan, and where the water comes in is the handle. The water flows in and out at such a place. That is about as much circulation as we get in this basin. It is on a level with the river. Water can not be drained off and pure water pumped in to fill it up again. There is no such thing as that in connection with this basin.

The river is a moving stream and water purifies itself every 5 or 6 miles, as the Senator from Kentucky [Mr. STANLEY] suggests. There is no way for the basin to purify itself. We already have a bathing beach there where thousands go in bathing. The suggestion now comes to add another place where thousands more can go in bathing. Over at Congress Hall Hotel the other evening I was talking with a young man who told me of a boy bathing at this beach who got some kind of an infection in his eye and died from it. The physicians of this city, in letters which they have written to the Senator from Montana [Mr. WALSH], have told of the dangers that are involved in using the basin as a bathing beach. They have told of throat, nose, mouth, and eye trouble traced directly to it. It seems to me that we might provide some other place where we would not be in danger of such a thing as that. We can find plenty of places along the river where we can establish a bathing beach for the whites, and then at some other point farther down the river at some distance from the park a bathing beach for the blacks.

Mr. STANLEY. Mr. President—

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Kentucky?

Mr. HEFLIN. I yield to the Senator from Kentucky.

Mr. STANLEY. I am profoundly interested in the discussion of this subject by the able Senator from Alabama. He shows that he has given the matter careful and discriminating attention. I was also deeply impressed by the eloquent appeal of the Senator from Nebraska [Mr. NORRIS] and his glowing and vivid description of the scenic beauties of that beach when he was permitted to sit at the edge of the water and thrill at the sight of maidlike loveliness of the bathers as they plunged in the Potomac's limpid waters. I know that we are about to hear one of the most remarkable utterances ever heard on the floor of the Senate if the Senator from Alabama will just turn himself loose. No man in this body has a better command of language, none has a more vivid imagination, and if the Senator from Alabama will just take us into his confidence and tell us from his own personal experience of the joys that come to an appreciative soul as he sits on a summer afternoon and watches those figures, lithe, graceful, and scantily clad, as dolphinlike they play at the basin, the beach is saved! [Laughter.]

Mr. HEFLIN. The eloquent Senator from Kentucky has made my speech already. I could not begin to describe the loveliness of the charming maidens who swim in the Tidal Basin as the Senator from Kentucky has described them. The Senator from Nebraska [Mr. NORRIS] has already told us how he has been fascinated, when wandering in the park, by those who have gone into the basin to swim. This is too serious a matter to indulge in pictures that might be drawn from the situation presented by a close study of the beach and its bathers. What I am trying to do is to get that bathing beach removed to some distant point so we can keep certain Senators away from it. [Laughter.] I am interested in keeping a quorum here. I don't want to have to send down there for the Senator from Kentucky and others who ought to be in the Senate attending to their business instead of straining their eyes at the bathing beach. [Laughter.]

Mr. STANLEY. Mr. President—

Mr. HEFLIN. I yield to the Senator from Kentucky.

Mr. STANLEY. The Senator is unkind. It will be only a very few days before the places that now know me will know me no more. I depart from this historic place in a few short hours, as most of us do, in obedience to a decree for which I am not responsible, but I do hope the Senator will not deprive us of the beach too. That is all that is left. [Laughter.]

But, Mr. President, the Senator has a stronger case than he has made. The Senator from Alabama confined himself to the maidens in the water. The Senator overlooks the fact that some of the most attractive figures obey the mother's injunction:

Mother, may I go out to swim?

Yes, my darling daughter.

Hang your clothes on a hickory limb

And don't go near the water!

[Laughter.]



Mr. HEFLIN. Mr. President, we all regret that our good friend, the able and brilliant Senator from Kentucky, is soon to depart from us. We shall miss him as the country will. And he will be missed at the beach. [Laughter.] He is not the only one who will be missed there, because if that beach remains we have got to take some steps to provide for a quorum here. When the weather gets warm and those beautiful bathers go down to swim in the Tidal Basin, where 10,000 wimping waves throw kisses at the sun—[laughter]—I fear that it will be difficult to keep a quorum.

I am reminded of a story that Senator Bob Taylor used to tell about an old negro who was fishing on a river. A little negro boy was with him but he had gone to sleep on a springboard that reached out above the water some 10 or 12 feet in depth. Just as a passer-by neared the place he saw old Uncle Rufus throw his hat off and plunge into the stream. The little negro boy while asleep had fallen off the springboard into the water. The man stopped and said, "I must commend you, old man. That was a noble and heroic act. Here is a dollar for you. Here you are away out where nobody could see you but the birds and the Almighty. That little negro, helpless, fell into that deep water, and you, out of the goodness of your heart, plunged into the stream, risked your own life, and brought him out safely." Uncle Rufus stood looking at him and, blinking his eyes, said, "Yas, sah, boss, I jes had to do it. Dat nigger had all de fish bait in his pocket." [Laughter.]

I am willing for the good negroes of Washington to have a bathing place, but I think one can be provided somewhere else than at the Tidal Basin. After hearing the letters read by the Senator from Montana, I am willing to move the other bathing place, too. Let us have that splendid basin there, fringed with trees, shrubbery, and flowers of various kinds, as a thing of beauty by itself, and take away this eyesore that looks like an old fishing camp. If Senators will go on the other side of the basin and look over there, they will say that it looks like an old tenting place, something like the fishermen used to build along the river. I would be glad to see the whole thing cleaned out, and let the Congress, if it pleases them to provide bathing places for the people, go out on the river somewhere, or dig around in the hills and get a lake somewhere else purely for bathing purposes, with trees roundabout. The people ought not to select these attractive public places to go in swimming. They ought to go out where they can not be seen by anybody except the swimmers, and let them swim and swim to their hearts content. Get it away from here anyhow, where it will not attract people and interfere with the business of the Senate when the weather gets warm and the one-piece bathing suits are in vogue. [Laughter.]

Mr. President, I do not know that I care to say more. I could say more if I should follow the suggestion of my good friend from Kentucky, who is a past master in the business of word painting on any occasion. But this is a serious matter. The Congress ought to say to-day by its vote that we are not going to permit that basin to be used as a pool to accumulate disease germs to be spread amongst the boys and the girls of the city of Washington.

Mr. SIMMONS. Mr. President, I make the point of no quorum.

The PRESIDING OFFICER. The Senator from North Carolina makes the point of no quorum. The Clerk will call the roll.

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

Ashurst	Frazier	McLean	Shortridge
Ball	George	McNary	Simmons
Bayard	Glass	Mayfield	Smith
Bingham	Gooding	Means	Smoot
Brookhart	Hale	Metcalf	Spencer
Broussard	Harrell	Moses	Stanfield
Bruce	Harris	Neely	Stanley
Butler	Harrison	Norbeck	Stephens
Cameron	Hefflin	Norris	Sterling
Capper	Howell	Oddie	Swanson
Caraway	Johnson, Calif.	Overman	Trammell
Copeland	Johnson, Minn.	Pepper	Underwood
Couzens	Jones, N. Mex.	Philips	Wadsworth
Curtis	Jones, Wash.	Pittman	Walsh, Mont.
Dale	Kendrick	Ralston	Warren
Dial	Keyes	Ransdell	Watson
Dill	King	Reed, Mo.	Weller
Edge	Ladd	Reed, Pa.	Wheeler
Ernst	Lenroot	Robinson	Willis
Fess	McKellar	Sheppard	
Fletcher	McKinley	Shipstead	

Mr. HARRISON. I wish to announce that the senior Senator from Rhode Island [Mr. GERRY] is absent on account of illness.

The PRESIDING OFFICER. Eighty-two Senators having answered to their names, a quorum of the Senate is present.

Mr. DILL. Mr. President, the discussion regarding the bathing beaches in the Tidal Basin having taken a somewhat different turn from the mere argument for or against this particular site for a bathing beach, my mind turns backward toward the bathing places called swimming holes, which we all knew long ago. I feel it is perfectly appropriate to say a few words of the bathing beaches that we all used in the days gone by when we had no tidal basins, when we had no pools made by brick and mortar, and no bathing suits at all. In fact, a large part of our population still lives where there are no bathing beaches prepared and paid for by any city or county, but where they all love to go swimming in the streams and creeks that run through the country districts. The "ole swimmin' hole" has been written about and talked about in song and in story by some of the finest writers in the English tongue, and I take it that there is no man within the sound of my voice but remembers the days when he played truant from school, or ran away from church, or dodged work of some kind, and with the boys of his community searched out the "ole swimmin' hole"; and if in after years, when he has traveled many miles and years from those scenes, he revisits them, he wonders how he ever thought that place fit to bathe in. It was generally shallow, often muddy, and certainly not at all sanitary; and yet most of the men of to-day grew up bathing in swimming holes of that kind. So let us encourage the use of bathing places that nature has made for our people.

Out where the sun shines and the birds sing; out where there are no sewers and no piles of refuse; out where nature purifies the water and sweetens the air, and for those in our cities who can not go to such bathing places, let us use regularly built pools where the water can be drained and changed every day.

The "ole swimmin' hole" may be passing for those who live in cities and in crowded communities, but in the country districts it still remains. In the country districts children, when summer time comes, will seek out these places, as they have done during all the centuries, and the memories of those days will be a softening influence in their lives through all their after years. Somebody has said that memory is like a piece of wax on which are written the incidents and events of a lifetime.

The cobwebs of forgetfulness and the dust of time soon cover them over, and unless we tear away the cobwebs and brush away the dust by renewing those impressions they soon become so dim they are scarcely recognizable at all. It is to remind Senators and to renew the old impressions by tearing away the cobwebs of forgetfulness and brushing away the dust of time that I would bring back momentarily those days of boyhood when we went to the "ole swimmin' hole" and spent the happiest hours of our lives. Oftentimes the "ole swimmin' hole" was along a roadside, when a passing carriage drove us all into the water, because we had no bathing suits. Often the sun was so hot we dived to keep away the sunburn. But always we enjoyed it and always we enjoy recalling those days. For my part, I am anxious that these bathing places which are called the "swimmin' holes" may continue to be used all over the country, and that not too much shall be said about the necessity of their being made perfectly sanitary. A little dirt is a good thing for all boys if, as the good old country mother said, it is "clean dirt." If that had not been true most of us would be dead, especially those of us who indulged in the "old swimmin' holes" of long ago.

The PRESIDING OFFICER (Mr. JONES of Washington in the chair). The question is on concurring in the amendment, on which the yeas and nays have been ordered.

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Farrell, its enrolling clerk, announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 11444) reclassifying the salaries of postmasters and employees of the Postal Service, readjusting their salaries and compensation on an equitable basis, increasing postal rates to provide for such readjustment, and for other purposes; had agreed to the conference requested by the Senate on the disagreeing votes of the two Houses thereon; and that Mr. PAIGE, Mr. KELLY, and Mr. BELL were appointed managers on the part of the House at the conference.

#### FEDERAL TRADE COMMISSION OIL INVESTIGATION

Mr. TRAMMELL. Mr. President, out of order I desire to submit a resolution to be read and to go over under the rule.

The PRESIDING OFFICER. Without objection, the resolution will be received and will be read. The resolution (S. Res. 341) was read as follows:

*Resolved*, That the Federal Trade Commission be, and it is hereby, directed to forthwith transmit to the Senate a copy of its report on its investigation in 1923 and 1924 of the price of crude oil, gasoline, and other petroleum products and other data pertaining to the operations of the oil companies and refineries.

The PRESIDING OFFICER. At the request of the Senator from Florida the resolution will lie on the table.

Mr. TRAMMELL. Mr. President, I understand that, under the rule, the resolution will go over until another legislative day.

The PRESIDING OFFICER. The resolution will go over under the rule.

Mr. TRAMMELL. Mr. President, I have offered the resolution because it was developed in the discussion yesterday that the Federal Trade Commission last June had made a report which was turned over to the Department of Justice. As I recall, that investigation was made at the instance of the Congress, and why no report has ever been made to Congress I do not quite understand. In any event, however, it is information that it is desirable for the Senate to have. If that investigation has been made, as was stated by the senior Senator from Kansas [Mr. CURRIS] yesterday, and the report was turned over to the Department of Justice, there is no reason why the information contained in such report should not be transmitted to the Senate. It seems to me that this resolution really could be considered in just a few moments at the present time, and for that reason I ask unanimous consent for its present consideration.

The PRESIDING OFFICER. The Senator from Florida asks unanimous consent for the present consideration of the resolution which has just been read. Is there objection?

Mr. SMOOT. Mr. President, the Senator from Oklahoma [Mr. HARRELD], who is interested in that matter, is not now present.

Mr. NORRIS. Mr. President, while that is pending, I think I have a matter that is privileged and ought to be disposed of.

The PRESIDING OFFICER. There is a request for unanimous consent now pending. Is there objection to the request of the Senator from Florida?

Mr. SMOOT. As the Senator from Oklahoma [Mr. HARRELD] is not in the Chamber at the moment, I object temporarily until the Senator from Oklahoma may be notified.

The PRESIDING OFFICER. The Senator from Utah objects at the present time.

#### LEGISLATIVE APPROPRIATIONS

Mr. NORRIS. Mr. President, I made a motion early in the day, when I thought the pending appropriation bill would only take a few moments, for the reconsideration of the vote by which House bill 12101, the legislative appropriation bill, was ordered to a third reading, and passed; and I coupled that with a motion to recall the bill from the House. I said at the time I was willing to wait until consideration of the appropriation bill was concluded, but I find, upon reading the rule, that I have a right to have disposed of at once the motion to request the House to return the bill, and that the question must be determined without debate. I ask for a vote on that motion.

SEVERAL SENATORS. Vote!

The PRESIDING OFFICER. The question is on the motion of the Senator from Nebraska that the House of Representatives be requested to return the legislative appropriation bill to the Senate. [Putting the question.] The yeas seem to have it.

Mr. NORRIS. I ask for the yeas and nays on that question. The PRESIDING OFFICER. Is the demand seconded? [A pause.] The Chair sees only two hands up; the demand is not seconded; the yeas and nays are refused; the yeas have it, and the motion is rejected.

#### PRESIDENTIAL APPROVALS

A message from the President of the United States by Mr. Latta, one of his secretaries, announced that the President had approved and signed acts of the following titles:

On February 16, 1925:

S. 4162. An act to establish home ports of vessels of the United States to validate documents relating to such vessels, and for other purposes.

On February 17, 1925:

S. 555. An act for the relief of Blattmann & Co.;

S. 660. An act for the relief of the Ogden Chamber of Commerce;

S. 833. An act for the relief of Emma LaMee;

S. 1180. An act for the relief of J. B. Platt;

S. 1370. An act authorizing the granting of war-risk insurance to Maj. Earl L. Naiden, Air Service, United States Army;

S. 1893. An act to refund certain duties paid by the Nash Motors Co.;

S. 1930. An act for the relief of the San Diego Consolidated Gas & Electric Co.;

S. 2139. An act for the relief of the estate of Walter A. Rich, deceased;

S. 3247. An act providing for the payment of any unappropriated moneys belonging to the Apache, Kiowa, and Comanche Indians to Jacob Crew; and

S. 4056. An act to provide for an additional district judge for the western district of Michigan.

#### RETIREMENT OF CIVIL SERVICE EMPLOYEES—COTTON STATISTICS

Mr. SMITH. Mr. President, I am not going to take the time of the Senate; but we have only a few days more, and the time for passing important legislation is getting shorter and shorter. I desire to ask if any members of the committee having in charge the civil service employees' retirement bill are present, and if they can give any assurance as to whether or not they intend to have that bill acted upon at this session?

Mr. DALE. Mr. President, I am sorry the chairman of the committee has just been called from the Chamber, because he could answer the Senator much more in detail than I can; but my understanding is that the retirement bill will be brought up to-morrow evening, and acted on at that time.

Mr. SMITH. I understood that the powers that be had placed this bill among the first on the list of bills that are to be acted upon at this session. I took occasion once or twice to go over the provisions of the bill with the Senator who has the bill in charge, but I have heard nothing more from it; and, being considerably interested in the bill on account of those who have served the Government so long and so faithfully, and who have themselves contributed the larger part of the money in which they are to share, I believe that some action ought to be taken looking toward enacting this bill into law, so that they may have the benefit of the legislation.

Mr. DALE. I will say to the Senator that I agree with him entirely. I have spent about all my time in the last two or three days in following up this matter. I have done my level best to get it before the Senate, and I feel confident that to-morrow night it will come up.

Mr. SMOOT. Mr. President—

The PRESIDING OFFICER. Does the Senator from South Carolina yield to the Senator from Utah?

Mr. SMITH. I yield.

Mr. SMOOT. I will say to the Senator that to-morrow morning unanimous consent will be asked of the Senate to consider that bill at to-morrow evening's session. I want to assure the Senator, so far as I can do so, that the form of the bill has been agreed upon, and I know of no objection to its passage, and I have no doubt but that it will pass to-morrow night.

Mr. SMITH. Mr. President, it is very reassuring to those who have kept up with this legislation that the Senator from Utah says that the form in which the bill now is seems to meet with general approbation, and that perhaps it will come up to-morrow evening, at which time he hopes it will pass.

While I am on my feet I want to take occasion to call the attention of the Senate to the joint resolution that I have introduced looking toward an investigation by a joint commission of the House and Senate of the whole data pertaining to the statistics in the Bureau of the Census of the Department of Commerce in reference to cotton. I had an arrangement by which I hoped to get it up this afternoon, and I believe it is of the greatest importance to the whole cotton trade of America that we put in proper shape this method of gathering cotton statistics.

I have in my desk reports from that department showing that there was omitted from the consumption of cotton of the world crop 600,000 bales of cotton that was consumed prior to August 1, and the trade was not advised of it until January. It seems incredible that with the bureau we have, and the facilities it has for gathering statistics all over the world, a cotton-consuming center could consume 600,000 bales prior to August 1, 1924, and that fact could not be discovered until the following January, at which time the greater portion of the crop had passed out of the hands of the producer.

I also have here a statement from the Agricultural Department as to the probable world production of cotton, which differs from that of the Census Bureau by something like 2,000,000 bales. I am informed—I have not yet had time to go into the details—that they take the China crop, not one bale of which enters into the world consumption outside of China, and add it to the world production, and allow it statistically



to come into competition with the cottons produced elsewhere in the world which do enter the great world avenues.

I shall not interfere further with the passage of this bill; but I am going to seek an opportunity to-morrow to get the Senate to pass that joint resolution, and allow this commission to investigate the system by which these statistics are gathered, and find the errors, and purge the statistics of errors, and recommend to Congress such legislation as will give the cotton trade, both the producer and the converter, a basis of fact, and not conjecture and speculation.

#### APPROPRIATIONS FOR THE DISTRICT OF COLUMBIA

The Senate resumed the consideration of the bill (H. R. 12033) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1926, and for other purposes.

The PRESIDING OFFICER. The question is on concurring in the amendment made as in Committee of the Whole, on which the yeas and nays have been ordered. The Secretary will call the roll.

The reading clerk proceeded to call the roll.

Mr. SMITH. Mr. President, a parliamentary inquiry. Are we voting on the motion of the Senator from Montana?

The PRESIDING OFFICER (Mr. Moses in the chair). We are voting on concurring in the amendment made as in Committee of the Whole.

The reading clerk resumed the calling of the roll.

Mr. JONES of Washington (when the name of Mr. JOHNSON of California was called). The Senator from California [Mr. JOHNSON] is necessarily absent. If he were present, he would vote "yea."

The roll call was concluded.

Mr. JONES of New Mexico (after having voted in the negative). I have a general pair with the Senator from Maine [Mr. FERNALD], which I transfer to the Senator from Massachusetts [Mr. WALSH], and will permit my vote to stand.

Mr. COPELAND. The Senator from Massachusetts [Mr. WALSH] is absent from the Chamber. If he were present, he would vote "yea."

Mr. JONES of Washington. I desire to announce that the senior Senator from Kansas [Mr. CURTIS] and the junior Senator from Michigan [Mr. FERRIS] are both necessarily absent, and are paired.

I also desire to announce that the senior Senator from West Virginia [Mr. ELKINS] is paired with the senior Senator from Oklahoma [Mr. OWEN].

The result was announced—yeas 22, nays 53, as follows:

#### YEAS—22.

Ball	Frazier	Means	Sterling
Butler	Hale	Moses	Wadsworth
Capper	Harrell	Norris	Watson
Copeland	Jones, Wash.	Phipps	Willis
Edge	Lenroot	Spencer	
Fess	McNary	Stanfield	

#### NAYS—53.

Ashurst	George	Mayfield	Shipstead
Bayard	Glass	Metcalf	Simmons
Bingham	Gooding	Neely	Smith
Borah	Harris	Oddle	Smoot
Brookhart	Harrison	Overman	Stanley
Broussard	Hedlin	Pepper	Stephens
Bruce	Howell	Pittman	Swanson
Cameron	Jones, N. Mex.	Ralston	Trammell
Caraway	Kendrick	Ransdell	Underwood
Couzens	Keyes	Reed, Mo.	Walsh, Mont.
Dale	King	Reed, Pa.	Wheeler
Dial	Ladd	Robinson	
Dill	McKellar	Sheppard	
Fletcher	McLean	Shields	

#### NOT VOTING—21.

Bursum	Fernald	La Follette	Walsh, Mass.
Cummins	Ferris	McCormick	Warren
Curtis	Gerry	McKinley	Weller
Edwards	Greene	Norbeck	
Elkins	Johnson, Calif.	Owen	
Ernst	Johnson, Minn.	Shortridge	

So the amendment made as in Committee of the Whole was nonconcurring in.

Mr. WALSH of Montana. I now desire to offer the amendment I sent to the desk and had read.

The PRESIDING OFFICER. The Secretary will report the amendment.

The READING CLERK. The Senator from Montana proposes to strike out, on page 75, lines 15, 16, and 17, the following words:

For purification of waters of the Tidal Basin and care, maintenance, and operation of the bathhouse and beach, \$12,300.

And to insert the following:

The unexpended balance of the sum of \$50,000 and the appropriation of \$25,000 provided in the second deficiency act, fiscal year 1924, approved December 5, 1924, for the construction and maintenance of the bathing beach and bathhouse on the west shore of the Tidal Basin in Potomac Park is hereby directed to be covered into the Treasury to the credit of the District of Columbia.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Montana.

Mr. NORRIS. Mr. President, perhaps I have not grasped the entire situation, but I can not understand why this amendment should be urged. As I understand it, if this amendment shall be agreed to, the appropriation for the maintenance of the bathing beach now on the Tidal Basin will be cut out.

Mr. HEFLIN. That amendment was defeated.

Mr. NORRIS. I did not understand it that way. I would like to have the reason for this amendment from the Senator from Montana.

Mr. HEFLIN. The amendment was defeated, if I understood the vote correctly.

Mr. NORRIS. The committee amendment was defeated; but, as I understand it, that contemplated an appropriation for some repairs. This is a motion to strike out of the bill an appropriation for the purification of the water of the Tidal Basin. I wish the Senator from Montana would explain it.

Mr. WALSH of Montana. The language to be stricken out is as follows:

For purification of waters of the Tidal Basin and care, maintenance, and operation of the bathhouse and beach, \$12,300.

If this amendment prevails the unexpended balance of the money appropriated for the construction of the additional bathhouse and bathing beach will be covered into the Treasury, and there will be no appropriation whatever for the care, operation, and maintenance of the other bathhouse during the ensuing year. In other words, we will close that up. That is what the effect of the amendment would be.

Mr. NORRIS. I can understand why there should be a desire that the part relating to the building of another bathhouse should be cut out, but I do not understand why the one that is already there should be closed up. Why not let that remain?

Mr. WALSH of Montana. The reason is perfectly obvious. It is the judgment of the Senate that neither of them ought to be there. That is the best we can do now. As I take it, that was the sense of the Senate as expressed in the vote just had.

Mr. NORRIS. I can understand how there might be a difference of opinion as to the advisability of building another bathhouse there. I am not so much concerned about that; but I did not suppose that anyone seriously wanted to tear down the one we have there now, and that is what this would amount to, would it not?

Mr. WALSH of Montana. The whole tenor of the argument was that neither of them ought to be there.

Mr. NORRIS. I know some Senators argue that.

Mr. WALSH of Montana. I take it that was the view expressed by the Senate in voting that way.

Mr. NORRIS. I would like to inquire of the Senator in charge of the bill how much money of the Government has been spent on the bathhouse and the bathing beach now in operation.

Mr. PHIPPS. We have been appropriating at the rate of \$12,000 for the past four or five years, for some time appropriating \$15,000 a year. That is for the maintenance of the beach and the purification of the water. That would be in addition to the original appropriation for the erection of the buildings, which was made at the time the Senator was a member of the committee. I do not have those figures before me.

Mr. NORRIS. It was not all built at once; it was enlarged.

Mr. PHIPPS. The appropriation for the installation was at least \$100,000, I should say.

Mr. NORRIS. The question now before the Senate, as I understand it, really is this: Shall we scrap the bathhouse now located on the Tidal Basin? I myself can not understand why we should do that. We have spent over \$100,000 in the erection of the building. I have never before heard any objection to that beach being located there. It seems to be giving universal satisfaction. It is something the city stood in need of for years and years and years, and now there is a proposition to abolish it. Let us eliminate the question of the two bathing beaches on the Tidal Basin, which I think is an entirely different proposition, but I did not suppose that we were

going to abandon the bathing beach that is there now and not have any.

Mr. WALSH of Montana. Mr. President, will the Senator yield?

Mr. NORRIS. I yield to the Senator.

Mr. WALSH of Montana. I will say to the Senator from Nebraska that I interpret the vote just had as signifying the sense of the Senate that neither bathing beach ought to be there.

Mr. NORRIS. Perhaps the Senator is right.

Mr. WALSH of Montana. I want to say further that so far as the unsightliness of the thing is concerned, so far as the intrusion of it upon the Tidal Basin is concerned, thus interfering with the plan for the development of the city and its improvement, the one is just as grievous as the other. If the Senator had followed the matter this morning, he would have learned that the testimony of physicians is to the effect that the existence of the bathing beach which is located there now is a menace to the health of anybody who bathes in those waters. I have been told that one of our page boys went bathing in those waters last summer and got his ear infected, so that he was at the point of death for a considerable period of time, and his physician admonished his mother not to let him go bathing in those waters. Those considerations were all discussed here this morning.

Moreover, I think to reject now the amendment which I have proposed would be in rather bad taste, as quite a number of the Senators who voted to reject the amendment proposed by the committee did so upon the understanding that both of these bathing beaches were to be eliminated. Many would refuse to vote to reject the appropriation for the care and maintenance of the new bathing beach and at the same time sustain an appropriation for the care, maintenance, and operation of the one that is there now, which would signify that the Congress expressed a preference for the white population of the District as against the colored population. I do not think there is any disposition upon the part of the Senate to make that discrimination, and I believe it was the sense of the Senate that we ought to treat the two in exactly the same way and allow both races to bathe there or allow neither to bathe there. That is my understanding.

Mr. NORRIS. I am very much obliged to the Senator from Montana. I am not in a position to dispute the evidence of scientific men or doctors. I want to take that up in a moment, but while I think of it I want to refer to what the Senator said just before he sat down.

It does not seem to me that because a Senator voted a certain way on the committee amendment he is bound to vote either way on the amendment just offered by the Senator from Montana. I can see how Senators could take the position—as I assume many of them did—that there should not be two bathing beaches upon the Tidal Basin, that there should not be a colored bathing beach and a white bathing beach there, but that one or the other ought to be taken to some other location.

Mr. WALSH of Montana. Mr. President, perhaps I can make it clear to the Senator, if he will pardon a further interruption.

It will be recalled that I preferred a request that the two propositions be consolidated, and that a vote to reject the committee amendment should be regarded as a vote to adopt the amendment now under consideration by the Senate. That was done at the request of a great many Senators, who said, "I am not willing to vote for the elimination of the colored bathing beach item unless at the same time the other is eliminated. I want to see both of them go." It will be remembered that the Senator from Nebraska objected to that unanimous-consent request.

Mr. NORRIS. Yes; I objected to it.

Mr. WALSH of Montana. Of course, the Senator does not feel pledged at all, but quite a good many Senators, I am sure, who voted to reject the committee amendment felt that the two should go together.

Mr. NORRIS. I objected, I will say to the Senator from Montana, because it did not seem to me that the two propositions ought to be tied together, for the reason, at least as I look at it, that a Senator can be perfectly consistent who says, "I am willing to have one bathing beach there, but not two." He can be perfectly consistent in saying, "I will vote to locate a colored bathing beach there, but not a white bathing beach." I think any Senator is not at all inconsistent in saying, "We have one beach there now. I am opposed to locating another one in that vicinity for colored people, but I will vote to locate the one for the colored people somewhere else."

I do not think that because a Senator voted against locating another beach on the Tidal Basin he is in any way inconsistent, or indicates that he wants to discriminate as between races, if he votes to retain the white bathing beach there. We might say that we will locate the colored bathing beach at the Tidal Basin and put the one for white people some other place. I think there could be a good many reasons offered why we should not locate the two on the Tidal Basin, because that is a comparatively small body of water. It has in it, as I remember, 110 acres of land.

Now, as to the doctors, as to some boy who got an infection in his ear because he bathed in the Tidal Basin, I do not think it necessarily follows that the water is impure merely because that happened. I know of a man who several years ago got some water in his nostrils when he was taking a bath in his own house in the bathtub, and it resulted in his death. But that is no reason why no one should use a bathtub or why the water that man used was necessarily impure. I know of a lake in the western part of this country where the water is as pure as a mountain stream, where the water is as good to drink and as pure as any water possibly can be that is in a stream or a lake. I have known people to have accidents happen to them in that very lake. I know of one where it happened in the very way the Senator said this boy had trouble with his ear. No one thought of such a thing as saying it was the fault of the water. Those doctors who appeared before Senator Martin when the question was originally up years ago testified, but other doctors testified afterwards when it came up that the water was all right to be used. They did that just as soon as the private party got his bathing establishment away from the Tidal Basin. I presume we could go out now in the city and get any number of experts to testify that the water is perfectly safe. That was the understanding when we located the bathing beach there. They have been using purifying methods ever since it has been located there so as to make it doubly sure.

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

Mr. NORRIS. I yield to the Senator from Virginia.

Mr. GLASS. Right on that point, the Senator was not in the Chamber when the Senator from Montana [Mr. WALSH] read the letters from physicians here in Washington. They are not unknown physicians. Two of them occupy places of distinction in the official life of Washington. One of them is the Surgeon General of the Public Health Service, Hugh S. Cumming, and the other is Doctor Fowler, the health officer of the District of Columbia. The third, as I recall, is Doctor Richardson, one of the most eminent physicians in Washington. Doctor Richardson particularly stated that he had thoroughly tested the matter out and that he had traced quite a number of infectious diseases to the waters of the basin. He had so thoroughly satisfied himself of the fact that he advised all of his patients to avoid the basin. I merely state that for the information of the Senator, who said he was not here when the matter was being discussed.

Mr. NORRIS. Of course, I can not pretend to offer my testimony against such testimony as that. I am only led back to the fact that Senator Martin was convinced the first time it came up, and he struck out the item on account of just such evidence. The opposition all disappeared afterwards. I do not know that the same men testified, but eminent physicians and scientific men advised that it was all right, and we located the bathing beach there. Of course, if it is true that it is dangerous to the health to use it for that purpose, I do not want to use it. I concede that fact, no matter how much money we have spent, but I am not willing to cast it all aside on some ex parte testimony. I do not want to criticize the men whose letters were read, but Senators all know what ex parte evidence means in the trial of a case. It ought to be at least investigated to see whether the men have stated the facts correctly. Let us examine other men. Let these men be cross-examined. We never could try a lawsuit on ex parte evidence of that kind and reach a just verdict. It is contrary to the very principles of the law. We propose to take these letters and absolutely throw everything aside and cut this thing entirely out. They have probably made a good prima facie case. It seems to me that before we take such drastic action as that we ought to submit it to some one who is competent to pass on it. Let a committee pass on it, or submit it to some scientific board of some kind and accept their judgment; but we ought not to accept two or three letters from men, no matter how eminent they are, and throw it all aside on that basis.

Mr. COPELAND. Mr. President—

Mr. NORRIS. I yield to the Senator from New York.

Mr. COPELAND. I think the Senator from Nebraska has overlooked the fact that this morning it was determined that



we would take a vote and draw a line in the Senate, putting on one side those Senators who were willing to have the Tidal Basin used for bathing purposes and on the other side those who wanted all the bathing facilities taken away from there. It would not be fair at this moment to make any separation. All of the arguments used by the Senator from Montana—and, of course, I do not agree with him, as I said in my remarks earlier in the day—indicate that the water was contaminated and unsafe for anybody to bathe in.

On the strength of the argument presented by the Senator from Montana and others the Senate has voted and has determined that the Tidal Basin shall be used purely for decorative purposes as a park. I say it would be unfair now, after we have denied to the colored people the use of the Tidal Basin, to give any thought whatever to the continuance or use of the Tidal Basin for bathing on the part of white people. For my part I am not impressed by the argument about the water being unsafe except as far as I contend that all water where groups of people bathe becomes unsafe, but as we have denied the use of the Tidal Basin to the colored people we should deny it to all persons, white and black. That was the spirit in which the Senate voted upon the proposal.

Mr. NORRIS. That might be, but in my judgment it is not logical at all.

Mr. HEFLIN. Mr. President, if the Senator will permit me—

Mr. NORRIS. I yield to the Senator from Alabama.

Mr. HEFLIN. Is the Senator's position logical? If it is unfair to have one set of people bathe there it will not improve conditions to have two sets.

Mr. NORRIS. It might make it worse.

Mr. HEFLIN. If one is bad, it might make it worse to have two.

Mr. NORRIS. Two might make it worse even if one was not bad. This is not an unlimited proposition. Everybody concedes that. We can not have too many bathing houses there.

Mr. HEFLIN. Doctor Richardson's letter which the Senator from Montana read—and I regard him as one of the best doctors in the country—said that he had traced diseases directly to the basin. I believe him just as much as if I were a doctor myself and had made the discovery.

Mr. NORRIS. I am not finding fault with those doctors. I want to refer to what the Senator from New York said, that we are bound now to vote in favor of the pending amendment because the Senate has decided that there shall be no bathing beaches on the Tidal Basin. I do not look at it in that way. That was not what controlled my vote. Suppose we were going to locate a hundred bathing houses there, one every 6 feet all around, everybody would concede that was too many and everybody would concede that we ought not to do it, that it would be insanitary and too many. Suppose we were going to locate a bathhouse for colored people on this side and a bathing establishment for white people on the other; that might be too close.

Everybody concedes that the bathing beaches ought to be separated, and the question as to how widely they ought to be separated is a debatable question. It is perfectly reasonable and logical for a man to say, "I am willing that either the white people or the colored people shall have a bathing place in the Tidal Basin, but not both." There is reason for that. I take it that the vote of the Senate a while ago meant that we should not locate another bathing beach on the Tidal Basin. I have no quarrel with Senators or anybody else who feel that way.

As I said a while ago, of course I am not trying to dispute the word of these eminent physicians or even to criticize them. But we do not do anything else that way. If we located the Capitol at a certain place and had spent a couple hundred thousand dollars and then somebody came along with a whole lot of letters from the best men in the world stating that it was a dangerous locality and that there was yellow fever and malaria there and all kinds of things, we would not on the strength of those letters, without an opportunity to examine the men who wrote them, without any opportunity to make an investigation of any kind, abolish the Capitol and go somewhere else. It does not seem to me we would do that.

As the Senator from New York said, injury is liable to come from bathing in any stream. There are liable to be impurities in any of them. It may be of serious consequence. But it does not follow that a bathing beach should not be located on a stream where something of that kind might happen. If the water is so impure that it is unsafe, then we ought to move the bathing beach away, but let us wait until that question has been determined, and after it is determined let us see whether

it could not be made pure by the purification methods that are offered here and that are taken care of in the amendment which the Senator from Montana seeks to strike out.

I remember when the bathing beach was located that physicians told us they thought it was a perfectly feasible proposition to purify the waters of the Tidal Basin, and we located the bathing beach there on the strength of such testimony. Perhaps we were wrong. If these letters are right then all the testimony that has ever been offered is wrong. I have not seen the letters, but it seems to me we ought not to assume, without permitting contradiction, that they have correctly stated the situation. We ought at least make an investigation and ascertain whether it is true and, if it is true, whether by the application of the proper chemicals it can not be completely met and the basin completely purified.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Montana [Mr. WALSH].

The amendment was agreed to.

The PRESIDING OFFICER. The bill is in the Senate and still open to amendment. If there be no further amendments, the question is, Shall the amendments be engrossed and the bill be read a third time?

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

#### MUSCLE SHOALS—CONFERENCE REPORT

Mr. KEYES. Mr. President, I move that the Senate proceed to the consideration of the conference report on the Muscle Shoals bill.

Mr. CAMERON. I ask unanimous consent for the present consideration of Senate Joint Resolution 169.

The PRESIDING OFFICER. The Senator from Arizona asks unanimous consent for the present consideration of Senate Joint Resolution 169. Is there objection?

Mr. UNDERWOOD. I suggest that we might first vote on the pending motion, and then the Senator in charge can withhold the consideration of the conference report for a moment and allow the unanimous-consent business to proceed.

Mr. CAMERON. Very well.

The PRESIDING OFFICER. The Senator from Arizona withdraws his request for unanimous consent. The question is on agreeing to the motion submitted by the Senator from New Hampshire [Mr. KEYES]. [Putting the question.] The motion is agreed to, and the Chair lays the conference report before the Senate.

The Senate proceeded to consider the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 518) to authorize and direct the Secretary of War, for national defense in time of war and for the production of fertilizers and other useful products in time of peace, to sell to Henry Ford, or a corporation to be incorporated by him, nitrate plant No. 1, at Sheffield, Ala.; nitrate plant No. 2, at Muscle Shoals, Ala.; Waco Quarry, near Russellville, Ala.; steam power plant to be located and constructed at or near Lock and Dam No. 17 on the Black Warrior River, Alabama, with right of way and transmission line to nitrate plant No. 2, Muscle Shoals, Ala.; and to lease to Henry Ford, or a corporation to be incorporated by him, Dam No. 2 and Dam No. 3 (as designated in H. Doc. 1262, 64th Cong., 1st sess.), including power stations when constructed as provided herein, and for other purposes.

#### GRAZING FEES FOR USE OF NATIONAL FORESTS

Mr. CAMERON. I now renew my request for unanimous consent for the present consideration of Senate Joint Resolution 169.

The PRESIDING OFFICER. Does the Senator from New Hampshire yield to the Senator from Arizona?

Mr. KEYES. I yield.

The PRESIDING OFFICER. The Senator from Arizona asks unanimous consent, out of order, for the present consideration of Senate Joint Resolution 169.

Mr. ROBINSON. Let the resolution be read.

The PRESIDING OFFICER. The resolution will be read for the information of the Senate.

The resolution (S. J. Res. 169) authorizing the Secretary of Agriculture to waive all requirements in respect of grazing fees for the use of national forests during the calendar year 1925 was read, as follows:

*Resolved, etc., That upon application therefor the Secretary of Agriculture is authorized and directed, under regulations to be prescribed by him, to waive all requirements in respect of grazing fees for the use of national forests during the calendar year 1925 or any part of such calendar year.*

Mr. ROBINSON. I object to the present consideration of the joint resolution.

The PRESIDING OFFICER. Objection is made.

PERMANENT INTERNATIONAL TRADE EXPOSITION AT NEW ORLEANS, LA.

Mr. SWANSON. I desire to report without amendment from the Committee on Foreign Relations the joint resolution (S. J. Res. 184) authorizing the President to invite the States of the Union and foreign countries to participate in a permanent international trade exposition at New Orleans, La., to begin September 15, 1925, and I submit a report (No. 1171) thereon. I call the attention of the Senator from Louisiana [Mr. RANDELL] to the report.

The PRESIDING OFFICER. Without objection, the report will be received.

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

The PRESIDING OFFICER. The Senator from Louisiana asks unanimous consent for the present consideration of the joint resolution reported from the Committee on Foreign Relations by the Senator from Virginia [Mr. SWANSON]. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution, which was read, as follows:

Whereas the International Trade Exhibition, a nonprofit domestic corporation formed for the purpose of fostering better trade relations between the peoples of the United States and of foreign nations, has made preparations for the holding of a permanent international exhibition of fabricated and raw products of the United States and similar products of foreign countries; and

Whereas the War Department, under authorization of Congress, has leased to the International Trade Exhibition the New Orleans Quartermaster Intermediate Depot No. 2 for the purpose of exhibiting such products; and

Whereas it is the desire and purpose to obtain the participation of the States of the Union and foreign countries in such exhibition, thus encouraging and facilitating the growth of commerce in trade in such products; and

Whereas it is the sense of Congress that such a permanent international trade exhibition should be encouraged and officially recognized: Therefore be it

*Resolved, etc.,* That the President of the United States is authorized to invite by proclamation, or in such other manner as he may deem proper, the States of the Union and all foreign countries to participate in the proposed permanent exhibition to be held by the International Trade Exhibition at New Orleans, La., beginning September 15, 1925, for the purpose of exhibiting samples of fabricated and raw products of all countries and bringing together buyers and sellers for promotion of trade and commerce in such products.

SEC. 2. The President of the United States is respectfully requested to give official recognition to the International Trade Exhibition by furnishing to Hamilton K. Avery, the vice president and general manager thereof, such credentials as he deems proper to enable such International Trade Exhibition, with the sanction of the United States Government, to present to the peoples of the United States and of foreign countries the advantages of such exhibition as a means of fostering and promoting trade and commerce.

SEC. 3. All articles that shall be imported from foreign countries for the sole purpose of exhibition at the International Trade Exhibition upon which there shall be a tariff or customs duty shall be admitted free of the payment of duty, customs fees, or charges, under such regulations as the Secretary of the Treasury shall prescribe; but it shall be lawful at any time during the exhibition to sell any goods or property imported for and actually on exhibition, subject to such regulations for the security of the revenue and for the collection of import duties as the Secretary of the Treasury may prescribe: *Provided*, That all such articles when sold or withdrawn for consumption or use in the United States shall be subject to the duty, if any, imposed upon such articles by the revenue laws in force at the date of withdrawal; and on such articles which shall have suffered diminution or deterioration from incidental handling and necessary exposure, the duty, if paid, shall be assessed according to the appraised value at the time of withdrawal for consumption or use, and the penalties prescribed by law shall be enforced against any person guilty of any illegal sale, use, or withdrawal.

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

The preamble was agreed to.

JAMES F. JENKINS

Mr. SMITH. Mr. President—

The PRESIDING OFFICER. Does the Senator from New Hampshire yield to the Senator from South Carolina?

Mr. KEYES. I yield.

Mr. SMITH. I wish the Senator from New Hampshire would allow me to call up the bill (S. 1633) for the relief of James F. Jenkins. The bill has been passed upon by the committee. It provides for the payment of a certain war claim involving a great injustice which the Government has done to a citizen. I do not think the consideration of the bill will take a moment. I do not think there will be any objection to it. This man's place is about to be sold by virtue of the Government's failure to pay him the amount which is due him.

The PRESIDING OFFICER. The Chair will suggest to the Senator from South Carolina that the bill to which he refers is not found on the printed calendar.

Mr. SMITH. It has only been reported to-day. The Senator from Missouri [Mr. SPENCER] has had the matter in charge. I ask unanimous consent for the immediate consideration of the bill, because the proposed beneficiary has a claim over his property, which is about to be sold by the sheriff.

Mr. KEYES. Mr. President, I feel that I have been pretty patient. The conference report which I have in charge has been before the Senate for some time. It was presented to the Senate 10 days ago. I wish to continue to be patient.

Mr. SMITH. I am sure the Senator from New Hampshire will allow this bill to be considered.

Mr. KEYES. I am perfectly willing that the bill of the Senator from South Carolina shall be taken up, provided it does not lead to any discussion. If it does not do so, I shall have no objection to its consideration.

The PRESIDING OFFICER. The Chair will state that the bill to which the Senator from South Carolina refers is not at the desk, but it may be brought in from the office of the Secretary of the Senate.

Mr. SMITH. I desire that to be done, because it is very important that the bill should be passed.

Mr. SPENCER. Mr. President—

The PRESIDING OFFICER. Does the Senator from New Hampshire yield to the Senator from Missouri?

Mr. KEYES. Yes.

Mr. SPENCER. It is only fair to say that the claim covered by the bill for which the Senator from South Carolina [Mr. SMITH] asks consideration has been before the Committee on Claims two or three times and has been unusually carefully examined. The report of the committee is unanimous in favor of its justice, and I think the claim is a perfectly good one.

The PRESIDING OFFICER. Is there objection to the unanimous consent request which has been preferred by the Senator from South Carolina?

Mr. REED of Pennsylvania. Let the bill be read.

The PRESIDING OFFICER. The bill will be read for the information of the Senate.

The bill was read, which had been reported from the Committee on Claims with an amendment, in line 6, after words "sum of," to strike out "\$26,333.20" and to insert "\$21,000," so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and is hereby, authorized and directed to pay to James F. Jenkins, out of any money in the Treasury not otherwise appropriated, the sum of \$21,000, being in payment for 600 bales of cotton linters taken by the United States on or about July 26, 1918, and the storage thereon up to and including December 14, 1920.

Mr. REED of Pennsylvania. May I inquire by what Senator that bill was introduced?

The PRESIDING OFFICER. The bill was introduced by the junior Senator from South Carolina [Mr. DIAL].

Mr. REED of Pennsylvania. I ask that the consideration of the bill may be deferred until my colleague [Mr. PEPPER] reaches the Chamber. I think he is interested in the bill.

The PRESIDING OFFICER. Objection is made to the request which has been preferred by the Senator from South Carolina [Mr. SMITH]. The Senator from New Hampshire is recognized.

MUSCLE SHOALS—CONFERENCE REPORT

The Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 518) to authorize and direct the Secretary of War, for national defense in time of war and for the production of fertilizers and other useful products in time of peace, to sell to Henry Ford, or a corporation to be incorporated by him, nitrate plant No. 1, at Sheffield, Ala.; nitrate plant No. 2, at Muscle Shoals, Ala.; Waco Quarry, near Russellville, Ala.; steam-power plant to be located and constructed at or near Lock and Dam No. 17 on the Black Warrior River, Ala., with



right of way and transmission line to nitrate plant No. 2, Muscle Shoals, Ala.; and to lease to Henry Ford, or a corporation to be incorporated by him, Dam No. 2 and Dam No. 3 (as designated in House Doc. No. 1262, 64th Cong., 1st sess.), including power stations when constructed as provided herein, and for other purposes.

Mr. KEYES. Mr. President, at this late hour it seems unnecessary for me to make any extended remarks in regard to the proposed Muscle Shoals legislation. As the Senate knows, the disposition of Muscle Shoals has been a matter which has been pending before Congress for several years. Extended hearings have been held on the subject before House and Senate committees, and it has been debated on the floors of both Houses of Congress for a long time. Last March the House of Representatives passed a bill embodying the offer of Henry Ford. Recently the Senate passed a bill, referred to as the Underwood bill, which was passed by the Senate as a substitute for the House bill. The amendment was not accepted by the House, and so the bill went to conference. The conferees have worked diligently in the effort to get the bill back to the Senate as promptly as possible, and the conference report is now before the Senate, having been unanimously agreed to by the conferees.

The bill, as agreed upon by the conferees, is substantially the Underwood measure. The House conferees desired a number of changes, most of them affecting the leasing provisions of the bill, although there are a few changes affecting the provisions of the bill in regard to the proposed corporation.

The conference report has been submitted to the Senate and a print has been made in parallel columns, first, of the bill as passed by the Senate; and, secondly, as agreed to in conference. That print is before Senators, and I think it shows very clearly the differences between the bill as passed by the Senate and the bill recommended by the conference committee.

Mr. President, I do not wish to take up any more time than is necessary in referring to the changes. I may say in a general way that perhaps the principal change has been to add Dam No. 3 to the project. The conference report also modifies the amount of nitrogen to be produced; it increases the rate of profit on the fertilizer to be made; it modifies the annual payment of 4 per cent; it extends the time within which the President may make a lease; and it provides for research work. It also provides for what may be termed a farm board. Certain other changes have been made, most of which are of minor importance.

I submit the conference report, Mr. President, and hope that it will meet the approval of the Senate.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

Mr. NORRIS. Mr. President, I do not want to enter upon a debate of this question at this hour. I thought the Senator from New Hampshire would make more of an extended explanation of the conference report. I can not finish what I have to say this afternoon before 5 o'clock.

Mr. SMOOT. We desire an executive session before the recess shall be taken until the evening session.

Mr. NORRIS. It is now half past 4.

Mr. SMOOT. If there is no objection, Mr. President—

Mr. WATSON. Under our agreement it is ordered by unanimous consent that at 5 o'clock the Senate shall proceed to the consideration of executive business.

Mr. SMOOT. That is true, but I was going to make a request for unanimous consent.

Mr. WATSON. Of course, we can change that by unanimous consent.

Mr. SMOOT. That is what I intended to ask.

Mr. WATSON. If the Senator from Nebraska is not ready to proceed, then I will ask unanimous consent—

Mr. UNDERWOOD and Mr. WADSWORTH addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Indiana yield; and if so, to whom?

Mr. WATSON. Mr. President, of course I have no desire to interfere with the orderly procedure of the business of the Senate. I will yield to either the Senator from Alabama or the Senator from New York if they desire to address themselves to the subject before the Senate.

The PRESIDING OFFICER. The Chair suggests that the temporary laying aside of the unfinished business, which is now the conference report, may enable several Senators, in the half hour remaining under the unanimous-consent agreement, to bring up and dispose of several small matters on the calendar which are of importance to individual Senators.

Mr. UNDERWOOD. Mr. President, I rose not for the purpose of interfering with the desire of the Senator from Ne-

braska to defer his remarks on the conference report until to-morrow, because I realize that the hour is late for him to commence his speech, but I was wondering if we could come to any agreement or understanding as to the length of the debate on the conference report.

Mr. NORRIS. Mr. President, I do not believe I could make any agreement at this time. There will be considerable debate; I should think it would extend over two or three days. I may be wrong about that, but I think it is safe to say there will be a couple of days' debate on the conference report.

Mr. UNDERWOOD. Then I wish to ask the Senator from Indiana whether, if the conference report shall be passed over at this time, we could agree now that when the Senate concludes its business at the night session that it take a recess until 12 o'clock to-morrow?

Mr. WATSON. It was my intention to ask unanimous consent to take a recess until 12 o'clock to-morrow; and in order to carry out the agreement, I ask unanimous consent now that when the Senate concludes its business to-night it shall take a recess until 12 o'clock to-morrow.

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

Mr. KEYES. Mr. President, I am perfectly willing that the conference report shall now be laid aside temporarily.

The PRESIDING OFFICER. The Senator from New Hampshire asks unanimous consent that the conference report may be temporarily laid aside. Is there objection? The Chair hears none, and it is so ordered.

#### AMENDMENT OF NATIONAL DEFENSE ACT

Mr. WADSWORTH. Mr. President, the House has passed the bill (H. R. 11445) to amend the national defense act. The bill has been referred to the Committee on Military Affairs. An exact duplicate of that bill, a Senate bill, has already been reported by the Military Affairs Committee and is now on the calendar. I ask unanimous consent, out of order, that the Committee on Military Affairs may be discharged from the further consideration of the House bill and that that bill may be substituted on the calendar for the Senate bill.

Mr. BRUCE. Mr. President, I ask the Senator from New York, what is the object of the bill?

Mr. WADSWORTH. The House bill is an exact duplicate of the Senate bill heretofore reported by the Committee on Military Affairs of the Senate, which is now on the calendar. I am asking that the House bill be substituted for the Senate bill.

Mr. BRUCE. Yes; but the Senator is not answering my question.

Mr. WADSWORTH. I hope the Senator will not be abrupt with me; I could not hear his question.

Mr. BRUCE. I have no intention in the world to be abrupt, I assure the Senator. The question I asked was what was the subject matter of the bill.

Mr. WADSWORTH. It has to do with the rank of the Chief of Finance and the Chief of the Chemical Warfare Service.

Mr. BRUCE. I thank the Senator.

The PRESIDING OFFICER. Is there objection?

Mr. SMOOT. Let the bill be read.

The PRESIDING OFFICER. The bill will be read for the information of the Senate.

The bill (H. R. 11445) to amend the national defense act was read, as follows:

*Be it enacted, etc.,* That the Chief of Finance and the Chief of the Chemical Warfare Service of the Army shall hereafter have the rank, pay, and allowances of a major general.

Mr. ROBINSON. What rank, pay, and allowances have they now?

Mr. WADSWORTH. I had not expected that the merits of the bill would be taken up now. The duplicate of this bill is already on the Senate Calendar.

Mr. ROBINSON. Oh, the Senator is not asking for its present consideration?

Mr. WADSWORTH. No.

Mr. ROBINSON. Very well. I have no objection to substituting the House bill for the Senate bill.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request preferred by the Senator from New York? The Chair hears none, and it is so ordered.

#### WRITS OF ERROR

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 2693) in reference to writs of error, which was on page 1, to

strike out lines 6 to 13, inclusive, and on page 2, to strike out lines 1 to 3, inclusive, and insert:

SEC. 2. That the appeal hereby substituted for a writ of error shall be taken and perfected in the mode prescribed for taking and perfecting appeals from decrees in equity in the District Courts of the United States and shall have the same effect that such an appeal in equity would have; but the review on the substituted appeal shall be limited to the questions which would be open to consideration on a writ of error. The record to be used on a substituted appeal when taken from a Federal court shall be made up and prepared in the manner prescribed by the rules of the Supreme Court relating to the record on appeals in equity.

SEC. 3. That this act shall take effect three months after its approval; but it shall not affect the review under any writ of error pending at that time.

Mr. WALSH of Montana. Mr. President, this bill was one reported by the Judiciary Committee relating to the substitution of a method of appeal for writs of error in taking cases to the Supreme Court of the United States. The House has substituted an entirely different bill. In view of that fact, although it is rather unusual, I move that the amendment be referred to the Committee on the Judiciary for further consideration.

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

The motion was agreed to.

#### PENALTY FOR NONPAYMENT OF TAXES

The PRESIDING OFFICER laid before the Senate the bill from the House of Representatives (H. R. 4202) to amend section 5908, United States Compiled Statutes, 1916 (Rev. Stat., sec. 3186, as amended by act of March 1, 1879, ch. 125, sec. 3, and act of March 4, 1913, ch. 166), which was read the first time by title and the second time at length, as follows:

*Be it enacted, etc.,* That if any person liable to pay any tax neglects or refuses to pay the same after demand, the amount shall be a lien in favor of the United States from the time when the assessment list was received by the collector, except when otherwise provided, until paid, with the interest, penalties, and costs that may accrue in addition thereto upon all property and rights to property belonging to such person: *Provided, however,* That such lien shall not be valid as against any mortgagee, purchaser, or judgment creditor until notice of such lien shall be filed by the collector in the office of the clerk of the district court of the district within which the property subject to such lien is situated: *Provided further,* That whenever any State by appropriate legislation authorizes the filing of such notice in the office of the registrar or recorder of deeds of the counties of that State, and in the State of Louisiana in the parishes thereof, and in the States of Connecticut, Rhode Island, and Vermont in the office of the registrar or recorder of deeds or town or city clerk having custody of the land records of the towns and cities, then such lien shall not be valid in that State against any mortgagee, purchaser, or judgment creditor until such notice shall be filed in the office of the registrar or recorder of deeds of the county or counties, or parish or parishes in the State of Louisiana, or in the office of the registrar or recorder of deeds or town or city clerk having custody of the land records in the States of Connecticut, Rhode Island, and Vermont of the towns or cities within which the property subject to the lien is situated.

Mr. OVERMAN. Mr. President, there is a Senate bill on the calendar in the exact language of this bill. It has been reported favorably by the Judiciary Committee. I ask unanimous consent that the House bill be taken up and passed.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request preferred by the Senator from North Carolina? The Chair hears none.

The Senate, as in Committee of the Whole, proceeded to consider the bill.

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

The PRESIDING OFFICER. Without objection, Senate bill 1620, Order of Business No. 1135, of identical title, will be indefinitely postponed.

#### ISHMAEL J. BARNES

Mr. WARREN. Mr. President, I ask unanimous consent for the passage of a bill of a few lines to relieve a homesteader. It is Senate bill 4254, for the relief of Ishmael J. Barnes. Its passage was asked for by the Secretary of the Interior in reply to a communication from the committee. I am sure it will lead to no debate.

The PRESIDING OFFICER. Does the Chair understand that the bill has been reported from a committee?

Mr. WARREN. It has.

The PRESIDING OFFICER. The Senator from Wyoming asks unanimous consent for the present consideration of the bill referred to by him. Is there objection?

Mr. ROBINSON. Mr. President, the bill seems to be rather unusual in form to come from the Appropriations Committee. What is it?

Mr. WARREN. It is not from my committee. It is reported from another committee by my colleague, the junior Senator from Wyoming [Mr. KENDRICK].

Mr. ROBINSON. From what committee does it come?

Mr. WARREN. From the Committee on Public Lands and Surveys. It has the backing of the Secretary of the Interior.

Mr. ROBINSON. Very well.

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

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized to issue a patent to Ishmael J. Barnes upon his original homestead entry, No. 024628, made March 6, 1919, for the northeast quarter of section 29, and his additional homestead entry, No. 029146, made July 8, 1920, for the northeast quarter of the northwest quarter of section 29, township 23 north, range 64 west, sixth principal meridian, Cheyenne (Wyo.) land district, upon which proof of compliance with law has been filed.

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

#### CLAIMS OF INDIAN TRIBES OF STATE OF WASHINGTON

Mr. DILL. Mr. President, I ask unanimous consent to report back favorably from the Committee on Indian Affairs House bill 9160, and ask unanimous consent for its immediate consideration. The bill is unanimously reported.

The PRESIDING OFFICER. The Senator from Washington asks unanimous consent, out of order, to present a report from the Committee on Indian Affairs. Is there objection? The Chair hears none, and the report will be received.

Mr. DILL. Mr. President, this is a bill authorizing the Okanogan and Colville Indians to present their claims to the Court of Claims. It is in the usual form prescribed by the department, and the bill is unanimously reported by the committee. I ask unanimous consent for its present consideration.

The PRESIDING OFFICER. Is there objection to the further unanimous-consent request preferred by the Senator from Washington for the present consideration of the bill?

Mr. SMOOT. Mr. President, is there a report on the bill?

Mr. DILL. The report has not been written; no. I desire to get the bill through now if I can.

Mr. SMOOT. I mean, will there be a written report on the bill?

Mr. DILL. I will file one; yes. I can file one. I want to get the bill through now if possible.

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

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 9160) authorizing certain Indian tribes and bands, or any of them, residing in the State of Washington to submit to the Court of Claims certain claims growing out of treaties and otherwise.

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

#### FEDERAL TRADE COMMISSION OIL INVESTIGATION

Mr. TRAMMELL. Mr. President, this afternoon I introduced a resolution calling for a report from the Federal Trade Commission. I now ask unanimous consent for the present consideration of that resolution. I do not think it will require any time at all.

The PRESIDING OFFICER. The Senator from Florida asks unanimous consent for the present consideration of a resolution, which will be stated by the Secretary.

The reading clerk read Senate Resolution 341, this day submitted by Mr. TRAMMELL, as follows:

*Resolved,* That the Federal Trade Commission be, and it is hereby, directed to forthwith transmit to the Senate a copy of its report on its investigation in 1923 and 1924 of the price of crude oil, gasoline, and other petroleum products and other data pertaining to the operations of the oil companies and refineries.

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

Mr. SMOOT. Mr. President, the Senator from Oklahoma [Mr. HARELD] will be here in just a few moments. Pending his arrival, without objection, I should like to ask the Senator



a question. Is the resolution introduced here so as to have that report printed out of our contingent fund, in order that the Federal Trade Commission shall not pay the expense of printing it themselves?

Mr. TRAMMELL. I do not think myself that it carries with it that idea at all.

Mr. SMOOT. That can be done.

Mr. TRAMMELL. It simply asks that the Federal Trade Commission transmit their report to the Senate. In the debate yesterday a statement was made by the Senator from Kansas [Mr. CURTIS] to the effect that the Federal Trade Commission had made a full and thorough investigation of this subject, and that in June of last year they had made a report, which had been turned over to the Department of Justice. That is public information, and it seems to me that the Senate certainly should have that information. That was used in argument as one of the reasons why it was urged that the resolution that was pending on yesterday, that I had introduced, should not be agreed to. If that is the case, I do not think it will cost anything, and I think we should have the advantage of that information.

The PRESIDING OFFICER. Is there objection?

Mr. HARRELD. Mr. President, I should like to ask the Senator from Florida a question or two. Has the Senator offered this as a substitute for his former resolution?

Mr. TRAMMELL. No; I have not offered it as a substitute at all.

Mr. HARRELD. The Senator offers it as a new resolution?

Mr. TRAMMELL. If the Senator will recall, on yesterday the statement was made that the Federal Trade Commission had made an investigation, and had made a report in June of last year. The Senator from Kansas [Mr. CURTIS] and also the Senator from Oklahoma [Mr. HARRELD] argued that that was one reason why we should not have any other investigation. The Senate has not had the benefit of that information, and knows nothing of what was ascertained in that investigation; and I am merely asking that the Federal Trade Commission transmit that report to the Senate.

Mr. SMOOT. Mr. President—

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

Mr. TRAMMELL. I do.

Mr. SMOOT. If that report has been made by the Federal Trade Commission, and was made last June, no doubt they have had the report printed; and I have not any doubt but that they would send up to the Senate 25 or 50 copies of it, if desired.

Mr. TRAMMELL. That is all that the resolution calls for.

Mr. SMOOT. If the Senator will say that he does not intend to ask that the report be printed as a public document, then I have no objection myself; but I do not want that report, which has been printed by the Federal Trade Commission, to be called for by a Senate resolution and come up here and have it printed and distributed and the expense paid out of money not specifically appropriated for that purpose.

Mr. TRAMMELL. I will state to the Senator from Utah that I did not have that in mind at all. I just had in mind getting a copy of it for the benefit and the use of the Senate in connection with the consideration of this subject. I do not know of any Senator who is in possession of the information.

Mr. SMOOT. I have no objection whatever to obtaining the information.

Mr. TRAMMELL. But it has been contended on the floor that such a report was made; and certainly the Senate, representing the public, is entitled to that information.

The PRESIDING OFFICER. Is there objection?

Mr. HARRELD. Mr. President, if the Senator from Florida means to substitute this resolution for his other resolution, I have no objection.

Mr. TRAMMELL. I do not mean to substitute it, Mr. President.

Mr. HARRELD. Then I object.

The PRESIDING OFFICER. Objection is made.

Mr. LADD obtained the floor.

Mr. TRAMMELL. I move to take up the resolution.

The PRESIDING OFFICER. The Senator from North Dakota has been recognized.

#### LANDS IN FLORIDA

Mr. LADD. From the Committee on Public Lands and Surveys I report back favorably without amendment House bill 5204, to authorize the Secretary of the Interior to adjust disputes or claims by settlers, entrymen, selectors, grantees, and patentees of the United States and against the United States between each other, arising from incomplete or faulty surveys in township 28 south, ranges 26 and 27 east, Tallahassee merid-

ian, Polk County, in the State of Florida, and for other purposes; and I submit a report (No. 1172) thereon. I call the attention of the Senator from Florida [Mr. FLETCHER] to the bill.

Mr. FLETCHER. Mr. President, I ask unanimous consent to have that bill considered. It pertains to certain surveys in certain sections of Florida where the original surveys were incorrectly and insufficiently made.

The PRESIDING OFFICER. Is there objection?

Mr. KING. Mr. President, I should like to ask the Senator if there are any public lands involved?

Mr. FLETCHER. No. This is simply a bill to authorize the Secretary of the Interior to make surveys as a result of the troubles arising from incomplete or faulty surveys in township 28 south, ranges 26 and 27 east, Tallahassee meridian. Originally the surveys were made, and they were afterwards found to be inaccurate. Lands were supposed to border on lakes, and when the proper surveys were made it was found that they did not reach the lakes. Heretofore the lands have not been very valuable. Now they have become more valuable, and this bill simply authorizes a correct survey to be made of the lands in this section.

The PRESIDING OFFICER. Is there objection?

Mr. KING. I have no objection to the consideration of the bill. I want to ask the Senator a question about it, though.

Mr. TRAMMELL. Mr. President, I have no objection to the consideration of the bill, but I should like to ask my colleague what county or section the bill applies to?

Mr. FLETCHER. It applies to lands in Polk County. It is a bill introduced and passed in the House, reported on favorably by the department, and favorably reported by the Senate committee.

Mr. TRAMMELL. I will say to my colleague that I did not know of this bill. I should have been glad to discuss it with him before it reached the floor; but on a previous occasion when a resurvey bill was passed pertaining to certain sections and localities of Florida there was a great deal of opposition. Whether or not it was well founded, there certainly was a great deal of opposition to it, and the contention was made that it gave an undue advantage to certain land claimants. I will say to my colleague that that may have no bearing upon this particular bill. I really did not know of this bill. I should have been glad to investigate it.

Mr. FLETCHER. I think this bill has no reference to that sort of trouble.

Mr. TRAMMELL. I have no objection, then.

Mr. FLETCHER. The Congressman introducing this bill writes me that it will undoubtedly settle several land disputes which are at the present time holding up the sale of the lands in question. Congressman DRANE introduced the bill in the House. It was favorably reported on by the department, and passed the House, and has been favorably reported on by the Senate Committee on Public Lands and Surveys. I thought it was purely a local matter.

Mr. TRAMMELL. I will say to my colleague that when another bill was passed here for the purpose of adjusting land lines, I know personally of one or two instances where, in my opinion, a great injustice was done to homesteaders in the rearranging and the settlement of those claims. I should be very much disappointed and very much chagrined if that should happen under this bill.

Mr. KING. Mr. President, I should like to ask the Senator from Florida a question I have started several times to ask. I have understood that substantially the whole of the lands in Florida belonged to the State or to private individuals; that the National Government had no domain there.

Mr. FLETCHER. There are some public lands there, but these, I think, are not public lands. I am not sure about that. They may prove to be such.

Mr. KING. If they are not public lands, what jurisdiction has the Interior Department of the Federal Government over them to cause a resurvey, or any survey?

Mr. FLETCHER. They have the jurisdiction to correct the surveys which have heretofore been made and are found to be defective and erroneous. As a matter of fact, the original surveys were not carefully and fully made. It has been stated that when the original surveys were made there were a great many Indians occupying that region that the surveyors rather guessed at some of the lines and did not run them correctly. The department recognizes that, and they now are willing to make proper surveys so as to settle the rights and interests of the people.

Mr. KING. Mr. President, I suggest to the Senator from Florida that this is dangerous legislation. Suppose there were an erroneous survey. Rights grew up based upon those sur-

veys. Individuals took up lands based upon those surveys. If the Government comes and makes another survey and attempts to disturb the lines which have been accepted perhaps for many, many years, the statute of limitations having run against private interests, litigation will be precipitated, and it will lead to struggle and strife. I think it is unwise legislation.

The PRESIDING OFFICER. Does the Senator from Utah object?

Mr. TRAMMELL. Mr. President, I ask my colleague to permit the bill to go over.

The PRESIDING OFFICER. Objection is made.

#### MISSISSIPPI AND OHIO RIVER BRIDGES

Mr. SHEPPARD. I report back favorably without amendment from the Committee on Commerce the bill (H. R. 11668) granting consent of Congress to the States of Missouri, Illinois, and Kentucky to construct, maintain, and operate bridges over the Mississippi and Ohio Rivers at or near Cairo, Ill., and for other purposes, and I submit a report (No. 1173) thereon. I ask unanimous consent for its present consideration.

There being no objection, the bill was considered as in Committee of the Whole, and was read, as follows:

*Be it enacted, etc.,* That the consent of Congress is hereby granted to the States of Missouri, Illinois, and Kentucky to construct, maintain, and operate two bridges and approaches thereto, one of said bridges to cross the Mississippi River and the other of said bridges to cross the Ohio River, at points suitable to the interests of navigation, at or near Cairo, Ill., as a link in existing or projected interstate highways built under and part of the Federal aid highway systems of these States and in accordance with the provisions of an act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

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

#### LITTLE CALUMET RIVER BRIDGE

Mr. MCKINLEY. I ask for the immediate consideration of the bill (H. R. 10412) granting the consent of Congress to the Pittsburgh, Cincinnati, Chicago & St. Louis Railroad Co., its successors and assigns, to construct a bridge across the Little Calumet River.

There being no objection, the bill was considered as in Committee of the Whole, and it was read, as follows:

*Be it enacted, etc.,* That the consent of Congress is hereby granted to The Pittsburgh, Cincinnati, Chicago & St. Louis Railroad Co. and its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Little Calumet River at a point suitable to the interests of navigation, at or near the village of Riverdale, in the county of Cook, in the State of Illinois, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

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

#### LANDS IN PITTSBURGH, PA.

Mr. REED of Pennsylvania. I ask unanimous consent for the consideration of the bill (H. R. 2720) to authorize the sale of lands in Pittsburgh, Pa. The bill authorizes the sale of a small lot of land containing some 1,900 square feet. The Government bought it for the purposes of the Bureau of Mines. The Bureau of Mines does not need it. The bill provides for its sale at auction at a price not less than the appraised value and at not less than its cost.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, and it was read as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized to sell after due advertisement at competitive sale, with the right reserved to reject any and all bids, at not less than its appraised value as fixed by three disinterested landowners to be appointed by the Secretary of the Interior and at a sum not less than its original cost to the United States, and convey by his deed as such Secretary that certain parcel of land belonging to the United States situate in the fourteenth ward of the city of Pittsburgh, county of Allegheny, and State of Pennsylvania, and particularly described as follows:

Beginning at a stone monument on the line of land of the United States and land of the National Tube Co., being south 2° 23' 15" east, a distance of 91 feet from Forbes Street and the northeast corner of the said property of the United States; thence south 2° 23' 15" east 58.89 feet to a stone monument, being a corner common to land of the

United States and the tract now being described; thence north 87° 38' 45" east 66.71 feet to a point on the line of land of the United States and land of the National Tube Co.; thence north 50° 41' 15" west 70 feet to a concrete monument, being a corner common to the land of the National Tube Co. and the tract as now being described; thence north 52° 26' 15" west 20.81 feet to a stone monument, being the point of beginning, containing 1,968.04 square feet: *Provided*, That such sale shall be made on such terms and conditions as will protect the uses of the Government to property adjacent thereto as to light and other easements.

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

#### MONONGAHELA RIVER BRIDGE

Mr. REED of Pennsylvania. I make a further request for the passage of the bill (H. R. 8438) granting the consent of Congress to the county of Allegheny, Pa., to construct a bridge across the Monongahela River from Cliff Street, McKeesport, to a point opposite in the city of Duquesne.

There being no objection, the bill was considered as in Committee of the Whole, and it was read, as follows:

*Be it enacted, etc.,* That the consent of Congress is hereby granted to the county of Allegheny, in the Commonwealth of Pennsylvania, and its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Monongahela River at a point suitable to the interests of navigation, at or near Cliff Street, in the city of McKeesport, to a point opposite in the city of Duquesne, in the county of Allegheny, in the State of Pennsylvania, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

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

#### EXCHANGE OF LANDS IN NATIONAL FORESTS

Mr. GEORGE. Mr. President, I ask that the Presiding Officer lay before the Senate House bill 11886 and that it be substituted for Senate bill 3663.

The PRESIDING OFFICER laid before the Senate the bill (H. R. 11886) to amend section 7 of an act entitled "An act to enable any State to cooperate with any other State or States, or with the United States, for the protection of the watersheds of navigable streams, and to appoint a commission for the acquisition of lands for the purpose of conserving the navigability of navigable rivers," approved March 1, 1911 (36 Stats. L. p. 961), which was read twice by title.

The PRESIDING OFFICER. The Senator from Georgia asks unanimous consent that House bill 11886 be substituted for Senate bill 3663.

Mr. SMOOT. This is a rather important bill, Mr. President—

The PRESIDING OFFICER. Does the Senator desire to have the bill taken up for immediate consideration?

Mr. GEORGE. I ask to have it substituted for the Senate bill and then taken up for immediate consideration. The Senator from New Hampshire [Mr. KEYES], who introduced the Senate bill, is temporarily out of the Chamber.

Mr. SMOOT. It is the bill to amend section 7 of an act entitled "An act to enable any State to cooperate with any other State or States, or with the United States, for the protection of the watersheds of navigable streams."

Mr. GEORGE. That is the bill.

The PRESIDING OFFICER. The Senator from Georgia asks to have the House bill passed, and the Senate bill indefinitely postponed?

Mr. GEORGE. Yes; I ask unanimous consent for that purpose.

Mr. SMOOT. I was asking the Senator a question in relation to this matter. Do I understand that the House bill is the same as Senate bill 3663, a bill to amend section 7 of an act entitled "An act to enable any State to cooperate with any other State or States, or with the United States, for the protection of the watersheds of navigable streams, and to appoint a commission for the acquisition of lands for the purpose of conserving the navigability of navigable rivers," approved March 1, 1911?

Mr. GEORGE. It is the same. The bill was introduced in the House and passed, and a similar bill was introduced in the Senate by the Senator from New Hampshire [Mr. KEYES]. It has been reported favorably by the Committee on Agriculture and Forestry, and is on the Senate calendar. The House bill has now come over, and I ask that it be put on its passage.

The measure only goes to this extent, that under the Weeks law a national forest reservation commission was created,



with power to acquire certain tracts of land at the headwaters of navigable streams, for the purpose of preserving the navigability of the streams. In one or two instances, where the lands generally at the headwaters of these streams were all privately owned, the commission did acquire a few tracts of land.

There is a general transfer law with reference to our national forests taken out of the national domain, and it was presumed that that general transfer law would authorize the exchange of lands acquired under the Weeks law, but in an opinion handed down by the Attorney General on the 21st day of March, 1924, it was held that the general exchange act had no application to lands acquired under the Weeks law.

This bill is merely to authorize such an exchange as I have mentioned, with the approval of the National Forest Reservation Commission and the Secretary of Agriculture, and after advertising in the counties where the lands now owned are situated and where the lands that are to be exchanged for these lands are situated.

Mr. SMOOT. Does it apply to lands which this commission has already purchased?

Mr. GEORGE. It does apply to those, but they are authorized to take for those lands other lands within the exterior boundaries of the national forests, where the Secretary of Agriculture himself approves it, and where it is recommended by the National Forest Reservation Commission, which was created under the Weeks law.

Mr. SMOOT. I ask the Senator to let the bill go over, because it is a very important measure. It seems to me it ought to be studied very carefully, because those lands were purchased under the act authorizing the commission to purchase them for certain purposes.

Mr. GEORGE. They were; but let me state to the Senator that they were purchased for the purpose of preserving the navigability of certain rivers, and this measure takes care of a few instances where there has been an effort to develop the headwaters by the creation of a water power which would preserve the navigability of the river, because the object of the establishment of a water power is to give uniform flow in the river. All of the departments affected, after looking into this, recommend the legislation.

Mr. SMOOT. Would it not be better to pass measures in relation to those two instances to which the Senator refers, because if we pass this bill now, the commission may go on and purchase any quantity of land they wish under the original act, and then, if we give them authority to transfer that land for other lands—

Mr. GEORGE. They must be within the boundaries of the national forests, and there can not be an exchange until it is approved by the commissioners themselves and the Secretary of Agriculture, who has the power to grant permission to effect it, and until the sale is advertised in both counties once a week for four weeks. I was calling this up because I am interested in the matter and may not be able to be here to-night.

The PRESIDING OFFICER. Does the Chair understand the Senator from Utah to object to the unanimous-consent request preferred by the Senator from Georgia?

Mr. SMOOT. I am a little fearful of the legislation, but I will not object.

Mr. KING. Mr. President, I understood the Senator from Georgia to be merely asking for a substitution. I did not understand he was asking that the bill be acted on.

Mr. GEORGE. I asked for a substitution and for the immediate consideration of the House bill.

Mr. KING. I hope the Senator will not ask for its passage now. There are some provisions in it which I think are objectionable. I have no objection to the substitution, but let the bill go to the calendar. I have no objection to the Senator calling it up to-night.

The PRESIDING OFFICER. Under the objection entered by the Senator from Utah, the bill goes to the calendar, and will take the calendar number of the Senate bill in identical terms, Order of Business No. 1128.

#### SALE OF OLD FEDERAL BUILDING AT TOLEDO, OHIO

Mr. FESS. I ask unanimous consent for the immediate consideration of Senate Joint Resolution 186, authorizing the sale of the old Federal building at Toledo, Ohio.

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

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution, which was read, as follows:

*Resolved, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to sell, when salable, at a price by him deemed reasonable and adequate for cash, at either private or public sale, the old Federal building in Toledo, Ohio, formerly used as the main post office and Federal building combined and now abandoned as a main post office and used as a post-office substation and Federal office and court building, the same being situated on the southeast corner of Madison Avenue and St. Clair Street in said city.

Mr. KING. What is to become of the fund realized from the sale? Is it to go into the Treasury?

Mr. FESS. It is to go back into the Treasury.

Mr. KING. I have no objection to the joint resolution.

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

#### EXECUTIVE SESSION

Mr. WATSON. I ask unanimous consent that the Senate proceed to the consideration of executive business.

The PRESIDING OFFICER. The Senator from Indiana asks unanimous consent that the Senate abrogate that portion of its previous unanimous-consent agreement which requires it to go into executive session at 5 o'clock, and that it proceed to the consideration of executive business at this time. Is there objection? The Chair hears none, and it is so ordered. The Sergeant at Arms will clear the galleries and close the doors.

The Senate thereupon proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 5 o'clock p. m.), under the order previously entered, the Senate took a recess until 8 o'clock p. m.

#### EVENING SESSION

The Senate reassembled at 8 o'clock p. m., on the expiration of the recess.

The PRESIDING OFFICER (Mr. Moses in the chair). Under the unanimous-consent agreement entered into with reference to the conduct of this evening session of the Senate none but unobjected bills upon the calendar will be dealt with and the calendar will be taken up at the point where the Senate left off yesterday, Calendar No. 1014, House bill 7821. The Secretary will report the bill.

#### LAND TO ASTORIA, OREG.

The bill (H. R. 7821) to convey to the city of Astoria, Oreg., a certain strip of land in said city, was considered as in Committee of the Whole, and was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury is hereby authorized and directed to convey to the city of Astoria, Oreg., a strip of land 10 feet wide from the north side of lots 1, 2, 3, and 4, block 23, and a strip 5 feet wide from the south side of lots 5, 6, 7, and 8, of block 23, as plotted and recorded by John McClure and extended by Cyrus Olney, to enable the said city to widen Bond Street and Commercial Street to a uniform width between Seventh Street and Fourteenth Street of the said city of Astoria, Oreg.

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

#### ISIDOR STEGER

The bill (H. R. 6436) for the relief of Isidor Steger was considered as in Committee of the Whole and was read, as follows:

*Be it enacted, etc.,* That the date of discharge of Isidor Steger, chief machinist's mate, United States Fleet Naval Reserve, shall be considered as June 26, 1917, instead of June 22, 1917, for the purpose of rectifying an error, and for all purposes connected with continuous service in the Navy of the United States, and that the Secretary of the Navy be, and he is hereby, authorized and directed to cause the records of the said Isidor Steger in the Navy Department to be corrected to conform with this authorization, to the end that the said Isidor Steger shall be entitled to all pay, benefits, and emoluments conferred by law or regulation for continuous service in the Navy of the United States.

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

#### LOAN OF PORTRAITS OF DANIEL WEBSTER AND HENRY CLAY

The joint resolution (S. J. Res. 178) to provide for the loaning to the Pennsylvania Academy of the Fine Arts of the portraits of Daniel Webster and Henry Clay was considered as in Committee of the Whole and was read, as follows:

*Resolved, etc.,* That the Architect of the Capitol be, and he is hereby, authorized to loan to the Pennsylvania Academy of the Fine Arts, Philadelphia, Pa., the portraits of Daniel Webster and Henry Clay,

painted by John Neagle, for an exhibition of the works of John Neagle, portrait painter (1796-1865), to be held at said academy from April 11, 1925, to May 13, 1925.

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

#### LIBRARY OF CONGRESS TRUST FUND BOARD

The bill (S. 3899) to create a Library of Congress trust fund board, and for other purposes, was announced as the next in order.

Mr. ROBINSON. If the author of the bill is present or some one is prepared to make a brief statement with reference to the bill, I wish he would do so. I notice there are a number of amendments. However, I shall not object to its consideration.

Mr. FESS. Mr. President, the bill is very important, because it authorizes the Library to accept gifts to be held as trusts, the income of which is to be used for Library purposes. We have already donations awaiting acceptance.

The Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on the Library with amendments in section 1, page 1, beginning in line 5, to strike out the words "the chairman of the Joint Committee on the Library (who shall be ex-officio chairman of the board), the Librarian of Congress (who shall be ex-officio secretary of the board), the Secretary of the Treasury, and two persons appointed by the President for a term of five years each (the first appointments," and in lieu thereof to insert: "the Secretary of the Treasury, the chairman of the Joint Committee on the Library, the Librarian of Congress, and two persons appointed by the President for a term of five years each (the first appointments"; in section 2, page 2, line 19, after the words "Sec. 2," to strike out: "The board is hereby authorized to accept, in the name of the United States of America, gifts or bequests of trust funds the income of which is to be paid over to the Librarian of Congress to be expended by him for the benefit of the Library, its collections, or its service.

"The board, through the Secretary of the Treasury, for the time being as its exclusive agent, is authorized to receive and hold the principal sum of such trust funds or the securities constituting the same, which shall be invested and reinvested by the Secretary of the Treasury," and in lieu thereof insert: "The board is hereby authorized to accept, receive, hold, and administer such gifts or bequests of personal property for the benefit of, or in connection with, the Library, its collections, or its service, as may be approved by the board and by the Joint Committee on the Library"; in section 2, page 3, following line 8, to insert: "The moneys or securities composing the trust funds given or bequeathed to the board shall be receipted for by the Secretary of the Treasury, who shall invest, reinvest, or retain investments"; in the same section, on page 3, line 25, after the words "District of Columbia," to insert "except that it may make any investments directly authorized by the instrument of gift and may retain any investments accepted by it"; to insert a new section as section 3 and to renumber the remaining sections; and in section 6 (7), on page 6, line 3, to insert before the word "Congress" the word "the," and in line 4 to strike out "funds" and insert "moneys or securities," so as to make the bill read:

*Be it enacted, etc.,* That a board is hereby created and established, to be known as the Library of Congress trust fund board (hereinafter referred to as the board), which shall consist of the Secretary of the Treasury, the chairman of the Joint Committee on the Library, the Librarian of Congress, and two persons appointed by the President for a term of five years each (the first appointments being for three and five years, respectively). Three members of the board shall constitute a quorum for the transaction of business, and the board shall have an official seal, which shall be judicially noticed. The board may adopt rules and regulations in regard to its procedure and the conduct of its business.

No compensation shall be paid to the members of the board for their services as such members, but they shall be reimbursed for the expenses necessarily incurred by them out of the income from the fund or funds in connection with which such expenses are incurred. The voucher of the chairman of the board shall be sufficient evidence that the expenses are properly allowable. Any expenses of the board, including the cost of its seal, not properly chargeable to the income of any trust fund held by it, shall be estimated for in the annual estimates of the Librarian for the maintenance of the Library of Congress.

Sec. 2. The board is hereby authorized to accept, receive, hold, and administer such gifts or bequests of personal property for the benefit of, or in connection with, the Library, its collections, or its service, as

may be approved by the board and by the Joint Committee on the Library.

The moneys or securities composing the trust funds given or bequeathed to the board shall be receipted for by the Secretary of the Treasury, who shall invest, reinvest, or retain investments as the board may from time to time determine. The income, as and when collected, shall be deposited with the Treasurer of the United States, who shall enter it in a special account to the credit of the Library of Congress and subject to disbursement by the Librarian for the purposes in each case specified and the Treasurer of the United States is hereby authorized to honor the requisitions of the Librarian made in such manner and in accordance with such regulations as the Treasurer may from time to time prescribe: *Provided, however,* That the board is not authorized to engage in any business nor to exercise any voting privilege which may be incidental to securities in its hands, nor shall the board make any investments that could not lawfully be made by a trust company in the District of Columbia, except that it may make any investments directly authorized by the instrument of gift and may retain any investments accepted by it.

Should any gift or bequest so provide, the board may deposit the principal sum, in cash, with the Treasurer of the United States as a permanent loan to the United States Treasury, and the Treasurer shall thereafter credit such deposit with interest at the rate of 4 per cent per annum, payable semiannually, such interest, as income, being subject to disbursement by the Librarian of Congress for the purposes specified: *Provided, however,* That the total of such principal sums at any time so held by the Treasurer under this authorization shall not exceed the sum of \$5,000,000.

Sec. 3. The board shall have perpetual succession, with all the usual powers and obligations of a trustee, except as herein limited, in respect of all property, moneys, or securities which shall be conveyed, transferred, assigned, bequeathed, delivered, or paid over to it for the purposes above specified. The board may be sued in the Supreme Court of the District of Columbia, which is hereby given jurisdiction of such suits, for the purpose of enforcing the provisions of any trust accepted by it.

Sec. 4. Nothing in this act shall be construed as prohibiting or restricting the Librarian of Congress from accepting in the name of the United States gifts or bequests of money for immediate disbursement in the interest of the Library, its collections, or its service. Such gifts or bequests, after acceptance by the Librarian, shall be paid by the donor or his representative to the Treasurer of the United States, whose receipt shall be their acquittance. The Treasurer of the United States shall enter them in a special account to the credit of the Library of Congress and subject to disbursement by the Librarian for the purposes in each case specified.

Sec. 5. Gifts or bequests to or for the benefit of the Library of Congress, including those to the board, and the income therefrom, shall be exempt from all Federal taxes.

Sec. 6. Employees of the Library of Congress who perform special functions for the performance of which funds have been intrusted to the board or the Librarian, or in connection with cooperative undertakings in which the Library of Congress is engaged, shall not be subject to the proviso contained in the act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1918, and for other purposes, approved March 3, 1917, in Thirty-ninth Statutes at Large, at page 1106; nor shall any additional compensation so paid to such employees be construed as a double salary under the provisions of section 6 of the act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1917, as amended (39 Stat. L. p. 582).

Sec. 7. The board shall submit to the Congress an annual report of the moneys or securities received and held by it and of its operations.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

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

#### APPOINTMENT OF ARMY BAND LEADER

The bill (S. 3824) to provide for the appointment of a leader of the Army Band was announced as next in order.

Mr. SMOOT. Let the bill go over.

Mr. WADSWORTH. Will the Senator withhold his objection a moment until I can explain the bill?

Mr. SMOOT. I will withhold it.

Mr. WADSWORTH. The bill was reported by the Committee on Military Affairs. It has to do solely with the pay of one man in the entire Army. He is the leader of the Army Band, an organization which has reached a stage of perfection which has given great encouragement to all people, and there are many of them, who regard good music in the Army as extraordinarily important. The bill will place the pay of the leader of the Army Band upon exactly the same basis as the



leader of the Marine Band and the leader of the Navy Band. That is all it does.

Mr. SMOOT. That is the trouble with this sort of legislation. We get a bill through for the purpose of putting a man on the retired list, drawing the pay of a higher officer in the Army, and then a similar request is made for some one in the Navy, followed by a similar request for somebody in the Marine Corps. If the thing starts in the Navy, it is followed by a request from the Marine Corps, and then the Army comes in. It is exactly the same kind of legislation we have had before.

Mr. WADSWORTH. The Senator will recollect that under the joint pay act, affecting the services, the Army, Navy, and Marine Corps, and others, an effort was made to establish a parity of pay in the relative grades in all services; for example, a captain in the Navy gets the same pay as a colonel in the Army; and an ensign in the Navy gets the same pay as a second lieutenant in the Army. We overlooked the fact, when we legislated with reference to pay in 1922, that the leader of the Army Band, whose responsibilities are just as great as those of the leader of the Marine Band or the leader of the Navy Band, had not had any readjustment of his pay. This is merely to establish a parity which, as a matter of principle, should be maintained.

Mr. SMOOT. Perhaps what the Senator said is correct, but I want to call attention to the fact that this thing happens not only with reference to the advancement of men in the Army nearly every session by the dozen, but if a bill slips through affecting one increase and carrying with it all sorts of commutations and allowances, then that is followed by the introduction of bills affecting the other two branches of the service. The Regular Army band leader is here affected. What position does he hold in the Army?

Mr. WADSWORTH. This is a distinct position. There is none other like it in the Army. He is a warrant officer.

Mr. SMOOT. What is he drawing now?

Mr. WADSWORTH. He is drawing the pay of a warrant officer, which is the same as that of a second lieutenant.

Mr. SMOOT. And now the Senator wants him to be made a captain?

Mr. WADSWORTH. To be given the pay and allowances of a captain, which is exactly what the leader of the Marine Band draws and exactly what the leader of the Navy Band draws.

Mr. SMOOT. And not only that, but he gets longevity pay and all the emoluments of that sort?

Mr. WADSWORTH. So does everybody in the Army get longevity pay.

Mr. SMOOT. Of course, they do according to the position they hold.

Mr. WADSWORTH. No; it is only according to the length of their service.

Mr. SMOOT. This advances him from the rank of second lieutenant to the rank of captain?

Mr. WADSWORTH. In pay and allowances.

Mr. SMOOT. That is all he cares about.

Mr. WADSWORTH. Yes.

Mr. SMOOT. As long as it has been done for the Navy and Marine Corps, I presume we will have to do it for the Army.

There being no objection, the bill was considered as in Committee of the Whole and was read, as follows:

*Be it enacted, etc.,* That the Secretary of War is hereby authorized to appoint a warrant officer of the Regular Army leader of the Army Band, who, while holding such appointment, shall receive, in lieu of any and all pay and allowances as warrant officer, the base pay and the allowances of a captain of the Regular Army in the third pay period, and shall be entitled to longevity pay provided for an officer for each three years of service under such appointment plus any previous active commissioned service under a Federal appointment which the appointee may have had, but shall not be entitled to pass to a higher pay period. The leader of the Army Band may be relieved from his appointment as such and returned to his former status at the discretion of the Secretary of War. Upon retirement he shall be retired as a warrant officer and shall receive the retired pay to which he would have been entitled had he not been appointed and received the pay and allowances of leader of the Army Band: *Provided*, That no back pay or allowances shall be allowed to the leader of the Army Band by reason of the passage of this act: *And provided further*, That nothing contained in this act shall operate to increase the authorized number of commissioned officers or warrant officers of the Regular Army, nor to decrease the number of warrant officers authorized by law.

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

#### AMENDMENT OF NATIONAL DEFENSE ACT OF 1916

The bill (S. 4010) to amend the national defense act of 1916, as amended, was announced as next in order.

The PRESIDING OFFICER. House bill 11445 was substituted for this bill this afternoon. The Senate will recall that an identical bill was messaged from the House this afternoon to the Senate and substituted for this calendar number.

Mr. ROBINSON. May I inquire in what respect this is an amendment of the national defense act?

Mr. WADSWORTH. This is the situation: The chiefs of the bureaus of service in the War Department all hold the rank, while holding their assignments, of major general, with the exception of the Chief of Finance and the Chief of Chemical Warfare Service. This bill, frankly, is to give to the Chief of Finance while he holds that office, and to the Chief of the Chemical Warfare Service while he holds that office, that same rank.

Mr. ROBINSON. How does it happen that they are not given the same rank now? What is the reason for the distinction now made?

Mr. WADSWORTH. It is difficult to say how the discrepancy crept in. I can not give any explanation for the distinction. It is fair to say that these two positions were created by the national defense act for the first time in 1920.

Mr. SMOOT. Not the Chief of Finance. The Chief of Chemical Warfare was.

Mr. WADSWORTH. They were both created in 1920.

Mr. SMOOT. Was Senate bill 4010 passed to-day by the Senate?

Mr. WADSWORTH. No; the House passed House bill 11445, and I had it substituted for the Senate bill on the calendar.

Mr. SMOOT. That does not show in my calendar.

Mr. WADSWORTH. No; it would not show in the bound volume of the calendar.

Mr. SMOOT. Does the Senator think there are any other officers in the War Department who can be advanced to the rank of major general? There will be no more this session.

Mr. WADSWORTH. I can think of none other. This completes the list of bureau chiefs.

Mr. ROBINSON. All other chiefs of division are accorded the rank of major general, are they not?

Mr. WADSWORTH. With the exception of the Chief of Chaplains, and there is no disposition on the part of the committee to recommend that that officer hold the rank of major general.

Mr. SMOOT. Why not?

Mr. WADSWORTH. Because his responsibilities are not anything like the responsibilities of the others.

Mr. SMOOT. But he wants it just as badly.

Mr. WADSWORTH. I dare say he might not refuse it if it were tendered on a silver platter.

Mr. SMOOT. It will be given to him later.

Mr. WADSWORTH. I think not.

Mr. SMOOT. I have not any doubt about it.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 11445) to amend the national defense act, which had been reported from the Committee on Military Affairs with an amendment, in line 5, to strike out the following proviso: "*Provided*, That the President is hereby authorized to place on the retired list of the Army as a major general, with the retired pay of that grade, the officer who was the first Chief of Finance of the Army and who was placed on the retired list as a brigadier general while holding that office," so as to make the bill read:

*Be it enacted, etc.,* That the Chief of Finance and the Chief of the Chemical Warfare Service of the Army shall hereafter have the rank, pay, and allowances of a major general.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

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

The bill was read the third time, and passed.

The PRESIDING OFFICER. Without objection the Senate bill 4010, for which the House bill just passed was substituted, will be indefinitely postponed.

#### SETTLEMENT ON GOVERNMENT LAND IN IRRIGATION PROJECTS

The bill (S. 4151) to provide for aided and directed settlement on Government land in irrigation projects was announced as next in order.

Mr. SMOOT. Let the bill go over.

Mr. ROBINSON. Will the Senator withhold his objection for a moment?

Mr. SMOOT. I will, but the bill will have to go over.

Mr. ROBINSON. This is a very important measure and a very helpful one. The Senator has announced his determination to object to the present consideration of the bill. However, I ask that the report of the Committee on Irrigation and Reclamation be printed in the RECORD.

The PRESIDING OFFICER. Under objection the bill will be passed over, and the request of the Senator from Arkansas to have the report of the committee printed in the RECORD is granted.

The report is as follows:

Mr. KENDRICK, from the Committee on Irrigation and Reclamation, submitted the following report (to accompany S. 4151):

The Committee on Irrigation and Reclamation, to which was referred the bill (S. 4151) providing for aided and directed settlement on Government land in irrigation projects, having considered the same, reports favorably thereon and recommends that the bill do pass without amendment.

The purpose of this measure is to change the plan under which settlers are accepted and under which they undertake their obligations. It does away with the lottery system of securing settlers and in its place proposes a plan whereby certain requirements or qualifications will be exacted with a view and purpose of insuring the success of the settler, and by the same fact, preventing unusual hardship, deprivation, and final disappointment in his efforts to provide himself with a home and farm. Settlers will be selected on a basis of qualifications and must bring to this joint venture between the Government and themselves a reasonable amount of farm experience and limited capital.

Provision is made in this bill to bring into the settlement and development of land under new reclamation projects the benefits of cooperation and teamwork among settlers in doing things they can do as a community better than as individuals and to bring to this development the economies and safeguards that come from expert advice. This is accomplished by placing on each settlement an adviser who can instruct or inform the beginner to whom problems of reclamation are new. Under the community plan settlers will be able to effect cooperative methods that will greatly contribute to the success of their venture. Only those familiar with settlers' privations, struggles, and anxieties can realize the benefits of the community plan and the genuine assistance that will be provided them by the adviser that will be assigned to each new project.

In making advances to the settler the plan contemplates not only the success and welfare of the settler in becoming a landowner who actually lives on his land, but the protection of the Government's investment. In increasing the opportunities for successful development of the project we are at the same time insuring prompt repayment by the settler of his obligations to the Government.

It will be kept in mind that these projects as a rule are located remotely from banking facilities and that the Government holds all the security of the settler. Therefore in extending credit the Government is simply financing a loan so that the settler may make proper progress, promptly meeting his obligations for the purchase of the land, and at the same time making payments on the loan as soon as they fall due. A dual purpose, therefore, is served in making these advances; it promotes the chances of success and welfare of the settler, and at the same time acts as a safeguard to the entire investment of the Government.

The change in conditions created by the Great War, which has practically doubled the cost of water rights and doubled the cost of changing raw land into farms, makes the economies and the advances which this act provides necessary if reclamation is to still be an open door of opportunity for the man of moderate means. Its adoption was recommended by each of the five economic boards which studied new projects last year, and that recommendation was indorsed by the five committees of business men who reviewed these reports. It has the indorsement of the Secretary of the Interior and the Budget Bureau. It is believed to be a conservative, economical, and common-sense plan for meeting a problem which confronts reclamation, and will create promptly prosperous farming communities where, without it, there would be delay, uncertainty, and loss to many settlers and the Government.

The methods and policies of this measure are in no sense an experiment. They have been in operation long enough to show their value in 30 of the leading countries of the world, including Denmark, Germany, Italy, France, Great Britain, in Europe, and in new countries like New Zealand, Australia, the South African States, Brazil, and Argentina. There is no country in which the plan has been abandoned after being adopted. In older countries it is being employed to lessen tenancy and create conditions on farms that will hold people on the land against the attractions of the city; in new countries to speed up development, lessen waste and loss through mistakes; and in

irrigated countries to safeguard large investments in irrigation works. The reports of the hearings will show how the system operates elsewhere.

PHILIP T. COFFEY

The bill (S. 2941) authorizing the President of the United States to appoint Philip T. Coffey to the position and rank of captain in the United States Army and immediately retire him with the rank and pay held by him at the time of his discharge was announced as next in order.

Mr. KING. Let the bill go over.

Mr. BROOKHART. Mr. President, I would like to explain in reference to the bill to see if the objection may not be withdrawn. It appeared to the committee and to everybody else, for that matter, that when Philip T. Coffey was discharged a mistake was made, and that he ought to have been retired and was entitled to retirement. While the original bill provides that he should be appointed a captain and then retired, the amended bill only gives the department authority to review his case and do him justice in the regular way.

Mr. SMOOT. The Secretary of War said:

Accordingly, in view of all these circumstances, the War Department does not recommend the favorable consideration of S. 2941.

Mr. BROOKHART. That is the form in which the bill was first presented, and the committee did not recommend it in that form.

Mr. KING. I object to the present consideration of the bill.

The PRESIDING OFFICER. Objection is made and the bill will be passed over.

#### INDUSTRIAL SCHOOLS FOR ALASKAN NATIVE CHILDREN

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 4825) for the establishment of industrial schools for Alaskan native children, and for other purposes, which was read as follows:

*Be it enacted, etc.,* That the Secretary of the Interior is hereby authorized to establish a system of vocational training for the aboriginal native people of the Territory of Alaska, and to construct and maintain suitable buildings for schools and dormitories and hospitals in such localities within the Territory of Alaska as he may select.

Sec. 2. That the Secretary of the Interior is hereby instructed to assign to the Bureau of Education any unoccupied buildings in Alaska which are in his custody at abandoned military posts, or any other buildings controlled by the Department of the Interior, for use by the Bureau of Education as industrial schools or hospitals that are held by him to be necessary or suitable for such purposes; and the Secretary of War is hereby authorized to transfer to the Secretary of the Interior any unoccupied buildings in Alaska that in the opinion of the Secretary of War may be dispensed with by the War Department, to be used for industrial school or hospital purposes, that are held by him to be necessary or suitable for such purposes: *Provided*, That the Secretary of the Interior is hereby authorized to dismantle and remove any of the aforementioned buildings to such locations as may be decided upon for the erection of industrial schools.

Mr. SMOOT. I should like to ask a question of the Senator from Ohio [Mr. WILLIS], who reported this bill. I am not opposed to the bill, but I wish to ask the Senator if this very matter was not taken care of in the appropriation bill?

Mr. WILLIS. If it were taken care of, I am sure that my attention was not drawn to it, and I was watching for that feature. The Senator from Utah will observe that this bill authorizes the transfer of certain buildings not now in use for the use of these schools. I hardly can think that that would have been cared for in the appropriation bill. It would not have been in order so to do. Therefore I am of the opinion that it was not provided for in the appropriation bill and could not have been.

Mr. SMOOT. Mr. President, this is a House bill; I have no objection to the bill at all, I will say to the Senator, if its subject matter was not taken care of in the appropriation bill.

Mr. WILLIS. I am pretty certain it was not.

Mr. SMOOT. Then, let the bill be passed to-night and, perhaps, that action may be reconsidered before the bill shall be engrossed if it shall be found that the subject matter has been covered by the appropriation bill.

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

Mr. WILLIS. I ask the report accompanying the bill, which is very brief, may be printed in the RECORD, so that there may be full information on the subject.

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



The report submitted by Mr. WILLIS on January 31, 1925, is as follows:

The Committee on Territories and Insular Possessions, to whom was referred the bill (H. R. 4825) for the establishment of industrial schools for Alaskan native children, and for other purposes, having considered the same, report favorably thereon, and recommend that the bill do pass without amendment.

The need for additional facilities for vocational training among the Indians of Alaska is clearly set forth in the following:

"STATEMENT OF MR. WILLIAM HAMILTON, ACTING CHIEF ALASKA DIVISION, BUREAU OF EDUCATION, WASHINGTON, D. C.

"Mr. HAMILTON. I am exceedingly sorry that the Commissioner of Education is not in the city. He was in Alaska last summer.

"I have prepared an exceedingly brief statement and will try to indicate the present work of the Bureau of Education for the natives of Alaska, and to indicate how that scope could be extended so as to include a description of the extent of industrial training that the excellent provisions of this bill would provide if enacted.

"Throughout the vast area of the Territory of Alaska approximately 27,000 natives of various races are scattered along thousands of miles of coast and on the great rivers in villages ranging from 30 to 40 to 300 or 400 persons. Some of the villages on remote islands or beside the frozen ocean are brought into touch with the outside world only once or twice a year when visited by a United States Coast Guard steamer on its annual cruise or by the supply vessel sent by the Bureau of Education. Many of the settlements have no regular mail service and can communicate with each other and with the outside world only by occasionally passing boats in summer and sleds in winter. During eight months of the year all of the villages in Alaska, with the exception of those on the southern coast and a few along the Alaska Railroad, are reached only by trails over the snow-covered land or frozen rivers.

"In spite of the inherent difficulties of the problem a United States public school has been established in each of 83 villages distributed among the tribes of the southern coast, the Aleuts of the Aleutian Islands, the Athabascans of the interior, and the Eskimos of the far western coast and the Arctic regions.

"In addition to maintaining schools for the children belonging to the aboriginal races of Alaska the bureau aids entire native communities by extending medical relief, by maintaining sanitary methods of living, by fostering the commercial enterprises of the natives, by promoting the reindeer industry, and by relieving destitution.

"In the Alaskan village the school is the center of all activity. The teacher is the guide, leader, and everything else the occasion may demand. To be 'teacher' in the narrow schoolroom sense of the word is by no means all of the teacher's duties in Alaska. He must often be physician, nurse, postmaster, business manager, and community builder.

"In its endeavor to afford medical relief and to safeguard the health of the native races of Alaska, the Bureau of Education maintains hospitals at Juneau, Kanakanak, Akiak, Nulato, and Noorvik, which are important centers of native population in southern, western, central, and Arctic Alaska, separated from each other by many hundreds of miles.

"The hospitals, physicians, and nurses serve only the more thickly populated districts. In the vast outlying areas the teachers must of necessity extend medical aid to the best of their ability. Accordingly the teachers in settlements where the services of a physician or nurse are not available are supplied with household remedies and instructions for their use.

"Each hospital is a center of medical relief for a very wide territory, and each physician must take extended tours throughout his district.

"In the great majority of the native settlements the teachers are the only 'doctors' and 'health officers.' It often becomes the duty of a teacher to render first aid to the injured or to care for a patient through the course of a serious illness. The school is often the only place within a radius of several hundred miles where the natives can obtain medicines and medical treatment, and they often travel many days to secure the relief desired.

"Many of the school buildings contain bathtubs and facilities for the proper washing of clothing, which are greatly appreciated by the entire village, adults as well as children.

"In the villages the natives are encouraged to replace their huts by neat, well-built houses. As part of their duty, the teachers visit each house in the village to see that good hygienic conditions are maintained therein, to show mothers how to care for and feed their infants, to demonstrate the proper ways of preparing food, inculcate cleanliness and the necessity of ventilation, and to insist upon the proper disposal of garbage.

"Realizing that the future of the native races depends upon the children, special attention is given to them. In the schoolrooms the public towel and drinking cups have been abolished and individual paper ones substituted. Healthful exercises are frequent. Talks are given on tuberculosis, eye diseases, ventilation, and other subjects relat-

ing to the prevention of diseases. Cleanliness is insisted upon. The bureau is striving to build up a healthy race of young Alaskans.

"In its Alaska reindeer service the bureau has provided a new industry, adapted to community needs, guaranteeing assured support and resulting in training a primitive race into independence and, in the course of time, into responsible citizenship.

"The greatest need in connection with the educational system provided by the Bureau of Education for the natives of Alaska is a system of vocational training. Lacking the means to construct, equip, and maintain suitable buildings for use as industrial schools and for dormitories connected therewith, the curriculum in the schools is, of necessity, too largely of an academic character. There is an obligation upon us to give the natives of Alaska such training as will enable them to live more healthfully, and, by practicing remunerative trades, more readily to earn a livelihood.

"In many parts of Alaska the greatest need of the natives is decent houses in which to live. Therefore house building would be one of the principal subjects of instruction. Many natives, with very little supervision, would become excellent carpenters. In all parts of Alaska their skill in carving proves that, with very little instruction, the making of furniture, plain and ornamental, could be made a very remunerative native industry. In the native houses well-constructed articles of furniture would take the place of the cheap and often unsatisfactory furniture which they now buy in stores. In the shops they could be taught how to make cooking utensils, sled runners, anchors, chains, and rigging for their boats.

"In Alaska almost all communication is by water. From time immemorial the native races of Alaska have been builders of canoes. Many natives have been wonderfully successful in boat building; power boats and small schooners have replaced the primitive native canoe—a marvel of symmetry shaped from a single log. Boat building would therefore be a very important subject for instruction. The natives could also be taught how to construct and repair engines for their power boats.

"The natives' skill in sewing and in the making of ceremonial robes show that they would make excellent tailors. In fact, they would do well in any of the mechanical trades, such as typesetting and printing.

"In the weaving of baskets they are unexcelled. This talent which, in some parts of Alaska appears to be disappearing among the rising generation, could be fostered.

"Perhaps this is a sufficient indication as to what could be accomplished in the way of providing a system of vocational training for the native people of Alaska if the provisions of the bill now under consideration are enacted into law."

The matter has been referred to the War Department and to the Interior Department, and the attitude of those departments is fully stated in the following letters from the Secretary of War and the Secretary of the Interior:

WAR DEPARTMENT,  
Washington, January 16, 1925.

HON. FRANK B. WILLIS,  
Chairman Committee on Territories and Insular Possessions, United States Senate.

MY DEAR SENATOR WILLIS: With reference to your letter of December 31, 1924, in which you state that the committee has under consideration (H. R. 4825) a bill to authorize the establishment of industrial schools and hospitals for Alaskan native children, concerning which you request an opinion from the War Department as to the wisdom of this legislation and an estimate as to the probable expenses that might be entailed in case the bill should become a law, I regret to inform you that the War Department can express no opinion upon this matter for the reason that it is without information as to the number of natives who will be given instruction in the schools, what construction or changes in existent buildings is contemplated or what utilities will be required for the carrying on of the schools and hospitals referred to in the bill.

There has recently been forwarded to the President a draft of a proposed Executive order transferring to the Interior Department the reservations mentioned in my letter to Hon. C. F. CURRY, House of Representatives, dated February 29, 1924, and contained in Report No. 528 attached, including Forts Liscum and St. Michael, excepting, however, small portions for use of the Signal Corps and for post cemeteries. The buildings on these reservations are in fairly good condition and will be available for the purposes mentioned in the bill.

Sincerely yours,

JOHN W. WEEKS,  
Secretary of War.

DEPARTMENT OF THE INTERIOR,  
Washington, January 21, 1925.

HON. FRANK B. WILLIS,  
Chairman Committee on Territories and Insular Possessions, United States Senate.

MY DEAR SENATOR WILLIS: I have received your letter of December 31, 1924, submitting for my consideration H. R. 4825, for the estab-

ishment of industrial schools and hospitals for natives of Alaska and requesting my opinion concerning the wisdom of this legislation and an estimate as to the probable expense that might be entailed, in case the bill should become a law.

The great need in connection with the present educational system for the aboriginal races of Alaska is that more training of a vocational character should be provided. The curriculum presented is too largely of an academic character. It is important that such training should be given to the natives of Alaska as will enable them more readily to earn a livelihood in the changing conditions with which the advance of civilization has confronted them. Many of these natives show great talent in carving, weaving, and boat building. By systematic vocational training these natural talents could be wonderfully developed.

The Bureau of Education of this department is now establishing three industrial schools in Alaska at Eklutna, Kanakanak, and White Mountain under existing law and available appropriations, but it is essential that additional schools of this type be established as rapidly as may be possible.

The bill under consideration would make it feasible to establish schools and hospitals at considerably less cost by making use of buildings and building materials now in Alaska and owned by the Government, and which will not be needed for other governmental purposes.

Of the posts mentioned by the Secretary of War in his letter of January 16, 1924, Fort Gibbon would be a very good location for an industrial school, and it might be advisable to establish a hospital at the same place.

The estimated cost of an industrial school at Fort Gibbon would be:

For the first year.....	\$34,920
For the second year.....	26,920

The estimated cost of a hospital established in governmental buildings would be:

For the first year.....	\$27,880
For the second year.....	19,380

The bill is desirable, also, in order to facilitate the establishment of additional schools and hospitals as need for them develops and other Army posts and buildings become available, although on the basis of present information there would be established immediately only one additional industrial school and one additional hospital.

Inasmuch as land is needed in connection with industrial schools, I recommend that the bill be amended by inserting on page 1, line 11, after the word "buildings" the words "including necessary lands."

With this amendment I recommend favorable action on the bill.

The foregoing report was submitted to the Bureau of the Budget, and on January 20, 1925, the director advised that the report would not conflict with the financial program of the President.

Very truly yours,

HUBERT WORK.

By the transfer to the Interior Department of buildings no longer needed by the War Department a very material sum can be saved in providing needed facilities for the furtherance of the important work of affording vocational training and hospitalization for the Alaskan Indians.

#### PUBLICATION OF OFFICIAL PAPERS OF THE TERRITORIES

Mr. RALSTON. Mr. President, I should like to have unanimous consent to recur to and to have considered the bill (S. 2935) for the publication of official papers of the Territories of the United States now in the national archives. If consent shall be granted, I desire to move an amendment, which has the approval, I think I can say, of the honorable senior Senator from Utah [Mr. Smoot] and of the honorable Secretary of State, Mr. Hughes.

SEVERAL SENATORS. Regular order!

The PRESIDING OFFICER (Mr. WILLIS in the chair). The Senator from Indiana asks unanimous consent to return to order of business 870, being Senate bill 2935. Is there objection?

Mr. JONES of Washington. Mr. President, I do not like to object, and yet our agreement was that we should begin the consideration of the calendar at a certain number and go on. I would suggest to the Senator from Indiana that later in the evening he may have an opportunity to have the bill considered.

Mr. ROBINSON. I hope the request of the Senator from Indiana will be granted.

Mr. JONES of Washington. Very well. I shall not make objection in this case, but I do hope that it will not be taken as an encouragement to other such requests.

The PRESIDING OFFICER. The Senator from Indiana asks unanimous consent to consider Senate bill 2935. Is there objection?

Mr. SHORTRIDGE. If it will not provoke discussion or debate, I shall not object.

The PRESIDING OFFICER. The Chair can not guarantee that. Is there objection to the request of the Senator from Indiana?

Mr. SHORTRIDGE. Can the Senator from Indiana assure us that the consideration of the bill will not provoke discussion or debate?

Mr. RALSTON. I did not hear the question of the Senator from California.

Mr. SMOOT. I can say to the Senator from California that the bill has been very thoroughly analyzed. I took the matter up with the Secretary of State and with one of the other departments. We have limited the scope of the bill by the amendment which is to be proposed by the Senator from Indiana so that I do not think anyone could object to it.

Mr. SHORTRIDGE. Very well.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 2935) for the publication of official papers of the Territories of the United States now in the national archives, which was read, as follows:

*Be it enacted, etc.,* That the historian of the Department of State is hereby authorized and directed to collect, have copied, and arrange for publication, the official papers of the Territories of the United States now in the various national archives, as listed in Parker's Calendar of Papers in Washington Archives Relating to the Territories of the United States, the same being publication No. 148 of the Carnegie Institution, together with any additional similar documents that may be found in the course of compilation; and the heads of the various executive departments are directed to cooperate with the said historian in said work and to furnish such facilities as are at their command for its completion.

The said historian is further directed, when said work has sufficiently progressed to justify the publication of a volume of said papers, beginning, however, with those relating to the Territory northwest of the River Ohio, and continuing chronologically with the other Territories in the order of their admission, to deliver the same to the Government Printing Office for publication; and the Government Printing Office is directed to print and publish the same in 10-point body type with 8-point notes. Said Printing Office shall have the forms for said publication stereotyped and shall publish an edition of 10,000 copies of each volume of the same in uniform cloth binding as directed by said historian, who shall supervise the publication of each volume. The distribution of said publication shall include 1 copy to each designated depository of the United States, 500 to the Library of Congress for exchange purposes, 100 to the executive departments, and 10 copies to each Member of the Senate and House of Representatives; and the remaining copies shall be deposited with the Superintendent of Documents for sale as provided by the printing law.

For the expenses of said publication, including the necessary clerical assistance to said historian and the cost of printing, there is hereby authorized to be appropriated the sum of \$25,000 for the fiscal year ending June 30, 1925, and the like sum for each succeeding year until the publication is completed, to be paid by the United States Treasurer, out of any moneys not otherwise appropriated, on vouchers signed by the said historian.

Mr. RALSTON. I offer the amendment to which I referred when I made the request to consider the bill.

The PRESIDING OFFICER. The amendment proposed by the Senator from Indiana will be stated.

The READING CLERK. The Senator from Indiana proposes to strike out all after the enacting clause and to insert:

That the Chief of Division of Publications of the Department of State (hereafter referred to as the editor), under the direction of the Secretary of State, and upon the request of the governor of any State or of any organization duly authorized by him, is authorized and directed to have collected, edited, copied, and suitably arranged for publication, the official papers of the Territory from which such State was formed, now in the national archives, as listed in Parker's "Calendar of Papers in Washington Archives Relating to the Territories of the United States (to 1873)," being publication No. 148 of the Carnegie Institution of Washington, together with such additional papers of like character that may be found. The heads of the several executive departments and independent establishments are directed to cooperate with the editor in such work by giving access to the records and by providing facilities for having them copied. The editor is authorized to employ such clerical assistants as may be necessary, and, under the direction of the Secretary of State and without regard to the classification act of 1923 and the civil service laws and regulations made thereunder, to engage the services of not more than five persons who are especially qualified for the editorial work necessary in arranging such Territorial papers for publication. For the salaries of such persons and assistants and all other expenses incurred in connection with such work, there is hereby authorized to be appropriated the sum of \$20,000 for the fiscal year ending June 30, 1926, and the same sum for each of the two succeeding fiscal years.



SEC. 2. The Secretary of State shall, upon application, furnish without charge to the proper authorities of the several States for publication a copy of such papers, or any part thereof, as arranged by the editor.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

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

The title was amended so as to read: "A bill to authorize the collection and editing of official papers of the Territories of the United States now in the national archives."

#### STEAMSHIP "MALTA MARU"

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 6695) authorizing the owners of the steamship *Malta Maru* to bring suit against the United States of America, which was read as follows:

*Be it enacted, etc.,* That the claim of Kokusal Kisen Kabushiki Kaisha, owner of the Japanese steamer *Malta Maru*, against the United States for damages and loss alleged to have been caused by the collision of said vessel with the United States Coast Guard cutter *Tallapoosa* off the port of Pensacola, Fla., on September 11, 1923, may be sued for by the said owner of the Japanese steamer *Malta Maru* in the District Court of the United States for the Eastern District of Louisiana, New Orleans division, sitting as a court of admiralty and acting under the rules governing such court; and said court shall have jurisdiction to hear and determine such suit and to enter a judgment or decree for the amount of such damages and costs, if any, as shall be found to be due against the United States in favor of the owner of the Japanese steamer *Malta Maru* or against said owner in favor of the United States, upon the same principles and measure of liability as in like cases in admiralty between private parties, and with the same rights of appeal: *Provided*, That such notice of the suit shall be given to the Attorney General of the United States as may be provided by order of the said court, and it shall be the duty of the Attorney General to cause the United States attorney in such district to appear and defend for the United States: *Provided further*, That the said suit shall be brought and commenced within four months of the date of the passage of this act: *Provided further*, That the proceedings had and testimony taken in the case entitled *In re Kokusal Kisen Kabushiki Kaisha*, applying to perpetuate the testimony of the officers and crew of the *Malta Maru*, in equity No. 17352, in the District Court of the United States for the Eastern District of Louisiana, New Orleans division, may be offered and received in evidence in the suit herein authorized, in like manner and with the same force and effect in all respects as though the said cause in equity applying for the perpetuation of said testimony had been brought and maintained against a private party instead of against the United States of America.

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

#### WILLIAM WOOSTER

The bill (S. 2780) for the relief of William Wooster was announced as next in order and was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to William Wooster, out of any money in the Treasury not otherwise appropriated, the sum of \$1,806.53, for the payment in full of the claim of the said William Wooster, of Holbrook, Ariz., under a certain transportation contract of April 17, 1905, between the said William Wooster and the United States, for losses sustained by the said Wooster by reason of the negligence of the Government in the failure to deliver the goods for shipment.

Mr. KING. There seems to be no report accompanying the bill, and I should, therefore, like some explanation of it.

The PRESIDING OFFICER. The Chair is advised that there is a report on the bill, which is numbered 964.

Mr. KING. The report is not in my file, and I should like some explanation of the bill.

Mr. CAMERON. Mr. President, this bill was introduced in Congress 15 years ago when I was the Delegate from Arizona in the other House. An identical bill has once before passed one House of Congress providing for the payment of \$7,442.39 to the beneficiary. In the present bill the sum has been cut down to \$1,806.53. This is to cover a contract for carrying freight from Holbrook, Ariz., to Fort Apache. The freight was to be delivered to the contractor at a certain season of the year by the Government, but it was not delivered for transportation until several months later, when the roads were almost impassable, and the man who had the freight contract had to pay this additional expense out of his own pocket for teams, the hire of wagons, and so forth. There is no objection on the part of the department to his being reimbursed, but there are no funds in the department to provide such relief.

Consequently the claimant has to come to Congress. As I have said, instead of getting the \$7,442.39, to which he is entitled, the amount proposed to be appropriated by the bill is cut down to \$1,806.53.

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

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

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

#### W. P. DALTON

The bill (S. 2895) for the relief of W. P. Dalton was announced as next in order.

Mr. KING. I ask that the report on the bill be read.

The PRESIDING OFFICER. Request is made that the report be read. The Secretary will read as requested.

The reading clerk read the report submitted by Mr. MEANS on the 2d instant, as follows:

The Committee on Claims, to whom was referred the bill (S. 2895) for the relief of W. P. Dalton, having considered the same, report favorably thereon with the recommendation that the bill do pass without amendment.

The bill provides for payment in the sum of \$5,000 to W. P. Dalton for injuries sustained at Laguna Dam, Ariz., on November 16, 1908, while in the employ of the United States Reclamation Service.

Voluminous investigations, reports, and letters confirm the following facts in the case: That the claimant was standing on the front board of an engine while the engine was going through a switch. The engine split the switch and Dalton, the switchman, was thrown from the engine. He fell on his back and was dragged 90 feet before the engine was stopped. It was a defective switch and a defective engine. He was under treatment for approximately 332 days from the date of his accident, during which period, in accordance with the provisions of the statutes, he was paid compensation aggregating \$830. Dalton's injuries were severe, and the evidence shows that he went to Seattle, where his sister paid for an operation and hospital expenses amounting to \$300. His injury is undoubtedly a permanent one. Dalton now claims that he has tuberculosis of the bone, which is directly attributable to his accident. He was able to work a little at odd jobs after his injury, but he is now being supported by his sister in Seattle.

Mr. Dalton, having received his injuries prior to the compensation act of 1916, is not entitled to the benefits under that act. After considering all the facts in the case, your committee feels that Mr. Dalton is entitled to some relief, and it is therefore recommended that the bill do pass.

The following letter from the Acting Secretary of the Interior is appended hereto and made a part of this report:

DEPARTMENT OF THE INTERIOR,  
Washington, April 15, 1924.

Hon. ARTHUR CAPPER,

Chairman Committee on Claims, United States Senate.

MY DEAR SENATOR CAPPER: Reference is made to your communication of March 25, 1924, requesting a report on Senate bill No. 2895.

It is proposed by the bill in question to appropriate \$5,000 for the relief of W. P. Dalton, who was injured at Laguna Dam, Ariz., on November 16, 1908, while in the employ of the United States Reclamation Service.

Inclosed herewith is the department's file in the Dalton case. When it shall have served its purpose, please return it.

It will be noted from the file that Secretary Ballinger, in his letter of May 16, 1910, to the chairman of the Committee on Claims of the House of Representatives, opposed relief for Mr. Dalton on the ground that the latter had been afforded the maximum relief permitted by the act of May 30, 1908 (35 Stat. 556), which was the only legislation then in existence pertaining to claims of this sort.

The motive which prompted Secretary Ballinger in his letter of May 16, 1910, to oppose relief for Mr. Dalton through the medium of special legislation no longer exists for the reason that the act of May 30, 1908, was repealed by the Federal compensation act of September 7, 1916 (39 Stat. 742).

I believe the relief contemplated by the proposed bill would be proper, providing the amount of money referred to in the bill does not exceed the amount to which the claimant would be entitled if the provisions of the Federal compensation act were made applicable to his case. In this connection you are advised that the files of the department do not indicate the duration or quantum of Mr. Dalton's disability.

The foregoing report was submitted to the Bureau of the Budget, and under date of April 7, 1924, the director advised as follows:

"\* \* \* while the proposed report is not in conflict with the financial program of the President, it would appear desirable to consider the possibility of recommending that the bill be amended so as

to give the United States Employees' Compensation Commission jurisdiction over this claim. It appears to me that instead of extending compensation in lump sum in matters of this kind, that the claim should be handled by the existing agency created to cover such cases, even though it is necessary to pass legislation for the purpose of extending the provisions of the act to the claimant. This is the apparent attitude of the Committee on Claims of the Senate in a case somewhat similar, and in this connection I refer you to the bill (S. 1323) for the relief of Eugene K. Stoudemire, which was introduced by Senator HEFLIN on December 17, reported by the Committee on Claims on January 14, and has since passed the Senate."

For the reason, as heretofore stated in this letter, that the files of the department do not show the duration or quantum of the claimant's disability, I am unable to form a definite opinion as to the relative merits of the plan of relief followed by Senate bill No. 2895 and the plan mentioned in the letter from the Director of the Budget. Mr. Dalton is now about 49 years of age, according to the inclosed file, and, according to the American Table of Mortality, a person 49 years old has an expectancy of life of 21.63 years.

Very truly yours,

E. C. FINNEY,  
Acting Secretary.

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

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

*Be it enacted, etc.,* That the sum of \$5,000 be, and the same is hereby, appropriated, out of any money in the Treasury of the United States not otherwise appropriated, for the payment in full of the claim of W. P. Dalton for injuries sustained at Laguna Dam, Ariz., on November 16, 1908, while in the employ of the United States Reclamation Service.

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

#### COTTONSEED-OIL PRODUCTS

Mr. SMITH. Mr. President, this morning the Senator from North Carolina [Mr. OVERMAN] called attention to a certain telegram from the governor of his State, at which time I made inquiry as to the matter at issue. I now ask unanimous consent to have read a telegram from my State. It comes from the editor of one of our leading newspapers there, and I think it throws some light on the question.

The PRESIDING OFFICER. Without objection, the telegram will be read.

The telegram was read, as follows:

COLUMBIA, S. C., February 18, 1925.

Senator ELLISON D. SMITH,

Senate Office Building, Washington, D. C.:

Legislators of Wisconsin, California, Idaho, Indiana, Montana, Nebraska, Ohio, Oregon, and Utah are considering adoption of laws relating to manufacture and taxation of oleomargarine and shortening compounds, which would seriously affect cottonseed oil and peanut industries of the South. Suggest that you confer with Senators and Congressmen from States mentioned with a view of preventing such discriminatory legislation. The carrying out of such a program would not only result in vast damage to the South, but would seriously impair commercial relations existing between the South and the States mentioned.

R. CHARLTON WRIGHT.

Mr. SMITH. Mr. President, of course, that telegram explains itself and needs no comment from me. If the facts are as alleged, of course they will receive the proper attention.

#### BILL PASSED OVER

The bill (H. R. 11749) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, was announced as next in order.

Mr. DIAL. I ask that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

#### HARRY SCOTT

The bill (S. 339) for the relief of Harry Scott was announced as next in order.

Mr. KING. I ask that the report be read in that case.

The PRESIDING OFFICER. The Secretary will read the report.

The principal legislative clerk proceeded to read the report submitted by Mr. CARAWAY on the 2d instant.

Mr. FESS. I object.

The PRESIDING OFFICER. Objection is made, and the bill goes over.

Mr. WHEELER. Mr. President, I do not know what Senator objected to the bill, but I will ask that he withhold the objection until I can make a statement with reference to the bill.

The PRESIDING OFFICER. Does the Senator from Ohio withhold his objection?

Mr. FESS. If it is going to take undue time to consider the bill and the report is going to be read, I think it ought to go over.

Mr. WHEELER. The report is very brief.

The PRESIDING OFFICER. Does the Senator from Ohio withhold his objection?

Mr. FESS. If it is a very short report I will withdraw my objection, but I do not want the evening to be spent in reading reports.

Mr. WHEELER. It is a bill appropriating \$1,000 to reimburse the owner of a stallion that became infected by a test made by one of the Government agents. The bill has been recommended by the Secretary of the Interior.

Mr. FESS. I withdraw my objection.

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

There being no objection, the Senate as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Harry Scott, of Opheim, Mont., out of any money in the Treasury not otherwise appropriated, the sum of \$1,000 to reimburse him for the loss of a valuable registered Percheron stallion, the death of which was caused by a test for dourine made by Dr. Perry Zenor, a veterinarian and representative of the Department of Agriculture.

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

#### FREDERICK M'MONNIES

The bill (S. 3303) for the relief of Frederick MacMonnies was announced as next in order.

SEVERAL SENATORS. Over.

Mr. EDGE. If Senators will withhold their objection, I will make a brief explanation of that bill.

The PRESIDING OFFICER. Does the Senator from Utah withhold his objection?

Mr. SMOOT. I did not object.

Mr. EDGE. I understood objection had been made.

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

Mr. SMOOT. If the Senator wishes to make an explanation of the bill, very well; but the report accompanying it is quite lengthy.

Mr. EDGE. I do not care to detain the Senate to make an explanation. The report is very clear, but if the Senator desires me to do so I will be very glad to make a brief explanation of it.

Mr. SMOOT. The Senator can do that, and then the report need not be read.

Mr. EDGE. The bill provides for a compromise between the Government and the State of New Jersey in paying an amount clearly due to the architect employed by the Government to build the Princeton Battle Monument. The extenuating circumstances in the entire matter, it seems to me, are very clearly set forth by the Secretary of War, who approved the payment, even without the compromise.

The architect, MacMonnies, did not receive a single penny for his time and services. This amount simply covers the actual out-of-pocket expense in connection with the architect of the battle monument; and it is approved by the committee, the Senator from Arkansas [Mr. CARAWAY] having made the report.

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

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Claims with amendments.

The amendments were, on page 1, line 6, after the words "the sum of," to strike out "\$25,374.39, balance due" and insert "\$12,687.20, contingent on the appropriation and payment of a like amount by the State of New Jersey, to reimburse the"; and in line 9, after the word "incurred," to strike out "in" and insert "over and above the amount received by him under his contract, for," so as to make the bill read:



*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the United States Treasury not otherwise appropriated, the sum of \$12,687.20, contingent on the appropriation and payment of a like amount by the State of New Jersey, to reimburse the said Frederick MacMonnies for labor and expenses incurred over and above the amount received by him under his contract, for designing, constructing, and erecting the National Battle Monument at Princeton, N. J., being the monument authorized and made possible by act of Congress approved June 6, 1906, completed, dedicated, and unveiled in June, 1922.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

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

GEORGE E. TAYLOR

The bill (S. 3377) for the relief of George E. Taylor was announced as next in order.

Mr. KING. Let that go over.

Mr. SWANSON. Mr. President, I desire to make a statement with reference to this case.

Mr. KING. I withhold the objection.

Mr. SWANSON. This is a case that certainly ought to appeal to the Senate.

The beneficiary in this case, George E. Taylor, was a postal employee in the post office at Richmond. In 1911 he was removed on a charge that he had been guilty of embezzlement. He was removed hurriedly. The charge was disproved. There was not the slightest foundation for it. His character was hurt for a long time. The Post Office Department made a thorough investigation of the matter. The court before which he was summoned dismissed the case with a reprimand to the officers who had brought the charge.

For about 10 years Mr. Taylor fought this matter here. A thorough investigation has been made by the inspectors, and they reported that there was not the slightest cause for his dismissal and directed that he be reinstated. Postmaster General New reinstated him 10 years afterwards.

When Mr. Taylor was reinstated he had attained the age of 65, and under the law he had to be retired. As he was not in office at the time the retirement act went into effect, he was consequently left without anything for his past services, and a gross injustice has been done him by the Government. The Attorney General says money is due him. The amount fixed in the bill was what he would have been entitled to if he had held his office, thirteen thousand and some odd dollars. The committee, as I understand, unanimously agreed to report \$4,000, which is a great deal less than he would have had under the retirement act.

It seems to me that if there ever was a just case presented it is this effort upon the part of the Government to do justice to a person it has outraged in connection with removal from office.

Mr. KING. Mr. President, in view of the uniform holdings that the executive departments have the right to remove at any time, even though there may be a statutory period for the tenure of office, even without cause, may I ask the Senator if this will not be a precedent that will call for payment to all persons who may be removed from office before their term of office expires?

Mr. SWANSON. But this is not a case of that kind. This removal was upon a charge of embezzlement—stealing. It was not for a deficiency in office. The man was acquitted. The court before which he was brought felt indignant, and the process of getting him reinstated was exceedingly slow. Postmaster General New eventually reinstated him. The Attorney General says he is entitled to compensation for the treatment which he has received. His reinstatement came too late for him to go on the retirement list when he reached the age of 65, after 10 years' struggle. The department made a thorough investigation of the matter.

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

Mr. SWANSON. I do.

Mr. FESS. Do I understand that this man was dismissed upon a charge which was afterwards proved to be without foundation?

Mr. SWANSON. Absolutely. He was charged with the embezzlement of postal funds. The court threw out the case. The department investigated it. He is as honorable an old man as there is in Richmond. The present Postmaster General, Mr. New, after investigating the case some years ago, said that it was an outrage, that there was no excuse for it, and an Executive order was issued reinstating him.

Mr. KING. What rebuke was administered to the officers who brought the charge against him?

Mr. SWANSON. I do not know. I leave them to the mercy of the people who employed them.

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

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Claims with amendments.

The amendments were, on page 1, line 4, after the word "Taylor," to insert "out of any money in the Treasury not otherwise appropriated"; in line 5, after the words "sum of," to strike out "\$13,793.47" and insert "\$4,000"; and in line 6, after the numerals just inserted, to strike out "the" and insert "said sum to be in full and final settlement of all claims for," so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay George E. Taylor, out of any money in the Treasury not otherwise appropriated, the sum of \$4,000, said sum to be in full and final settlement of all claims for salary he would have received had he not been unjustly dismissed from the Postal Service on May 11, 1911, to the date of his reinstatement on November 16, 1921, by Executive order.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

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

MICHAEL CURRAN

The bill (H. R. 2419) for the relief of Michael Curran was announced as next in order.

Mr. DIAL. Let that go over.

Mr. SHEPPARD obtained the floor.

Mr. PHIPPS. Mr. President—

Mr. SHEPPARD. I yield to the Senator from Colorado.

Mr. PHIPPS. I understand that Michael Curran, named in this bill, has passed away. He died some three weeks ago. Therefore I ask that this bill be indefinitely postponed.

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

Mr. SHEPPARD. Mr. President, I did not understand the request.

The PRESIDING OFFICER. The Senator from Colorado requested that the bill be indefinitely postponed because of the fact that the recipient of the benefits of the bill has passed into the great beyond.

Mr. SHEPPARD. In justice to the soldier, I ask that the report be published in the Record. He was not a deserter. He possesses an honorable discharge from the service of the United States. It was through an error that he was recorded as a deserter, and I should like to have the report appear in the Record.

The PRESIDING OFFICER. Is there objection to printing the report in the Record? The Chair hears none.

The report, submitted by Mr. SHEPPARD on February 2, 1925, is as follows:

Report to accompany H. R. 2419

The Committee on Military Affairs, to which was referred the bill (H. R. 2419) for the relief of Michael Curran, has had the same under consideration and recommends that it pass.

The bill, omitting the title and enacting clause, is as follows:

"That in the administration of the pension laws Michael Curran shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of Company I, One hundred and fourteenth Ohio Volunteer Infantry: *Provided*, That no pension shall accrue prior to the passage of this act."

The above-named soldier enlisted September 9, 1862, as a private in Company I, One hundred and fourteenth Ohio Infantry. He was then 16 years old. He was captured by the Confederate forces January 13, 1863, at Arkansas Post, Ark., and was paroled a few days later, February 3, 1863, at Pine Bluff, Ark., reporting immediately thereafter, February 16, 1863, to his original command at Camp Chase, Ohio.

The records show that Curran was carried on the rolls of his company as a deserter on August 11, 1863, at which time he had not yet reached the age of 18 years.

Immediately after becoming 18 years of age, and on March 15, 1864, Curran reenlisted as a private in Company G, Sixty-first Ohio Infantry, and served until after the end of the war, being transferred April 4, 1865, to Company G, Eighty-second Ohio Infantry, and being honorably discharged on the muster out of the latter organization, July 24, 1865, at Columbus, Ohio.

He did not receive a bounty for his reenlistment.

This soldier, having been absent from duty more than four months between the date when the record of desertion was made against

him and the date of his reenlistment, is not within the provisions of the act of Congress approved March 2, 1889, being the general legislation authorizing the removal by the War Department of charges of desertion.

Relief must therefore be had by special act of Congress in order to correct an apparent injustice.

Mr. HEFLIN. Mr. President, has this soldier a wife or mother or other relatives?

Mr. McKELLAR. If so, I do not think the bill ought to be indefinitely postponed.

Mr. HEFLIN. If so, the action of the Senate ought to be reported to the members of his family.

Mr. SHEPPARD. I think the bill ought to be passed anyway.

Mr. HEFLIN. The bill ought to be passed as an honor to him.

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

Mr. SMOOT. What good does it do to pass a bill for a dead man?

Mr. SHEPPARD. We have taken similar action in the past. It would save his record for the sake of his family.

Mr. HEFLIN. I think that ought to be done, Mr. President.

Mr. PHIPPS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from Colorado?

Mr. SHEPPARD. I yield.

Mr. PHIPPS. I would not have made the request in the form I did had I not known, from the best obtainable information that has come to me, not only that Michael Curran is dead but, further, that he has no family or relatives who would succeed to anything that might be awarded him.

Mr. HEFLIN. Mr. President, I should like to ask the Senator a question. Does the Senator object to the Senate taking action showing that this man was free from fault?

Mr. PHIPPS. Oh, not at all.

Mr. HEFLIN. That he was not a deserter?

Mr. PHIPPS. Not the slightest objection.

Mr. HEFLIN. Then let us pass the bill. There will be no harm done.

Mr. SHEPPARD. I ask that the bill be passed in justice to the memory of this soldier.

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

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

*Be it enacted, etc.,* That in the administration of the pension laws Michael Curran shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of Company I, One hundred and fourteenth Ohio Volunteer Infantry: *Provided,* That no pay, bounty, or pension shall be held to have accrued prior to the passage of this bill.

Mr. DIAL. Mr. President, I have no objection to the bill passing under the statements that are made. The information I had from the report was that this man was a deserter. I am glad to hear that he was not.

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

#### BILLS PASSED OVER

The bill (S. 2721) for the relief of Levin P. Kelly was announced as next in order, and was read.

Mr. KING. Mr. President, I should like to ask why the committee did not recommend that this case take the regular and usual procedure of being referred to the court? As I understand from a hasty examination of the bill, this seems to be an effort to determine a matter in admiralty which ought to go to a court of admiralty. I suggest that the bill be passed over to give us a chance to look into it.

The PRESIDING OFFICER. The bill will be passed over under objection.

The bill (S. 3645) for the relief of the Monumental Stevedore Co. was announced as next in order.

Mr. KING. Let the bill be read.

The reading clerk read the bill.

Mr. FESS. I ask that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

#### MARK J. WHITE

The bill (S. 3350) for the relief of Mark J. White was considered as in Committee of the Whole and was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury is authorized and directed to pay to Mark J. White, an officer of the United States

Public Health Service, Treasury Department, the sum of \$163.75 from any money in the Treasury not otherwise appropriated. Such sum represents a judgment for costs assessed against Mark J. White by the Supreme Court of the United States on December 10, 1923, in Case No. 172, October term, 1923, growing out of the case of William Leather and others against White and others for the recovery of certain real estate in the custody of the said Mark J. White as an official of the United States, said sum to be paid to the plaintiffs in the above cause, and, when accepted, to be in full settlement of this judgment.

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

#### BILL PASSED OVER

The bill (H. R. 7118) for the relief of the Mechanics & Metals National Bank, successor to the New York Produce Exchange Bank, was announced as next in order, and was read.

Mr. KING. Mr. President, I should like some explanation of that bill. There may be some liability.

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

Mr. KING. I object.

The PRESIDING OFFICER. Objection is made, and the bill will be passed over.

#### BYRON S. ADAMS

The bill (H. R. 8298) for the relief of Byron S. Adams was considered as in Committee of the Whole.

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

#### CHARLES T. CLAYTON AND OTHERS

The bill (H. R. 7631) for the relief of Charles T. Clayton and others was announced as next in order, and was read.

Mr. KING. Mr. President, I should like some Senator who is familiar with this bill to state whether or not the Government is responsible for riotous conduct of its soldiers, and, if so, to what extent?

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

Mr. KING. I withhold the objection for the moment.

Mr. SHEPPARD. Mr. President, this bill proposes to compensate a number of claimants in the amounts stated in the bill, the total amount being something like \$45,000, distributed to about 20 or 21 claimants, the largest amounts being \$5,000 for two, the other amounts being \$3,500, \$2,500, \$2,000, \$1,000, \$250, and so forth.

The bill proposes to compensate these claimants for loss of life, personal injuries, and damages to property inflicted by these mutinous soldiers on the night of August 23, 1917, at Houston, Tex. On that night the Twenty-fourth United States Infantry was located near the city of Houston. A large number of soldiers, acting jointly, and evidently in pursuance of a common intent, went to the city and attacked numerous citizens, killing several, wounding others, and destroying a lot of property. Evidently it was due to the failure of the officers to exercise proper control over these men that these injuries were inflicted and that the damage resulted. We frequently pay damages to citizens who are injured by the negligent conduct of the Government and Government officials.

Mr. SMOOT. Mr. President, I desire to ask the Senator how these amounts were arrived at?

Mr. SHEPPARD. They were arrived at by an investigation on the part of the House committee of the affidavits that appear in the report, affidavits showing the financial condition of the people who were injured, the relation of the claimants to those who were killed, the matter of dependence, inability to do further work on the part of those injured, and things of that kind, such rules as would ordinarily prevail in determining damages in a court.

Mr. MAYFIELD. Mr. President—

The PRESIDING OFFICER. Does the Senator from Texas yield to his colleague?

Mr. SHEPPARD. I yield to my colleague, the junior Senator from Texas, who made the report.

Mr. MAYFIELD. Mr. President, I will state for the benefit of my colleague and the Senate that each claim in this bill is supported by an affidavit setting out the facts as to the injury to the person named in the bill. There are also supporting affidavits showing the nature and extent of the injuries and the losses. The Secretary of War reporting favorably stated that the claims are meritorious. The House Committee on Claims came to a favorable conclusion regarding the measure, and the House of Representatives passed the bill. The bill was assigned to me for investigation and report as a member



of the Senate Claims Committee. It has had my careful study. I trust the Senate will adopt it.

Mr. SMOOT. Are they not ex parte affidavits? There is nothing in the report other than the affidavits of the parties making the claims.

Mr. ROBINSON. Mr. President, I will say that the Committee on Claims frequently determines issues on such information as that. The Committee on Claims frequently receives ex parte evidence.

Mr. SMOOT. I do not object to ex parte evidence. I hope I will not be misunderstood. But there is no other evidence in these cases.

Mr. SHEPPARD. There are a number of other affidavits from disinterested parties who knew the conditions, who knew the financial situation of those who were injured, who were able to testify intelligently to the extent of losses suffered.

Mr. SMOOT. When the Army shot up Brownsville, Tex., was any such bill as this passed?

Mr. SHEPPARD. No people were killed, if I remember correctly.

Mr. SMOOT. Not at Brownsville?

Mr. SHEPPARD. No, Senator.

Mr. SMOOT. Property was destroyed.

Mr. SHEPPARD. Property was destroyed. But in this case people were killed and wounded. The property damages were incidental to the damage suffered by people who were wounded, and by those who had members of their families killed.

Mr. SMOOT. I am quite sure there was no such claim made in the Brownsville case. If we pass this, then the claim for Brownsville will be the next one, will it not?

Mr. SHEPPARD. I do not think so. I do not think the facts in the two cases are similar. It is my recollection that nobody was killed in the Brownsville raid.

Mr. SMOOT. Property was destroyed, and I know one or two cases where people have been killed and property destroyed under circumstances similar to those stated here, but there has never been a claim made against the Government of the United States in those cases. If this bill shall be passed, it will mean that wherever there is a raid or a drunken orgy on the part of United States soldiers, the Government of the United States will have to pay for it.

Mr. SHEPPARD. If the Government permits damage to be inflicted, it certainly should pay the citizens who have been injured.

Mr. WADSWORTH. If the Government does not pay, who will?

Mr. ROBINSON. I can not imagine a stronger case against the Government than one where its soldiers, men wearing the uniform of the United States Army, destroy the property of citizens and take their lives. The Government ought to be held liable in such cases.

Mr. SMOOT. I think the Government ought to be held liable, but the Government ought to have something to say as to what it is to be held liable for.

Mr. SHEPPARD. The committees of the Senate and the House took that into consideration, and I think if the Senator will examine the report he will find thoroughly reliable and credible evidence.

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

Mr. LENROOT. I would like to ask the Senator from Texas a question. I notice different rates of compensation to widows of men who were killed. Will the Senator explain why in one case a widow is given \$3,500 as compensation for the loss of her husband, and in other cases \$2,500?

Mr. SHEPPARD. Each case was based on the earning capacity of the husband and his vocation at the time.

Mr. LENROOT. I must say that the report is very incomplete, to say the least, as to what these figures are based upon.

Mr. SHEPPARD. There are 20 pages of the report.

Mr. LENROOT. But there ought to be the same kind of proof before the committee that would be produced in court in reference to the amount of damages.

Mr. SHEPPARD. The report is quite complete.

Mr. FESS. Has this bill passed the House?

Mr. SHEPPARD. Yes; it passed the House, and the whole matter was examined into by the House committee.

Mr. KING. Mr. President, the Senator from Arkansas [Mr. ROBINSON] asked a very pertinent question a moment ago; but may I invite his attention, more for information, to the legal aspects of the case?

My recollection of the principle of the common law—and that principle has been carried down into our jurisprudence—is that a county or a municipality or a State is not liable for

the torts of its officers or agents. Accordingly cities are not liable for the transgressions of their police officers. If a police officer kills a man, the city is not liable. If a sheriff of a county commits a tort, the county is not liable. If these soldiers were ordered to do something by their officers, and in the performance of their duty acted in a negligent manner, which resulted in injury, then there might be a liability, possibly.

Mr. ROBINSON. If the Senator will permit me, of course, the Government is not liable without the passing of a statute. That is the reason for our passing this bill. If the Senator will read in the report on this bill what Secretary of War Weeks has to say about it, he will see just how strong the case is.

Mr. KING. I will say to the Senator that it is one which appeals very strongly for legislation, and yet the precedent I am afraid is a very dangerous one. It would nullify the accepted principles of jurisprudence as to the liability of governments and of municipalities.

Mr. ROBINSON. The Secretary of War, referring to the incident, said:

The War Department deploras those tragic occurrences at Houston, truly stated by the Judge Advocate General to be without parallel in the history of our Army, and regrets that so many innocent persons should have suffered therefrom. If the Congress, in its discretion, desires to extend relief to those who were injured and to the families of those who were killed, the War Department is not apprised of any facts which would make such relief improper or objectionable.

There is a statement of fact, which I will not take the time of the Senate to read, showing that the cases were exceedingly aggravated. In view of those circumstances, I think the bill ought to pass.

Mr. KING. I merely mention the fact to the Senator. He can see that it might be a very dangerous precedent, if the Government is to be responsible for the torts of soldiers, and municipalities are to be responsible for the criminal acts of their employees. It would impose burdens that no one could estimate.

Mr. ROBINSON. Of course, under the law the Government is not responsible for the torts of its officers, except in certain cases where a statute so expressly provides; but I do maintain that if we clothe men in the uniform of the United States Army, arm them, and put them in communities where they engage in mutinies and riots and destroy the lives and property of citizens, every consideration of honor should prompt the Government of the United States to do justice to citizens and pay them for any damages occasioned, so far as that can be done.

Mr. KING. This is a case which appeals very strongly for some sort of legislation, but in my opinion it is very dangerous legislation. It is legislation which I do not think you can find a parallel for. In municipalities, in counties, in States, no matter how aggravated the torts of the officers may be, the cities and the counties and the States are not responsible. I shall not object to the consideration of the bill, but I ask for a vote, because I desire to register my opposition to the legislation.

The PRESIDING OFFICER. The bill is in Committee of the Whole and open to amendment.

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

#### POWER TRUST INVESTIGATION

The resolution (S. Res. 286) directing the Federal Trade Commission to investigate the alleged Power Trust in the United States and its financial relationship with certain other public-utility companies and associations was announced as next in order.

Mr. SMOOT. That has already been agreed to.

Mr. HOWELL. I move that the resolution be indefinitely postponed, as it has been disposed of otherwise.

The PRESIDING OFFICER. Without objection, that order will be entered and the resolution will be indefinitely postponed.

#### HELEN M. PECK

The bill (S. 2438) for the relief of Helen M. Peck was considered as in Committee of the Whole, and was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury is authorized and directed to pay to Helen M. Peck, out of any money in the Treasury not otherwise appropriated, the sum of \$230.50 in full satisfaction of all claims for damages sustained on January 20, 1921, through the loss of two horses and two packsaddles while in the use of the National Park Service at Grand Canyon National Park.

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

#### RETIREMENT OF COMMISSIONED OFFICERS IN THE ARMY

The bill (H. R. 5084) to amend the national defense act approved June 13, 1916, as amended by the act of June 4, 1920, relating to retirement, and for other purposes, was considered as in Committee of the Whole.

The bill had been reported by the Committee on Military Affairs with an amendment, on page 2, line 3, after the word "retirement," to strike out the following proviso: "Provided, That no officer shall be retired for any cause unless the Secretary of War shall certify in writing that such officer is unable to render effective service in any branch or division of the military establishment," so as to make the bill read:

*Be it enacted, etc.,* That the act entitled "An act for making further and more effectual provisions for the national defense, and for other purposes," approved June 3, 1916, as amended by the national defense act of June 4, 1920, be further amended by inserting after the words "per cent," in line 27 of section 24 thereof, the following: "Provided, That any officer so appointed, who has been or may hereafter be retired for physical disability incident to the service, under the provisions of section 1251, Revised Statutes, shall receive, from the date of such retirement, retired pay at the rate of 75 per cent of his active pay at the time of such retirement."

Mr. SMOOT. Mr. President, I would like to have the Senator from New York explain just what this bill would do.

Mr. WADSWORTH. Mr. President, this is a House bill, a duplicate of which has already been reported by the Senate Committee on Military Affairs. This is the situation: In the national defense act of 1920 provision was made for admission to the commissioned personnel of the Army of a limited number of persons over the age of 45. In all cases they were men who had served as commissioned officers in the emergency forces during the war. The admission of a limited number into the Regular Army thereafter was considered very desirable, because some of them were highly skilled in the technical branches of military work.

Having conceded that it might be very well to permit certain officers over the age of 45 years to come into the Regular Army, in 1920 the Military Committees of the two Houses, in finishing the drafting of the national defense act, decided that those officers should not have the same retirement privileges with respect to retirement upon age as officers who entered the service in their early twenties, served on through their twenties, their thirties, and their forties, onward to the age of 64. So we placed a provision in the national defense act of 1920 to the effect that officers appointed in the Regular Army over the age of 45 should, when retired, it being assumed that they would retire at the age of 64, receive as retired pay 4 per cent of their active pay, multiplied by the number of years they had served. That was all thoroughly understood. In other words, an officer coming in, we will say, at the age of 50, being retired at the age of 64—and, of course, none of these retirements have yet occurred—would receive 4 per cent for 14 years' service, instead of 75 per cent of his active pay. In other words, he would get less retired pay than the officer who had spent his life in the Army and had reached the age of 64.

We forgot one thing, however. I admit it on my own part, because I was one of those who helped draft the law. We forgot that these officers who came in over the age of 45 might be seriously injured in line of duty, and if thus injured and rendered helpless for the rest of their lives they might be thrown out of the Army, retired for physical disability, with pay equal to only 4 per cent of their pay multiplied by the number of years they had served. For example, if one of these officers to-day should be severely injured in line of duty and his retirement compelled under the law, having served only four years, he would get only 16 per cent of his active pay as his retired pay.

This bill is to give the officer in this class who has been retired as the result of physical disability incurred in line of duty the same retired pay as that received by other officers who are retired for the same reason. If an officer is retired for age, the 4 per cent rule will still hold.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee, which has been stated.

The amendment was agreed to.

Mr. BINGHAM. Mr. President, I desire to offer an amendment. A few days ago the Senate unanimously passed a bill to define the status of retired officers in the Regular Army who have been detailed as professors and assistant professors of military science and tactics at educational institutions.

There was no objection to that bill, and it was passed unanimously. But owing to the condition of legislation in the House it is doubtful whether they can reach it. Accordingly I desire to offer the text of the bill as an amendment to this bill which is now before us, a House bill, in order that there may be a chance for its consideration in the House.

Mr. SMOOT. If the House does not pass that bill and it is placed on this bill as an amendment, it will kill both of them.

Mr. BINGHAM. The only question is whether it will reach the House.

Mr. SMOOT. I do not expect the House will agree to this.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Connecticut, which the Secretary will report.

The READING CLERK. The Senator from Connecticut proposes to insert at the end of the bill the following additional sections:

SEC. 2. That the authority for detail of retired officers of the Regular Army contained in section 40b and section 55c of the national defense act of June 3, 1916, as amended by the act of June 4, 1920, shall in either case be construed to include authority to so detail retired officers of the Philippine Scouts.

SEC. 3. Duty performed by retired officers of the Regular Army and duty performed by retired officers of the Philippine Scouts, pursuant to War Department orders issued under section 40b or section 55c, respectively, of said national defense act of June 3, 1916, as amended by the act of June 4, 1920, including in either case temporary duty for attendance on any course of preparatory instruction required by such order, shall be construed to be active duty for the purpose of increase of longevity pay of such retired officers within the meaning of the national defense act of June 3, 1916, as amended by the act of June 4, 1920, and the act of May 12, 1917, entitled "An act making appropriations for the support of the Army for the fiscal year ending June 30, 1918, and for other purposes," and the act of June 10, 1922, entitled "An act to readjust the pay and allowances of the commissioned and enlisted personnel of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service."

SEC. 4. Duty heretofore performed by retired officers of the Philippine Scouts, pursuant to War Department orders purporting to have been issued under section 40b or section 55c, respectively, of said national defense act of June 3, 1916, as amended by the act of June 4, 1920, including, in either case, temporary duty for attendance on any course of preparatory instruction required by such order, shall be construed to be active duty for the purpose of increase of longevity pay of such retired officers, within the meaning of the aforesaid act of June 3, 1916, as amended by the act of June 4, 1920, and the aforesaid act of May 12, 1917, and the aforesaid act of June 10, 1922.

SEC. 5. Duty performed prior to July 1, 1922, by retired officers of the Regular Army and duty performed prior to June 10, 1922, by retired officers of the Philippine Scouts, pursuant to War Department orders issued or purporting to have been issued under section 40b or section 55c, respectively, of said national defense act of June 3, 1916, as amended by the act of June 4, 1920, including in either case temporary duty for attendance on any course of preparatory instruction required by such order, shall be construed to be active duty for the purpose of promotion of such retired officers on the retired list within the meaning of the aforesaid act of June 3, 1916, as amended by the act of June 4, 1920, and the aforesaid act of June 10, 1922.

SEC. 6. Any administrative action heretofore taken by the War Department dependent for validity upon the above-mentioned constructions of the indicated statutes, or a like construction of any other statute authorizing the detail of retired officers of the Army to educational institutions, is hereby ratified and confirmed; and that any pay otherwise due to any retired officers of the Regular Army or the Philippine Scouts but heretofore withheld by reason of a construction of any of the indicated statutes inconsistent with those foregoing shall be considered due and payable.

Mr. KING. I would like to ask the Senator from Connecticut what relation the Philippine Scouts have to the bill which he has just been describing? I understood him to refer to a bill which provided for certain retired officers being assigned to teaching activities in some colleges.

Mr. BINGHAM. The bill was to validate the action of the War Department in placing certain officers of the Army and two officers of the Philippine Scouts on active duty in educational institutions.

Mr. SMOOT. I must call the attention of my colleague to the fact that very likely they received a letter from the War Department. If that is the case they are entitled to retirement.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Connecticut.

The amendment was agreed to.



The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended so as to read: "An act to amend the national defense act approved June 3, 1916, as amended by the act of June 4, 1920, relating to retirement, and for other purposes."

CLARA E. NICHOLS

The bill (S. 3618) to extend the benefits of the United States employees' compensation act of September 7, 1916, to Clara E. Nichols was considered as in Committee of the Whole.

The bill had been reported from the Committee on Claims with an amendment to strike out all after the enacting clause and insert:

That the United States Employees' Compensation Commission shall be, and it is hereby, authorized and directed to waive the statute of limitations in the application filed by Clara E. Nichols, a former employee of the education and recreation division, Adjutant General's office, War Department, Los Angeles, Calif., the provision of an act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, in order that she may receive the same consideration as though she had applied within the specified time required by law.

Mr. STANFIELD. This is merely a relief bill, giving relief to Clara E. Nichols, so far as the statute of limitations is concerned, under the United States employees' compensation act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

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

ROYAL HOLLAND LLOYD

The bill (S. 4016) for the relief of the Royal Holland Lloyd, a Netherlands corporation of Amsterdam, the Netherlands, was considered as in Committee of the Whole and was read, as follows:

*Be it enacted, etc.,* That the claim of the Royal Holland Lloyd, owners of the Netherlands steamship *Zealandia*, against the United States for damages alleged to have been sustained as a result of the refusal of the Federal authorities to grant clearance to the vessel during the period from October 17, 1917, to March 21, 1918, may be sued for by the said Royal Holland Lloyd in the United States Court of Claims, and said court shall have jurisdiction to hear and determine such suit to judgment: *Provided*, That such notice of the suit shall be given to the Attorney General of the United States as may be provided by order of the said court, and it shall be the duty of the Attorney General to appear and defend for the United States: *Provided further*, That said suit shall be brought and commenced within four months of the date of the passage of this act.

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

CLAIMS OF JOHN SEVIER, SR., AND JOHN SEVIER, JR.

The bill (S. 436) making appropriation for payment of claims of John Sevier, sr., and John Sevier, jr., in accordance with report and findings in the Court of Claims as reported in House Documents Nos. 1302 and 131, under the provisions of the act approved March 3, 1883, known as the Bowman Act, was announced as next in order.

Mr. FESS. Let the bill go over.

Mr. McKELLAR. Mr. President, the bill was referred to the Committee on Claims and the junior Senator from Delaware [Mr. BAYARD] made a most careful examination into all the facts and has reported adversely. Having great confidence in what the Senator from Delaware has investigated and reported, I think perhaps the bill ought to be indefinitely postponed. It is a very complicated matter and I do not want to do any injustice to the claimants, and yet at the same time the Senator from Delaware went through it very carefully and reported adversely upon it.

The PRESIDING OFFICER. Without objection the bill will be indefinitely postponed.

R. CLYDE BENNETT

The bill (S. 2441) for the relief of R. Clyde Bennett was announced as next in order.

Mr. DIAL. Mr. President, I have not had an opportunity to read all the report. I would like to have an explanation of the bill.

Mr. NEELY. Mr. President, it would be impossible to conceive a more meritorious or a more pitiable case than that of R. Clyde Bennett, the prospective beneficiary of the pending bill.

The admitted facts in the case are as follows:

On the 21st day of May, 1917, Bennett was a brakeman regularly engaged in discharging his duties on a freight train of the Baltimore & Ohio Railroad Co. running between Parkersburg and Grafton, W. Va.

On the day mentioned one Ross Peters, a member of Company K, First Infantry, West Virginia National Guard, then in Federal service and acting in pursuance of Federal orders, was engaged in guarding what is known as Eaton tunnel, through which the freight train on which Bennett was a brakeman necessarily passed on its trip between the points above mentioned.

After this train had run about 600 feet beyond the point where Peters was stationed as a guard he accidentally discharged his rifle, the ball from which struck Bennett, who was at the time riding on the top of one of the cars composing the train. The ball entered the victim's body on the right side, near the top of the shoulder blade, passed through the apex of one of the lungs, through the collar bone, came out of his neck near the carotid artery, and entered his face near the angle of the jaw, and a second time came out of the body just below the right eye.

From the day of the accident until this Bennett has been not only an incurable but a hopeless invalid. A considerable portion of his body is affected. His right arm is an encumbrance and will be worse than useless to him during the remainder of his life.

That the Government's soldier was exclusively responsible for this deplorable accident is shown by the decision of the court-martial that tried Peters and found him guilty of criminal carelessness in firing the shot that caused Bennett's injury.

I submit this case to the Senate's sense of justice, confidently anticipating that prompt and generous relief will be granted this victim of one of the countless tragedies of the World War.

Mr. DIAL. Who fired the bullet?

Mr. NEELY. A soldier in the Federal service, guarding the tunnel on the line of railroad through which the train passed.

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

Mr. KING. May I ask the Senator from West Virginia if under the compensation act the railroad company has made any provision for the man?

Mr. NEELY. No; it has not. It refused to do so, on the ground that the guard was placed there by the Federal Government and the railroad company was not responsible for it. He sought relief from the State of West Virginia and was denied it.

There being no objection, the bill was considered as in Committee of the Whole.

The bill had been reported from the Committee on Claims with an amendment, in line 6, to strike out "\$15,000" and insert in lieu thereof "\$10,000," so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to R. Clyde Bennett the sum of \$10,000 in full satisfaction of all his claims against the United States on account of permanent bodily injuries sustained by him as the result of his having been accidentally shot by a soldier who at the time of the accidental shooting was in the service of the United States, guarding Baltimore & Ohio Railroad property in the State of West Virginia.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

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

KATHERINE SOUTHERLAND

The bill (S. 449) for the relief of Katherine Southerland was considered as in Committee of the Whole.

The bill had been reported from the Committee on Claims with an amendment, in line 6, to strike out "\$2,567" and insert in lieu thereof "\$2,067," so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Katherine Southerland the sum of \$2,067 for injuries received and losses sustained as a result of being run down and over by a motor truck of the United States Army in Washington, D. C., on November 7, 1921.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

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

#### STREET-RAILWAY MERGER, DISTRICT OF COLUMBIA

The bill (S. 4191) to permit the merger of street-railway corporations operating in the District of Columbia, and for other purposes, was announced as next in order.

Mr. McKELLAR. Mr. President, I ask the chairman of the committee if he will not permit the bill to go over. Negotiations are in progress between us by which some compromise may be effected.

Mr. BALL. I ask that the bill may go over.

The PRESIDING OFFICER. The bill will be passed over.

#### FOOD CONTROL AND RENT ACT

The bill (S. 4227) to extend the provisions of Title II of the food control and District of Columbia rents act, as amended; to prevent fraudulent transactions respecting real estate; to create a real-estate commission for the District of Columbia; to define, regulate, and license real-estate brokers and real-estate salesmen; to provide a penalty for a violation of the provisions hereof; and for other purposes, was announced as next in order.

Mr. BALL. I ask that the bill be passed over.

The PRESIDING OFFICER. The bill goes over under objection.

#### SALE OF PUBLIC LANDS IN WISCONSIN

The bill (S. 3379) providing for the sale and disposal of public lands within the area heretofore surveyed as Boulder Lake, in the State of Wisconsin, was considered as in Committee of the Whole.

The bill had been reported from the Committee on Public Lands and Surveys with an amendment, on page 1, line 3, to strike out the following: "That on the survey of any public lands found to exist within the area heretofore surveyed as Boulder Lake, in section 18, township 42, north of range 7 east, fourth principal meridian, in the State of Wisconsin, the State Young Men's Christian Association of Wisconsin, owner of adjacent land, shall have a preference right to purchase such lands so surveyed for a period of 60 days after the filing of the official plats of such survey at \$1.25 per acre," and insert: "That on the survey of any public lands found to exist within the area heretofore surveyed as Boulder Lake, in section 18, township 42, north of range 7 east, fourth principal meridian, in the State of Wisconsin, the State Young Men's Christian Association of Wisconsin, owner of lots 6 and 8, said section 18, shall have a preference right to purchase such lands so surveyed adjacent to and lying between said lots 6 and 8 and the shore line of the lake as now established for a period of 60 days after the filing of the official plats of such survey at \$1.25 per acre," so as to make the bill read:

*Be it enacted, etc.*, That on the survey of any public lands found to exist within the area heretofore surveyed as Boulder Lake, in section 18, township 42, north of range 7 east, fourth principal meridian, in the State of Wisconsin, the State Young Men's Christian Association of Wisconsin, owner of lots 6 and 8, said section 18, shall have a preference right to purchase such lands so surveyed adjacent to and lying between said lots 6 and 8 and the shore line of the lake as now established for a period of 60 days after the filing of the official plats of such survey at \$1.25 per acre: *Provided*, That such privilege shall not extend to any lands so surveyed inuring to the State of Wisconsin under the act of September 28, 1850 (9th Stat. p. 519): *Provided further*, That nothing herein contained shall have the effect of defeating the rights of any other person or persons which may have attached to such lands or any part thereof.

SEC. 2. That the Secretary of the Interior is authorized to make all necessary rules and regulations to carry this act into effect.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

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

#### COLUMBIA RIVER BRIDGE, OREGON-WASHINGTON

The bill (S. 4045) granting the consent of Congress to W. D. Comer and Wesley Vandercreek to construct a bridge across the Columbia River between Longview, Wash., and Rainier, Oreg., was considered as in Committee of the Whole.

The bill had been reported from the Committee on Commerce with an amendment, on page 2, after line 3, to insert a new section, as follows:

SEC. 2. The States of Washington and Oregon, or either of them, or any political subdivision or subdivisions thereof, within or adjoining which said bridge is located, may at any time acquire all right, title,

and interest in said bridge and the approaches thereto constructed under the authority of this act, for the purpose of maintaining and operating such bridge as a free bridge, by the payment to the owners of the reasonable value thereof, not to exceed in any event the construction cost thereof: *Provided*, That the said State or States or political subdivision or divisions may operate such bridge as a toll bridge not to exceed five years from date of acquisition thereof.

The amendment was agreed to.

Mr. McNARY. I send to the desk an amendment which I propose.

The PRESIDING OFFICER. The amendment will be stated.

The READING CLERK. On page 2, at the end of line 3, insert the following proviso:

*Provided, however*, That the plans and specifications for said bridge shall first be submitted to and approved by the State highway commissions of Oregon and Washington.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That the consent of Congress is hereby granted to W. D. Comer and Wesley Vandercreek, and their successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Columbia River at a point suitable to the interests of navigation at or near the city of Longview, in the county of Cowlitz, in the State of Washington, and at or near the city of Rainier, in the county of Columbia, in the State of Oregon, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906: *Provided, however*, That the plans and specifications for said bridge shall first be submitted to and approved by the highway commissions of Oregon and Washington.

SEC. 2. The States of Washington and Oregon, or either of them, or any political subdivision or subdivisions thereof, within or adjoining which said bridge is located, may at any time acquire all right, title, and interest in said bridge and the approaches thereto constructed under the authority of this act, for the purpose of maintaining and operating such bridge as a free bridge, by the payment to the owners of the reasonable value thereof, not to exceed in any event the construction cost thereof: *Provided*, That the said State or States or political subdivision or divisions may operate such bridge as a toll bridge not to exceed five years from date of acquisition.

SEC. 3. The right to alter, amend, or repeal this act is hereby expressly reserved.

#### CLAIMS FOR EXTRA LABOR AT CERTAIN NAVY YARDS

The bill (S. 2131) for the allowance of certain claims for extra labor above the legal day of eight hours at certain navy yards, certified by the Court of Claims, was announced as next in order.

Mr. KING. Let it go over.

Mr. SMOOT. I ask that the bill be passed over.

The PRESIDING OFFICER. The bill will be passed over.

#### IMMACULATE CARLINO

The bill (S. 2013) for the relief of Immaculate Carlino, widow of Alexander Carlino, was considered as in Committee of the Whole.

The bill had been reported from the Committee on Claims, with an amendment, in line 6, to strike out "\$5,000" and insert in lieu thereof "\$2,000," so as to make the bill read:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Immaculate Carlino, widow of Alexander Carlino, the sum of \$2,000 as compensation for the death of her husband, who died as a result of injuries received when he was struck by a truck operated by an employee of the Bureau of War Risk Insurance.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

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

#### GLADYS L. BROWN

The bill (S. 2454) to extend the benefits of the employers' liability act of September 7, 1916, to Gladys L. Brown, a former employee of the Bureau of Engraving and Printing, Washington, D. C., was considered as in Committee of the Whole and was read, as follows:

*Be it enacted, etc.*, That the United States Employees' Compensation Commission shall be, and it is hereby, authorized and directed to extend to Gladys L. Brown, a former employee in the Bureau of Engraving and Printing, Washington, D. C., the provisions of an act



entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916.

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

#### MODIFICATION OF VISÉ FEES

The bill (S. 4107) to authorize the President in certain cases to modify visé fees was considered as in Committee of the Whole and was read, as follows:

*Be it enacted, etc.,* That notwithstanding existing law fixing the fees to be collected for visés of passports of aliens and for executing applications for such visés, the President be, and he is hereby, authorized, to the extent consistent with the public interest, to reduce such fees or to abolish them altogether, in the case of any class of aliens desiring to visit the United States who are not "immigrants" as defined in the immigration act of 1924, and who are citizens or subjects of countries which grant similar privileges to citizens of the United States of a similar class visiting such countries.

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

#### CHANGE OF NAME OF THIRD PLACE NE.

The bill (H. R. 8410) to change the name of Third Place NE. to Abbey Place was considered as in Committee of the Whole and was read, as follows:

*Be it enacted, etc.,* That the name of the street not yet cut through, but now on record as Third Place NE., be, and the same is hereby, changed to Abbey Place, and the surveyor of the District of Columbia is hereby directed to enter such change on the records of his office.

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

#### TRAFFIC REGULATION AND ADDITIONAL OFFICIALS

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 4207) to provide for the regulation of motor-vehicle traffic in the District of Columbia, increase the number of judges of the police court, and for other purposes.

Mr. BALL. Mr. President, the bill has been approved down to section 9. As a substitute for the amendment to section 9, offered by the Senator from Tennessee [Mr. McKellar], I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The Senator from Delaware offers an amendment, which the clerk will report.

The READING CLERK. On page 14, beginning in line 3, strike out down to and including line 2, on page 15, and insert in lieu thereof the following:

SEC. 9. (a) No individual while operating a motor vehicle in the District, knowing that such motor vehicle has struck any individual or any vehicle, or that such vehicle has been struck by any other vehicle, shall leave the place where the collision or injury occurred without stopping and giving his name, place of residence, including street and number, and registration and operator's permit numbers, to the individual so struck or to the owner or operator of the other vehicle if such owner or operator is present, or if such owner or operator is not present then to bystanders. Any operator whose vehicle strikes or causes personal injury to an individual and who fails to conform to the requirements of this subdivision shall, upon conviction of the first offense, be fined not less than \$100 nor more than \$500, or shall be imprisoned for a term of not less than 60 days and not more than six months; and upon the conviction of a second or subsequent offense shall be fined not less than \$500 nor more than \$1,000 and shall be imprisoned for a term of not less than six months nor more than one year. And any operator whose vehicle strikes or causes damage to any other vehicle and who fails to conform to the requirements of this subdivision shall upon conviction of the first offense be fined not more than \$500 or imprisoned not more than six months, or both; and for the second or any other subsequent offense be fined not more than \$1,000 or imprisoned not more than one year, or both.

(b) No individual shall while under the influence of any intoxicating liquor or narcotic drug operate any motor vehicle in the District. Any individual violating any provision of this subdivision shall, upon conviction for the first offense, be fined not less than \$100 nor more than \$500, or imprisoned not less than 60 days nor more than six months; and upon conviction for the second or any subsequent offense be fined not less than \$200 nor more than \$1,000 and imprisoned not less than six months nor more than one year.

(c) Upon conviction of a violation of any provision of this section the clerk of the court shall certify forthwith such conviction to the director who shall thereupon revoke the operator's permit of such individual.

Mr. BALL. I ask that the word "and" be stricken out where it occurs in reference to the first offense and the word "or" inserted.

The PRESIDING OFFICER. The Senator has a right to modify his amendment.

Mr. BALL. I so modify it. I would like to explain that that makes the punishment discretionary with the court in case an offender strikes a person or hits a car.

Mr. SMOOT. Mr. President, will the Senator repeat what he just said, because we did not hear a word of it?

Mr. BALL. As the amendment was originally drawn the penalty for the first offense of striking an individual and running away was both fine and imprisonment. I now modify the amendment so as to make the punishment fine or imprisonment, leaving to the court a discretion as to which penalty shall be imposed.

Mr. REED of Missouri. Mr. President, I have had something to say about this bill as it was originally introduced. I may have been a little severe in my comments. The bill if amended as now proposed will very largely conform to the criticisms which I have heretofore made. I may think some of the penalties still a little severe, but I think they are reasonably humane.

I wish merely to say that I never objected to this bill because I wanted automobilists to operate in disregard of life and limb, but because I was satisfied the measure as proposed was not a proper measure of regulation. However, it has come to this, that any man who opposes a measure which is brought forward when there is a certain degree of pressure being exerted in its favor is generally subjected to some criticism, particularly by certain portions of the press. We have to accept that. I only wish to remark in passing that, while I have the utmost respect for the proprietors of great newspapers in this country, I would not want them to run the country without some reasonable degree of supervision.

The thing about this bill that appeals to me most, and which I believe will bring a very much better result than the somewhat drastic penalties provided in the first instance, is that it is proposed to increase the police force of the city, which I presume will mean watchmen at more of the crossings. It is also proposed to establish a signal system.

Nearly all of the accidents which occur in the case of automobiles result from an improper management of the traffic of the city. Perhaps that is an overstatement, but a large percentage of them result from that cause. We ought to have in this city, as there should be in every city, a traffic expert who should do nothing but study the questions relating to the regulation of traffic. With that, with the power vested in the traffic manager or some board to make rules and regulations, and with a police force which is trained to attend to its business, a great deal could be done to diminish the accidents which occur. To my mind, the bill as now prepared, with the amendment which is suggested adopted, will be a fairly workable measure.

Mr. McKellar. Mr. President, as we all know, this bill has been very carefully gone over time and time again in many conferences. I believe the measure as at last agreed upon is a distinct improvement on the bill as originally presented. I am quite sure of that. I believe it is a workable measure, and it has been made much more workable since the various modifications of it have been made. I hope the bill will pass.

Mr. DIAL. Mr. President, I desire to make a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state the inquiry.

Mr. DIAL. What disposition has been made of the section of the bill providing for an additional police force?

Mr. KING. That section of the bill has not been reached.

The PRESIDING OFFICER. The Chair is informed that that section has not been reached.

Mr. DIAL. I thought the question was on the passage of the bill.

The PRESIDING OFFICER. No; the question is on the amendment offered by the Senator from Delaware [Mr. Ball]. The amendment was agreed to.

The PRESIDING OFFICER. The bill is still before the Senate as in Committee of the Whole and is open to amendment.

Mr. KING. May I inquire of the chairman of the Committee on the District of Columbia whether he has considered the propriety of modifying the provision on page 8 reading as follows:

Operators' permits shall be issued for a period not in excess of one year, expiring on March 31. The fee for any such permit shall be \$2, except that in case of any permit which will expire within less than six months of the date of its issuance the fee shall be \$1.

As I understand the provision of the bill a permit must be obtained every year.

Mr. BALL. That is the consensus of opinion on the part of the committee.

Mr. KING. And that an additional fee of \$2 will be required each year?

Mr. BALL. Yes.

Mr. KING. Does not the Senator think it would be wiser and far better, certainly more just to those who are obeying the law and yet would be ample protection to those who may be inclined to disobey the law, to have an amendment of this character:

Operators' permits shall be issued for a period not in excess of one year expiring on March 31, and shall be renewable for periods of one year upon compliance with such regulations and the payment of such fee as the director of traffic may prescribe, not exceeding \$1.

It seems to me, Mr. President, that to require a permit every year, with a fee of \$2 each year, is too much; that is, the fee is too much, and there is no necessity of requiring an original permit each year. Let the applicant who desires a renewal of his permit apply to the proper officer, let him make such indorsement as the rule or the regulation may require upon the permit, and upon receipt of \$1 let the permit be good for another year. I ask the Senator from Delaware will he not accept an amendment of that character?

Mr. BALL. I have no objection to accepting an amendment of that kind; yet personally I feel that permits should only be granted for one year, whether there is a charge made for the renewal or not. I am opposed to granting a permit which is good year after year without knowing anything about the character of the applicant during the successive years.

Mr. KING. The Senator will see that the amendment which I have suggested provides for a yearly renewal.

Mr. BALL. I understand the amendment, but I am surprised, Mr. President, that the Senator from Utah fears that the tax of the District citizens is too severe. It is the first time I have ever heard him make that contention.

Mr. KING. There is a great deal of difference between a tax on property and a tax for the renewal of a privilege.

Mr. BALL. The charge for the renewal of a permit in many of the States is from \$5 to \$7. In my own State it was \$7 until a year ago, but I think it is now \$5. However, I am perfectly satisfied to accept the amendment proposed by the Senator from Utah. I do not think it will make the slightest difference as to the efficiency of the bill.

Mr. KING. Mr. President—

The PRESIDING OFFICER. The Chair must warn Senators that we are proceeding under a unanimous-consent agreement that limits debate to five minutes. The language of the unanimous-consent agreement, omitting certain portions, is: "And that debate be limited to five minutes on each bill and amendment."

Mr. KING. Mr. President, in view of the statement of the Senator from Delaware that he is willing to accept the amendment—

Mr. BALL. I accept the amendment.

Mr. KING. I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The READING CLERK. On page 8, line 25, after "31st" it is proposed to insert a comma and the words—

and shall be renewable for periods of one year upon compliance with such regulations and the payment of such fee as the director of traffic may prescribe, not exceeding \$1.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Utah.

Mr. SHORTRIDGE. I submit to the Senator from Utah I do not think it wise to reduce the amount of the fee. It costs to administer traffic laws, and I think, accepting as I do his thought as to the renewals, that the fee should be at least \$2 in order to help defray the expense of administering the law and for other purposes.

Mr. KING. Mr. President, I think that \$1 is sufficient. I have in mind the fact that the great majority of those who have automobiles in the District are employees of the Government whose salaries are small, and I think that when a renewal is applied for \$1 is all that is necessary.

Mr. SHORTRIDGE. If the automobile owner would refrain from going to the movies for one night, he could save the cost of the fee.

Mr. BALL. I accept the amendment.

Mr. KENDRICK. Mr. President, I should like to ask the chairman of the committee or some one of the other proponents of this bill a question with reference to the revocation of licenses. In discussing the matter with the Senator from Dela-

ware a short time ago he advised me that the chief difficulty here was that when a license was revoked in the District of Columbia the individual who had thus lost his license would cross the river into Virginia or go into Maryland and secure a license from one of those States and return to the District and drive his car. It is my observation that the revocation of licenses is one of the most efficient means of correcting traffic evils; and I wish to ask the Senator what provision, if any, is contained in the bill against that kind of a contingency.

Mr. BALL. Mr. President, the bill provides for the revocation of licenses not only of those issued by the District of Columbia but of those issued by other States so far as such licenses are applicable to the District. Of course the District officials can not take away from any person a license which has been issued by another State, but they can prevent the use of such license in the District.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Utah.

The amendment was agreed to.

Mr. KING. Mr. President, on page 18, line 12, I move to strike out the words "three hundred" and insert in lieu thereof the words "one hundred" so that the section will read:

The commissioners are authorized to appoint 100 additional privates for the Metropolitan police force.

May I say, Mr. President, that in my opinion 25 additional policemen would be all that are required, but, out of deference to the Senator from Delaware, and because there might be some difficulty in securing such an amendment, I have consented to make it 100, although, in my opinion, so large a number is wholly unnecessary.

Mr. BALL. Mr. President, I accept the amendment making the number 100 instead of 300, although I am satisfied that for efficiency 300 are needed. Of course, the policemen have 8-hour tours of duty, so that if 300 additional were appointed it would only mean that 100 would be available at a given time.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Utah.

The amendment was agreed to.

Mr. SIMMONS. Mr. President, I wish to inquire of the Senator from Delaware with reference to the punishment imposed in section (e) on page 13. [A pause.] The Senator tells me that he has amended that, as he did the former punishment, by inserting "or" for "and," and that is satisfactory to me.

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

The bill was reported to the Senate as amended, and the amendments were concurred in.

Mr. KING. Mr. President, I want to make just one observation before this bill is passed.

I had occasion yesterday to call attention to three acts of Congress which give to the District Commissioners plenary power to deal with this subject and all questions affecting the lives and the limbs and the property and the health of the people of the District. They have full power to pass any police regulation that they may regard as necessary. In addition to that, there are two statutes enacted by Congress dealing with the question of vehicular traffic, motor traffic in the streets. In addition to that we have regulations, 35 pages of them, which have been adopted by the commissioners, which deal with this subject in a more comprehensive way and in a more detailed and, in my opinion, a more satisfactory and rational manner than the bill which is before us.

If this bill is passed, it will lead to considerable confusion. There will be controversy as to what is in force and as to what has been repealed in former acts of Congress or in the regulations of the District Commissioners. I regard this bill as a mistake; it is a misfit; we will find much difficulty in enforcing it, and much confusion will arise in the efforts to enforce it.

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

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

#### CHANGE OF ENTRY

The bill (S. 3839) to repeal the act approved January 27, 1922, providing for change of entry, and for other purposes, was considered as in Committee of the Whole.

The bill had been reported from the Committee on Public Lands and Surveys with an amendment, on page 1, line 7, after the word "of," to strike out "said act may be perfected and patents issue therefor the same as though this act had not been passed," and insert "this act, or any claims of which



notice is filed without 60 days from the approval of this act, upon which applications are presented within one year from the date of approval of this act, may be perfected and patents issue therefor the same as if this act had not been passed: *Provided further*, That when the selection in exchange fails for no fault on the part of the selector another selection in exchange may be made if filed within one year from notice to the selector of the rejection of the selection," so as to make the bill read:

*Be it enacted, etc.*, That the act of Congress approved January 27, 1922, entitled "An act to amend section 2372 of the Revised Statutes," be, and the same is hereby, repealed: *Provided*, That any applications heretofore filed under the provisions of this act, or any claims of which notice is filed without 60 days from the approval of this act, upon which applications are presented within one year from the date of approval of this act, may be perfected and patents issue therefor the same as if this act had not been passed: *Provided further*, That when the selection in exchange fails for no fault on the part of the selector another selection in exchange may be made if filed within one year from notice to the selector of the rejection of the selection.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

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

#### BILL PASSED OVER

The bill (S. 3998) granting certain lands to the city of Delta, State of Colorado, for public park and recreational grounds, and for other purposes, was announced as next in order.

Mr. PHIPPS. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

#### ROCKY MOUNTAIN NATIONAL PARK

The bill (S. 4132) to authorize the exchange of certain patented lands in the Rocky Mountain National Park for Government lands in the park, was announced as next in order.

Mr. PHIPPS. Mr. President, the House has passed an identical bill, House bill 11952. I ask that the House bill be substituted for the Senate bill.

The PRESIDING OFFICER. Is the House bill on the calendar?

Mr. PHIPPS. It has been referred to the committee. The House bill and the Senate bill, S. 4132, on the calendar, are identical.

The PRESIDING OFFICER. The Chair is advised that the bill is pending in the committee.

Mr. PHIPPS. It has already been approved by the committee as Senate bill 4132. I ask that the committee be discharged from the further consideration of the House bill.

The PRESIDING OFFICER. The Senator from Colorado asks unanimous consent that the Committee on Public Lands and Surveys be discharged from the consideration of House bill 11952. Without objection, it is so ordered.

Mr. SMOOT. Does the Senator say that the House bill is identical with the Senate bill?

Mr. PHIPPS. Yes.

Mr. SMOOT. I have no objection, then.

The PRESIDING OFFICER. The Senator from Colorado asks unanimous consent that House bill 11952 be substituted for the Senate bill. Is there objection? The Chair hears none.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 11952) to authorize the exchange of certain patented lands in the Rocky Mountain National Park for Government lands in the park.

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

Mr. PHIPPS. I now ask that Senate bill 4132 be indefinitely postponed.

The PRESIDING OFFICER. Without objection, it will be so ordered.

#### TOPOGRAPHICAL SURVEY OF THE UNITED STATES

The bill (H. R. 4522) to provide for the completion of the topographical survey of the United States was announced as next in order.

Mr. KING. Let that go over.

Mr. PITTMAN. Mr. President, I hope the Senator will withhold his objection until I briefly state what the House bill is.

Mr. KING. I withhold my objection.

Mr. PITTMAN. The bill provides for a plan or a program of topographical survey of the United States. It has been sought for a great many years. It is petitioned for by all of the States, by the governors at their last annual meeting,

and by all of the departments. I call attention to the fact that there are 12 departments of the Government that are now attempting to make these topographical maps. They are duplicating the work. It is very expensive. It was commenced in 1889. At the present time only 41 per cent of the land of the United States has been surveyed, and that has been surveyed and mapped without a coordinated plan or arrangement.

This bill provides for a plan lasting for 20 years, so that the work may go on systematically, so that they may get rid of this duplication by 12 departments and place it all in one department. The matter is considered a very important one by the Department of the Interior, and also by the Agricultural Department. It is essential to the work that we are doing in irrigation, in water-power matters, and in all of these things. The bill only authorizes for this year the very small appropriation of about \$900,000, and the work that is being carried on now by these numerous departments is costing far in excess of that.

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

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

Mr. PITTMAN. I yield to the Senator from New York.

Mr. WADSWORTH. I notice that the appropriation which is authorized to be made—and I assume that it has not yet been made, actually—

Mr. PITTMAN. No; it has not.

Mr. WADSWORTH. I notice that the appropriation will be available only until the 30th day of June of this year.

Mr. WARREN. I will ask the Senator if this is the so-called Temple bill?

Mr. WADSWORTH. Yes; it is.

Mr. CURTIS. It is the Temple bill.

Mr. WADSWORTH. The authorization of the appropriation reads:

To be available until the 30th day of June, 1925.

Is that the correct date?

Mr. PITTMAN. That should be amended on account of the delay of this bill. I ask unanimous consent that it be amended by changing the year from "1925" to "1926."

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

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

Mr. KING. Mr. President, in my time, may I ask the Senator—because I confess that I am not fully advised as to the benefits to be derived from this survey—what obligation rests upon the Federal Government to go into the States where all of the land is in the hands of private owners, as is the case in many of the States of the Union, especially the New England States, and make a topographical survey or a geological survey?

I can understand why the Government might want to have a survey of its own land; but I can not quite comprehend the theory upon which the Federal Government goes into the States and makes a survey there, geological or topographical.

Mr. PITTMAN. I assume that it is on this theory, or at least this theory appeals to me: The Federal Government has control of the navigable streams of the United States. It has control of the coast line. It is also controlling now water power on navigable streams and nonnavigable streams. It has flood control. In fact, the topography of the coast line is essential to national defense. It is essential to the carrying out of the control of navigation. It is essential in laying the Government's plans and foundations; in a great many cases, for matters of irrigation. It has been found very valuable in our national road work. It has prevented the necessity for a great deal of preliminary work when they already had it.

Another thing: The National Government has always mapped its own domain, and in mapping its own domain it is found very beneficial to carry in those same maps the topography of the country. Forty-one per cent of it is completed, but it is not coordinated.

Mr. SMOOT. Mr. President—

Mr. PITTMAN. I yield to the Senator from Utah.

Mr. SMOOT. The only objection I have heard to the bill—and it came from those in favor of the bill—is that this work can not be done in 20 years. Many of the engineers think it is an impossibility, and they are not opposed to having this work done; in fact, they are in favor of it and in favor of the appropriation being made to the extent to which the money can be expended successfully. I have wondered, however, whether the Senator has received those same suggestions, asking that this change be made. It has been suggested to me that we strike out "20 years" and insert "30 years," because of the fact that some of the engineers say it is impossible to do the work in 20

years. Does the Senator feel that that change ought to be made? They say that there are not enough trained men in the United States to do the work in that time.

Mr. PITTMAN. The only reason why I would not be willing and glad to follow the suggestion is that I think it is better not to have the matter go into conference at this late time in the session. I would rather take a chance on amending it at the next session.

Mr. SMOOT. We could do that, I suppose. I only mention it now because many of the engineers tell me what I have just stated.

Mr. PITTMAN. I think the Senator is right, but I also think it is better not to put it in conference.

The PRESIDING OFFICER. The time of the Senator from Nevada has expired. Is there objection to the present consideration of this bill?

Mr. SMOOT. I will finish my statement in my own time. I will simply say to the Senator that I am not going to insist upon this amendment; but some of the best engineers I know, who are deeply interested in this matter, say that it is an absolute impossibility to get the men to do this work within the 20 years, and they thought it would be better, so that the question would not be before Congress again, to have the original law provide for a limitation of 30 years. I have no objection, however, unless some other Senator has, to this provision, and letting the bill pass without amendment, knowing that we can change it next year if it develops that it is necessary.

Mr. KING. Mr. President, I should like to ask the Senator from Nevada or some one who is connected with this matter whether there is any provision in any statute requiring the State to make contributions? The States are the principal beneficiaries, particularly where they own all the lands; and it would seem that in this character of legislation, which we are enacting so often these days, in which the States and the Federal Government cooperate, the States should make contribution. I ask whether that has ever been contemplated?

Mr. ROBINSON. Mr. President, the States do cooperate, and they pay half the expense, according to the report on this bill; and, in reply to the question asked a moment ago by the Senator from Utah, in addition to what the Senator from Nevada has stated, it is found necessary for the States to cooperate with the Federal Government in order to secure uniformity of service and standards.

Mr. SMOOT. That is provided for in section 2.

Mr. ROBINSON. Mr. President, I want to say to the Senator that there must be an amendment made to this bill, it seems to me, because section 3 provides that—

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.

The money can not be expended within that time.

Mr. SMOOT. It would have to go to conference.

Mr. ROBINSON. The House could concur in that amendment, and would manifestly.

Mr. SMOOT. It may do that, of course.

Mr. ROBINSON. It would do it.

The PRESIDING OFFICER (Mr. MOSES in the chair). The question is on agreeing to the amendment offered by the Senator from Nevada [Mr. PITTMAN] on page 2, line 16, to strike out "1925" and to insert in lieu thereof "1926," so as to make the bill read:

*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 or 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, 1926, 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 amendment was agreed to.

Mr. BINGHAM. Mr. President, it seems to me that the point raised by the Senator from Utah is extremely important. There are not enough trained topographic engineers to do this work in anywhere near that amount of time, and it will be far better to have the bill provide for 30 years instead of 20 years. In view of the fact that the bill has to go to conference anyway, I ask the Senator from Nevada whether he would not be willing to accept such an amendment?

Mr. PITTMAN. As I have said, I think that is a good suggestion. It is only a question as to whether or not the bill would be delayed in conference.

Mr. ROBINSON. It could be amended hereafter if it were found necessary to extend the time.

Mr. PITTMAN. I think it would be better not to change that now, because next year the time can be extended.

Mr. SMOOT. I will be perfectly willing to take a chance on it.

Mr. PITTMAN. I suggest to the Senator that next December we can change it to any date which may be found necessary.

The PRESIDING OFFICER. Does the Senator from Connecticut offer an amendment?

Mr. BINGHAM. I do not.

The bill was reported to the Senate as amended, and the amendment was concurred in.

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

The bill was read the third time and passed.

#### CONSTRUCTION OF THE UNANIMOUS-CONSENT AGREEMENT

Mr. JONES of Washington. Mr. President, I desire to make a parliamentary inquiry. Under the unanimous-consent agreement is not the debate on any bill limited to five minutes, not to five minutes to any Senator who may desire to speak, but is not the entire debate on any bill or amendment thereto limited to five minutes? The unanimous-consent agreement reads:

That debate be limited to five minutes on each bill and amendment.

The PRESIDING OFFICER. The language of the unanimous-consent agreement would lead to the conclusion suggested by the Senator from Washington.

Mr. SMOOT. Any Senator may object to the consideration of any bill.

Mr. HEFLIN. I suggest that if we should adhere strictly to that ruling, any Senator could prevent the passage of any bill to-night by talking on it for five minutes.

Mr. JONES of Washington. He can accomplish that result now by one word.

Mr. SMOOT. Yes; by simply objecting.

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

The PRESIDING OFFICER. The Senator will state his inquiry.

Mr. KING. I recall that that question has been raised heretofore, and notwithstanding the technical construction of the rule would be as indicated by the Senator and the Chair, it has been common to interpret it to mean that debate shall go forward under the five-minute rule.

The PRESIDING OFFICER. It has been so interpreted at this session and will continue to be so interpreted.

Mr. JONES of Washington. I desire to say that the Senator from Kansas, who asked for the unanimous-consent agreement, has stated that it was his intention that each Senator should have five minutes, if he desired, but that in taking down the agreement it was put in the language which appears on the first page of the Calendar.

The PRESIDING OFFICER. That has been the practice, as the Chair has remarked, during the evening, and will continue to be the practice.

Mr. JONES of Washington. Very well.

#### DESERT-LAND ENTRIES, CALIFORNIA

The bill (H. R. 10143) to exempt from cancellation certain desert-land entries in Riverside County, Calif., was considered as in Committee of the Whole and was read, as follows:

*Be it enacted, etc.,* That no desert-land entry heretofore made in good faith under the public-land laws for lands in townships 4 and 5 south, range 15 east; townships 4 and 5 south, range 16 east; townships 4, 5, and 6 south, range 17 east; townships 5, 6, and 7 south, range 18 east; townships 6 and 7 south, range 19 east; townships 6 and 7 south, range 20 east; townships 4, 5, 6, 7, and 8 south, range



21 east; townships 5 and 6, and sections 3, 4, 5, 6, 7, 8, 18, and 19, in township 7 south, range 22 east; township 5 south, range 23 east, San Bernardino meridian, in Riverside County, State of California, shall be canceled prior to May 1, 1928, because of failure on the part of the entrymen to make any annual or final proof falling due upon any such entry prior to said date. The requirements of law as to annual assessments and final proof shall become operative from said date as though no suspension had been made. If the said entrymen are unable to procure water to irrigate the said lands above described, through no fault of theirs, after using due diligence, or the legal questions as to their right to divert or impound water for the irrigation of said lands are still pending and undetermined by said May 1, 1928, the Secretary of the Interior is hereby authorized to grant a further extension for an additional period of not exceeding two years.

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

#### DONATION OF LAND BY MRS. ANNE ARCHBOLD

The bill (H. R. 10348) authorizing the Chief of Engineers of the United States Army to accept a certain tract of land from Mrs. Anne Archbold, donated to the United States for park purposes, was considered as in Committee of the Whole and was read, as follows:

*Be it enacted, etc.,* That the Chief of Engineers, United States Army, be, and he is hereby, authorized and directed to accept, as an addition to the park system of the District of Columbia, the land, approximately 28.12 acres in extent, lying along Foundry Branch between the Glover Parkway and Reservoir Road, donated by Mrs. Anne Archbold to the United States for park purposes in accordance with the terms of her dedication as shown on the map of said area dated November 10, 1924, on file in the Office of Public Buildings and Grounds, which tract shall be known as the "Archbold Parkway"; and the Chief of Engineers, United States Army, shall be, and is hereby, further authorized to accept dedications of additional land in the District of Columbia and adjacent thereto on request of the National Capital Park Commission and in accordance with the plans of said commission for the extension of the park system of the District of Columbia under the authority contained in public act No. 202, Sixty-eighth Congress, approved June 6, 1924.

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

#### DISTRICT TRAINING SCHOOL

The bill (H. R. 9435) to provide for commitments to, maintenance in, and discharges from the District Training School, and for other purposes, was announced as next in order.

Mr. KING. I would like to ask the chairman of the Committee on the District of Columbia whether this bill should not be considered at the same time the bill is under consideration providing for the unification of various organizations, such as the Board of Charities, and other kindred organizations in the District?

Mr. BALL. Of course, Mr. President, that bill has not been passed. The two bills could very well be considered together, but at present there is no law providing for any commitments or any discharges as provided in this bill, and I understand the building for this school will be completed shortly, and unless some legislation shall be passed, of course there will be no means whatever of committing the feeble-minded children to that institution or any assurance as to when they shall leave and how to get rid of them. If the other bill had been passed, or we were assured it was going to pass, they might be combined, but I think, to be on the safe side, this bill should be passed.

Mr. KING. Any bill which interferes with the liberties of individuals I thought ought to receive a little consideration.

Mr. HEFLIN. Mr. President, I want to ask the Senator from Delaware a question. If this bill should pass now, and the bill to which he has referred should pass later, would there be any conflict between them?

Mr. BALL. I think the other bill covers the provisions in this bill, except probably not as to commitments, but so far as the control is concerned, it would be under the same trustees.

Mr. KING. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

#### STEAM ENGINEERING REGULATIONS, DISTRICT OF COLUMBIA

The bill (S. 4004) to amend the act entitled "An act to regulate steam engineering in the District of Columbia," approved February 28, 1887, was announced as next in order.

The PRESIDING OFFICER. The Chair is informed that the Senator from New York wishes to offer an amendment to this bill, and therefore the Chair suggests that somebody have the bill go over.

Mr. KING. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

#### KANAWHA RIVER BRIDGE, WEST VIRGINIA

The bill (H. R. 11255) granting the consent of Congress to the Kanawha Falls Bridge Co. (Inc.) to construct a bridge across the Kanawha River, at Kanawha Falls, Fayette County, W. Va., was considered as in Committee of the Whole, and was read.

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

#### PEND D'OREILLE RIVER BRIDGE, IDAHO

The bill (H. R. 11706) to authorize the construction of a bridge across the Pend d'Oreille River, Bonner County, Idaho, at the Newport-Priest River Road crossing, Idaho, was considered as in Committee of the Whole.

Mr. GOODING. I offer an amendment to the bill.

The PRESIDING OFFICER. The Senator from Idaho offers an amendment, which will be stated.

The READING CLERK. The amendment is, to strike out all after the enacting clause and in lieu thereof to insert:

That the States of Washington and Idaho, or either of them, or any political subdivision or subdivisions thereof, or their assigns, are hereby authorized to construct, maintain, and operate a bridge across the Pend d'Oreille River at a point suitable to the interests of navigation at or near the Newport-Priest River Road crossing, Washington and Idaho, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

Sec. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

Mr. GOODING. Mr. President, I may say, by way of explanation, that since this bill passed the House, granting permission to a private citizen to build this bridge, the State of Washington and the State of Idaho have reached an agreement under which they are to build the bridge jointly. If it were built in the way provided in the bill as it passed the House it would be a toll bridge. The States are asking to be allowed to build the bridge so that it will be an open and free bridge.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

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

The bill was read the third time and passed.

The title was amended so as to read: "A bill to authorize the construction of a bridge across the Pend d'Oreille River at or near the Newport-Priest River Road crossing, Washington and Idaho."

#### JOHN N. KNAUFF CO. (INC.)

The resolution (S. Res. 326) referring to the Court of Claims the bill (S. 2588) for the relief of John N. Knauff Co. (Inc.), was read and agreed to, as follows:

*Resolved,* That the bill (S. 2588) for the relief of John N. Knauff Co. (Inc.), now pending in the Senate, together with all the accompanying papers, be, and the same is hereby, referred to the Court of Claims, in pursuance of the provisions of an act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911; and the said court shall proceed with the same in accordance with the provisions of such act and report to the Senate in accordance therewith.

#### SURETY BONDS

The bill (S. 2663) to standardize the procedure with reference to surety bonds running in favor of the United States, and for other purposes, was announced as next in order.

Mr. SMOOT. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

#### GRANT OF PUBLIC LANDS TO THE STATE OF WASHINGTON

The bill (H. R. 10770) granting certain lands to the State of Washington for public park and recreational grounds, and for other purposes, was considered as in Committee of the Whole.

The bill had been reported from the Committee on Public Lands and Surveys with an amendment, on page 1, line 3, after the word "That," to insert the words "upon payment therefor at the rate of \$1.25 per acre," so as to make the bill read:

*Be it enacted, etc.,* That upon payment therefor at the rate of \$1.25 per acre, the Secretary of the Interior be, and he is hereby, authorized and directed to issue patent, as hereinafter limited, to the State of Washington for the following-described lands: The northeast quarter

of the southeast quarter and lot 7, section 32, township 22 north, range 22 east of the Willamette meridian, containing 82.36 acres, more or less; such lands to be used and occupied solely for public park and recreational purposes: *Provided*, That there shall be reserved to the United States all oil, coal, or other minerals in the land, and the right to prospect for, mine, and remove the same: *Provided further*, That if the grantee shall fail to use the land for park or recreational purposes or shall devote the same to other uses the title thereto shall revert to the United States and the lands shall be restored to the public domain upon a finding of such failure by the Secretary of the Interior.

The amendment was agreed to.

Mr. JONES of Washington. That matter of \$1.25 an acre was brought up in the House committee. I merely want to inquire whether the committee of the Senate would insist upon that?

Mr. SMOOT. Yes, Mr. President, the committee has insisted upon it in connection with every bill that has passed this body, with the exception of one, and that one went through by mistake.

Mr. JONES of Washington. Is that true with reference to measures where the land is to be used purely for recreational and park purposes, and when that use ceases is to go back?

Mr. SMOOT. It is the same. This is treating the State of Washington just as we have treated every other State in the Union.

Mr. JONES of Washington. Very well.

The bill was reported to the Senate as amended, and the amendment was concurred in.

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

The bill was read the third time and passed.

#### COMPENSATION TO CHIPPEWA INDIANS FOR TIMBER

The bill (H. R. 27) to compensate the Chippewa Indians of Minnesota for timber and interest in connection with the settlement for the Minnesota National Forest was considered as in Committee of the Whole and was read, as follows:

*Be it enacted, etc.*, That there is hereby authorized to be appropriated, out of any funds in the Treasury of the United States not otherwise appropriated, the sum of \$422,939.01, with interest thereon at the rate of 5 per cent per annum from February 1, 1923, to the date of settlement, said amount to be credited to the general fund of the Chippewa Indians of Minnesota, arising under the provisions of section 7 of the act of January 14, 1889.

Mr. KING. May I ask the Senator from Oklahoma whether this conflicts in any way with the legislation which was passed to-day dealing with the Chippewa Indians and their rights, and whether this bill is such as is recommended by the Indians and their representatives?

Mr. HARRELD. This is one of the bills that was agreed upon by the special subcommittee of the Senate Indian Affairs Committee that went to Minnesota last year and investigated the Chippewa affairs. They agreed upon a program. They agreed to introduce and put through certain bills. This is one of them. The one that was passed to-day was another. These bills do not conflict; in fact, this is the last bill in the program which the subcommittee adopted in regard to Chippewa affairs, and we are very anxious to have it passed.

Mr. KING. It was approved by the Indians in council?

Mr. HARRELD. It is approved, and it is understood that it is one of the bills agreed upon.

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

#### JOHN J. BEATTIE

The bill (S. 2421) for the relief of John J. Beattie was announced as next in order.

The PRESIDING OFFICER. This bill has been reported adversely by the Committee on Claims, and will be indefinitely postponed.

#### HORACE G. KNOWLES

The bill (S. 3264) for the relief of Horace G. Knowles was considered as in Committee of the Whole and was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$7,296.49 to Horace G. Knowles as salary for the period of March 30, 1909, to December 22, 1909, during which period he was commissioned as a minister of the United States to Nicaragua, and was all that whole period under instructions to await orders of the State Department.

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

#### ALDEN H. BAKER

The bill (S. 3311) for the relief of Alden H. Baker was announced as next in order.

The PRESIDING OFFICER. This bill is on the calendar with an adverse report from the Committee on Claims, and will be indefinitely postponed.

#### JOSEPH B. TANNER

The bill (S. 2896) for the relief of Joseph B. Tanner was considered as in Committee of the Whole.

The bill had been reported from the Committee on Claims with an amendment, on page 1, line 3, to strike out the words "That the sum of \$250 be paid to Joseph B. Tanner, of Shiprock, N. Mex.," and to insert in lieu thereof the words "That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Joseph B. Tanner, of Shiprock, N. Mex., out of any money in the Treasury not otherwise appropriated, the sum of \$250," so as to make the bill read:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Joseph B. Tanner, of Shiprock, N. Mex., out of any money in the Treasury not otherwise appropriated, the sum of \$250 for reimbursement of the amount forfeited by him for nondelivery at the Navajo Springs Indian Agency, Colo., of 385 head of 2-year-old heifers of Hereford blood, and 15 bulls not less than three-fourths Hereford blood, 2-year-olds and 3-year-olds, the sum in question having been deposited by him in the form of a certified check guaranteeing the performance of his contract to deliver these animals, which check was forfeited to the Government on account of his failure to make delivery under his agreement through a misunderstanding of the true meaning and intent of his contract as between the said Turner and the inspecting official representing the Government.

The amendment was agreed to.

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

#### NATIONAL BANKING ASSOCIATIONS

The bill (H. R. 8887) to amend an act entitled "An act to provide for the consolidation of national banking associations," approved November 7, 1918, to amend section 5136 as amended, section 5137, section 5138 as amended, section 5142, section 5150, section 5155, section 5190, section 5200 as amended, section 5202 as amended, section 5208 as amended, section 5211 as amended, of the Revised Statutes of the United States; and to amend sections 9, 13, 22, and 24 of the Federal reserve act, and for other purposes, was announced as next in order.

Mr. SMOOT. Let that go over to-night.

The PRESIDING OFFICER. The bill will be passed over. UMATILLA, WALLOWA, AND WHITMAN NATIONAL FORESTS, OREG.

The bill (H. R. 6651) to add certain lands to the Umatilla, Wallowa, and Whitman National Forests in Oregon was considered as in Committee of the Whole, and was read.

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

#### SANTIAM NATIONAL FOREST

The bill (H. R. 8366) to add certain lands to the Santiam National Forest was considered as in Committee of the Whole, and was read.

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

#### WHITMAN NATIONAL FOREST

The bill (H. R. 9028) to authorize the addition of certain lands to the Whitman National Forest was considered as in Committee of the Whole, and was read.

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

#### DISPOSAL OF LAND IN DISTRICT OF COLUMBIA

The bill (S. 3118) to authorize the Rock Creek and Potomac Parkway Commission to dispose of certain parcels of land was considered as in Committee of the Whole.

The bill had been reported from the Committee on Public Buildings and Grounds with amendments, on page 1, line 7, after the word "of" to strike out the word "either"; and, on the same line, after the word "value" to strike out the words "to the abutting owners or," so as to make the bill read:

*Be it enacted, etc.*, That for the purpose of securing appropriate improvements bordering the Rock Creek and Potomac Parkway, the commission appointed by virtue of section 22 of the public buildings act, approved March 4, 1913, is hereby authorized to dispose of at a fair appraised value to the highest bidder at public auction the following lands, to wit: Part of parcel 51/3, containing about 2,200



square feet; also the following lands situated west of Twentieth Street and east of Waterside Drive and located in square No. 2543, to wit: Lot 819, containing about 1,509 square feet; part of lot 820, containing about 4,687 square feet; part of lots 47, 48, and 49, containing about 6,095 square feet; part of lot 19, containing about 2,316 square feet; part of lot 20, containing about 2,316 square feet, or so much of the above areas as may be deemed by the said commission may be sold to the advantage of the United States: *Provided*, That after payment of the reasonable expenses of said sales, the net proceeds thereof shall be covered into the Treasury of the United States to be credited 60 per cent to the funds of the District of Columbia and 40 per cent to the funds of the United States.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

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

#### FORT FOOTE MILITARY RESERVATION, MD.

The joint resolution (S. J. Res. 117) transferring the possession and control of the Fort Foote Military Reservation in Prince Georges County, Md., to the Chief of Engineers of the Army, to be administered as a part of the park system of the National Capital, was considered as in Committee of the Whole and was read, as follows:

Whereas the Fort Foote Military Reservation in Prince Georges County, Md., has been advertised by the Quartermaster General for public sale at a price not less than its appraised value; and

Whereas said reservation consists of 66.61 acres of land with a few frame buildings and a small wharf thereon, its value having been appraised at \$2,498.30; and

Whereas said reservation consists of a narrow strip of land extending along the shore on the Potomac River 8 miles below Washington, including a bluff about 100 feet above tidewater, covered with forest, and extending about three-fourths of a mile along the river front; and

Whereas it is contemplated in the development of the park system of the National Capital to extend a river drive or boulevard along the bluffs fronting on the Potomac River from the Anacostia River to Fort Washington, and this property would constitute an important feature in such proposed boulevard: Therefore be it

*Resolved, etc.*, That the land embraced within the Fort Foote Military Reservation in Prince Georges County, Md., consisting of 66.61 acres be, and it is hereby, transferred to the possession and control of the Chief of Engineers of the United States Army, to be held and administered as a part of the park and parkway system of the National Capital, such transfer not to affect the right of the Government to maintain a post light as now located on the wharf on said property.

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

The preamble was agreed to.

#### AUGUST MICHALCHUK

The bill (S. 2491) for the relief of August Michalchuk was considered as in Committee of the Whole.

The bill had been reported from the Committee on Claims with amendments, on page 1, line 5, after the name "August Michalchuk" to insert the words "as guardian of his infant daughter, Lizzie Michalchuk," and on page 2, line 2, after the word "body" to insert:

Said payment to be taken in full and final settlement of any claim against the United States by both the said Michalchuk and Lizzie Michalchuk.

The amendments were agreed to.

Mr. KING. I have only hastily read the bill. I think that a fracture of the limb ought not and would not command damages to the extent of \$3,000. I move to strike out "\$3,000" and insert in lieu thereof "\$2,000."

The PRESIDING OFFICER. The amendment proposed by the Senator from Utah will be stated.

The READING CLERK. On page 1, line 7, strike out "\$3,000," and insert "\$2,000."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to August Michalchuk, as guardian of his infant daughter, Lizzie Michalchuk, the sum of \$2,000 for injuries sustained by his daughter, Lizzie, an infant now about 6½ years old, who, without negligence on her part or on the part of her

parents, was run over July 4, 1920, by a United States mail truck, No. 2290, in charge of Joseph Tembone, causing a compound fracture of the left leg and severe lacerations of the forehead, with bruises and contusions covering the left side of her body. Said payment to be taken in full and final settlement of any claim against the United States by both the said August Michalchuk and Lizzie Michalchuk.

#### H. C. ERICSSON

The bill (S. 3514) authorizing the Court of Claims of the United States to hear and determine the claim of H. C. Ericsson was considered as in Committee of the Whole and was read, as follows:

*Be it enacted, etc.*, That the United States Court of Claims be, and it is hereby, authorized and directed to hear and determine the claim of H. C. Ericsson for compensation for the adoption and use by the Government of the United States of a certain invention relating to an antiexplosive and noninflammable gasoline tank, for which letters patent of the United States, No. 1371175, was issued to him June 14, 1921.

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

#### HOWARD UNIVERSITY MEDICAL SCHOOL BUILDING

The bill (S. 2820) authorizing appropriations for medical school building and equipment for Howard University was announced as next in order.

Mr. KING. Let the bill go over.

The PRESIDING OFFICER. On objection, the bill will be passed over.

#### NURSES' HOME FOR COLUMBIA HOSPITAL

The bill (S. 3153) to authorize the construction of a nurses' home for the Columbia Hospital for Women and Lying-in Asylum was considered as in Committee of the Whole.

The bill had been reported from the Committee on Public Buildings and Grounds with an amendment, on page 1, line 5, to strike out "\$680,782.60" and insert in lieu thereof "\$400,000," so as to make the bill read:

*Be it enacted, etc.*, That there is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$400,000 for the construction of a nurses' home, to replace the existing cottages, for the Columbia Hospital for Women and Lying-in Asylum, including the necessary buildings, approach work, roadways, and other facilities leading thereto, heating and ventilating apparatus, furniture, equipment, and accessories. Such home shall be constructed under the supervision of and in accordance with the plans and specifications approved by the Architect of the Capitol.

SEC. 2. Within the amount authorized to be appropriated by this act, the Architect of the Capitol is authorized to enter into contracts for the construction of such home, or any part thereof, and to purchase in the open market any of the necessary material, apparatus, furniture, equipment, or accessories, and to employ the necessary professional services, laborers, and mechanics.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

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

#### NORTH PLATTE FEDERAL IRRIGATION PROJECT

The bill (H. R. 5170) providing for an exchange of lands between Anton Hiersche and the United States in connection with the North Platte Federal irrigation project was considered as in Committee of the Whole and was read, as follows:

*Be it enacted, etc.*, That upon proper execution and delivery by Anton Hiersche of a deed conveying to the United States, its successors and assigns, a good merchantable title in fee, free of incumbrance, to certain lands needed by the United States for reservoir purposes in connection with the North Platte Federal irrigation project in Nebraska and Wyoming, to wit: The northeast quarter; north half of the northwest quarter; southeast quarter of the northwest quarter; north half of the southeast quarter and southeast quarter southeast quarter of section 16, township 23 north, range 54 west, sixth principal meridian, Nebraska; then in exchange for such lands so conveyed the usual patent shall be issued by the United States to Anton Hiersche, conveying to him the following-described lands: The northeast quarter of the northeast quarter; south half of the northwest quarter of the northeast quarter; south half of the northeast quarter; south half of the north half of the northwest quarter; south half of the northwest quarter; and the southeast quarter of section 22; and the southeast quarter of the northeast quarter; and the east half of the southeast quarter of section 15, all in township 23 north, range 54 west, sixth principal meridian, Nebraska, excepting therefrom rights of way thereon for ditches or canals constructed by

authority of the United States: *Provided*, That said deed to the United States shall release the United States from all damages to said lands in section 16 suffered by said grantor Anton Hiersche on account of the construction, operation, and maintenance of the said irrigation project: *Provided further*, That said grantor shall be permitted within a period of six months after the date of said deed to remove his improvements from said land in section 16: *Provided further*, That the patent from the United States shall contain language (a) by which the United States shall be released from all claims for damages to said land in section 22 by seepage from existing or proposed reservoirs constructed or to be constructed in connection with said irrigation project, and (b) by which the title of the grantee shall be held subject to a lien in favor of the United States to secure the payment of the project operation and maintenance and construction charges upon the irrigable area of the land patented hereunder.

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

#### ESTATE OF MOSES M. BANE

The bill (S. 1229) for the relief of the estate of Moses M. Bane was considered as in Committee of the Whole and was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, directed to pay to the estate of Moses M. Bane, deceased, who was receiver of public moneys for the Territory of Utah and paid office rent at Salt Lake City for the years 1877 and 1878, and for the first quarter of the year 1879, the sum of \$1,080, out of any money in the Treasury not otherwise appropriated, the said sum for office rent having been advanced by the officer out of his private means.

Mr. DIAL. Mr. President, I would like to have an explanation as to the reason why this claim is so old.

Mr. SMOOT. I remember that a similar bill passed the Senate several times. The old lady is in the District now. I do not know whether she will live long enough to get the money or not. I think this is the third time the bill has passed the Senate, but the House has not passed the bill at all.

Mr. TRAMMELL. I will also say that my understanding is that a similar bill has passed the House and passed the Senate, but never passed both Houses at the same session. There was some delay on account of the matter first going to the Court of Claims for the purpose of ascertaining the facts. The case is absolutely a meritorious one and the relief is very just.

Mr. DIAL. I had not read the report, but I see the claim originated in 1877.

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

#### ESTATE OF G. W. PLUMLEE

The bill (S. 2619) for the relief of John Plumlee, administrator of the estate of G. W. Plumlee, deceased, was considered as in Committee of the Whole and was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Treasury is authorized and directed to pay to John Plumlee, administrator of the estate of G. W. Plumlee, deceased, of Chattanooga, Tenn., out of any money in the Treasury not otherwise appropriated, the sum of \$1,275, such sum being the amount which was paid by the said G. W. Plumlee in his lifetime to the collector of internal revenue for the district of Tennessee for certain land owned by J. A. Cunningham in Hamilton County, Tenn., which was sold under a warrant of distraint issued by the collector of internal revenue for the collection of delinquent taxes and penalties due the United States, which land was never delivered by the United States into the possession of the said G. W. Plumlee in his lifetime nor into the possession of the said John Plumlee, administrator.

SEC. 2. That payment of such sum of money to John Plumlee, administrator, shall be made upon condition that the heirs of the said G. W. Plumlee, deceased, deliver, prior to the payment, a quitclaim deed to the collector of internal revenue for the district of Tennessee conveying to the United States all the right, title, and interest of such heirs in the land.

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

#### JAMES M'KAY

The bill (S. 2647) providing employees' compensation for James McKay, who was injured while in the service of the Quartermaster Corps, United States Army, was announced as next in order.

Mr. KING. Mr. President, I see that this matter was referred to the Compensation Commission. It seems to me that in that event there ought not to be a provision fixing the amount of compensation. They have really here determined the amount of compensation. After referring the matter to

the Compensation Commission, it is hardly proper arbitrarily to fix the amount which should be received. It may be an entirely meritorious matter, and I make no comment upon that feature.

Mr. TRAMMELL. Mr. President, occasionally it has been the policy to give an addition to the regular amount allowed in extraordinary cases. This is a case in which the claimant suffered a broken leg and an injured knee and has been compelled to use crutches and go in a rolling chair ever since the accident occurred in 1918. The injury was incurred in line of duty. It has been recognized as a claim that was within the provisions of the compensation act. McKay only draws \$66 and a fraction a month, which is very inadequate for the injury suffered and his incapacity brought about as a result of the accident. He is a man probably 75 years of age.

Mr. SMOOT. Mr. President—

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

Mr. TRAMMELL. I yield.

Mr. SMOOT. One hundred and twenty-five dollars a month is more than a soldier gets who has had his arm cut off or an eye shot out. It would only take three years for him to draw the full amount to which he is entitled. I object to the present consideration of the bill.

The PRESIDING OFFICER. The bill will be passed over.

Mr. TRAMMELL. Will the Senator object to my proposing an amendment for a lump sum? I know of cases here where the injury was certainly not so great as this injury and where we gave a lump sum of \$1,500 or \$2,000.

Mr. SMOOT. I have no objection. What was the man drawing per year?

Mr. TRAMMELL. He was getting \$3,600 a year.

Mr. SMOOT. I have no objection to \$2,000.

Mr. TRAMMELL. I propose that as an amendment—in line 11, strike out all after the—

Mr. SMOOT. But that will not do away with his drawing compensation?

Mr. TRAMMELL. No; it will not.

Mr. SMOOT. Then I think if he is drawing compensation the bill should go over. That amount is what we give to a man who was a soldier and who is now 70 or 80 years old, who lost one leg or one arm and is perfectly helpless and requires an attendant. I think that this is out of all reason.

Mr. KING. I object. Let the bill go over.

The PRESIDING OFFICER. Objection is made, and the bill will be passed over.

#### JOSEPH HARKNESS, JR.

The bill (S. 3203) for the relief of Joseph Harkness, jr., was considered as in Committee of the Whole.

The bill had been reported from the Committee on Claims with an amendment, in line 6, to strike out "\$90" and insert "\$60.75," so as to make the bill read:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Joseph Harkness, jr., the sum of \$60.75, as travel pay from Philadelphia, Pa., to St. Paul, Minn., when honorably discharged from the Army June 11, 1919.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

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

#### JAMES DOHERTY

The bill (S. 3510) for the relief of James Doherty was considered as in Committee of the Whole.

The bill had been reported from the Committee on Claims with amendments, in line 4, after the word "pay," to insert the words "out of any money in the Treasury not otherwise appropriated," and in line 5, to strike out "\$3,250" and to insert "\$2,250," so as to make the bill read:

*Be it enacted, etc.*, That the Secretary of the Treasury be, and he is hereby, authorized to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$2,250 to James Doherty, of Metaline Falls, Wash., for the destruction of his residence and household effects by fire while being occupied by employees of the Bureau of Public Roads, Department of Agriculture.

The amendments were agreed to.

Mr. KING. Mr. President, I would like to have the Senator from Florida [Mr. TRAMMELL], who reported the bill, or the Senator from Washington [Mr. DILL], who introduced the bill, make an explanation of it.



Mr. DILL. This is a bill which I introduced, and I can probably explain it to the Senator. This property was used, as the bill suggests, by employees of the Agricultural Department while working on a road. While occupying the building, but in their absence, the building was burned down. The report shows that the Department recognizes the claim as meritorious. The bill as introduced provided, I think, for \$3,250, but the Committee on Claims cut it to what the insurance would have been, \$2,250.

Mr. KING. Was there any negligence on the part of the Government?

Mr. DILL. The Government had charge of the building. It was simply a verbal agreement. The man who owned the building was not present. He was permitting the Government employees to use the building. Whether they were negligent or not I do not know. The fire occurred while the Government employees were in charge of the building, and for that reason we felt that the Government was responsible for the destruction of the building.

Mr. KING. Were they voluntary tenants?

Mr. DILL. They were permitted to use the building because Mr. Doherty was so anxious to have the road built. He simply permitted them to use the building as a matter of their having somewhere to stay. He was in no way whatever responsible for the fire, because he did not even have charge of the building.

The bill was reported to the Senate as amended, and the amendments were concurred in.

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

#### AMENDMENT OF NATIONAL PROHIBITION ACT

The bill (H. R. 6645) to amend the national prohibition act, to provide for a bureau of prohibition in the Treasury Department, and to define its powers and duties was announced as next in order.

Mr. KING and others. Over!

The PRESIDING OFFICER. The bill will be passed over.

#### FEDERAL CITY PLANNING COMMISSION

The bill (S. 4253) to create the Federal city planning commission was announced as next in order.

Mr. WADSWORTH. Mr. President, I think we ought to have an explanation of the bill.

Mr. KING. Perhaps a better and more concrete explanation would be offered if the Senate would be willing to listen to the report. It is brief.

Mr. WADSWORTH. The report is nearly two pages of print. I think an explanation could be made more briefly than that.

Mr. KING. The bill was introduced at the request of a large number of men and women who are interested in the development of the Capital. It has been felt that the original plan for the construction of the Capital has been departed from. In the additions to the city there is no coordination, no effort to conform those additions to the original L'Enfant plan, nor proper provisions made for sanitation or for the development of the city. The plan proposes that a commission be appointed by the President, consisting of a landscape architect and men who are familiar with the development of cities, to prepare a comprehensive plan that will deal with the development of the city, its parks, playgrounds, sanitation, and everything that relates to municipal improvement. It is supported by all of the great engineering and architectural societies and by the art organizations of the country. I know of no opposition to it. It is felt that because of the hodgepodge method now employed in the development of the city, unless something is done very shortly we will soon not have a Capital that is worthy of the name.

Mr. WADSWORTH. I notice there is an authorization for \$50,000. Does that come entirely out of the Federal Government's Federal Treasury?

Mr. KING. I am perfectly willing that that should be paid in the usual way.

Mr. WADSWORTH. Does not the Senator think it might go out of the bill entirely?

Mr. KING. I have no objection.

Mr. PHIPPS. Mr. President, I think the authorization is properly in the bill. Whatever the amount of money that is needed it will be decided upon, of course, by the Committee on Appropriations. The committee can treat with it and determine what amount is needed from time to time for the work of the commission.

Mr. SMOOT. I want to call the attention of the Senator to the fact that in this case they can not do anything until next year, because the bill provides that the commission is author-

ized to employ an executive officer, who may or may not be a member of the commission, and to employ such clerical and technical assistance as may be necessary. If they are going to do that—

Mr. WADSWORTH. This will be quite a program before it is concluded.

Mr. SMOOT. It looks that way to me.

Mr. PHIPPS. I believe the proper plan would be to have at least a part of the money come out of the District of Columbia treasury and not all out of the Federal Treasury.

Mr. SMOOT. The bill does not provide any such method as that.

Mr. KING. I have no objection to an amendment that it shall come out of the Treasury in the usual way.

Mr. PHIPPS. It seems to me it is proper to have merely the authorization in the bill and let the Committee on Appropriations deal with the matter in due time. If it is necessary to make a part of that money immediately available, we can get it included in some bill before the end of the session in some way. I think it is a very meritorious measure and should be approved. I think the commission should be appointed.

Mr. WADSWORTH. Have we no commission at all to deal with the future of the city?

Mr. PHIPPS. The L'Enfant plan extended to what was known as the old city. The outlying suburban districts are not laid out on any uniform plan or with due regard to the grade and contour of the country. To-day we are expending much more money than necessary in cutting through hills in order to run streets in a straight line where they could be very readily diverted to follow the contour of the country and make a much more beautiful outlying district than we will have by continuing streets at right angles as is being done now.

Mr. SMOOT. Is not that work being done now by some commission?

Mr. PHIPPS. No; it is not.

Mr. SMOOT. What is the National Commission of Fine Arts doing?

Mr. KING. Nothing with respect to the plan which is contemplated here. One of the members of the Fine Arts Commission will be a member of the proposed commission.

Mr. JONES of Washington. Colonel Sherrill, before the Committee on the District of Columbia a few days ago, stated that they are doing this work now.

Mr. KING. Colonel Sherrill is entirely mistaken. He made the same statement before a committee of the House, and he was promptly overruled and the House committee reported the bill unanimously. The Park Commission, of which Colonel Sherrill is a member, is doing its own particular work, but not the work contemplated by the pending bill.

Mr. PHIPPS. Colonel Sherrill stated to our committee last year—in fact, year before last he made the original suggestion—that the amount which was already appropriated would care for the planning of the outlying districts. At that time, as I recall—

The PRESIDING OFFICER. The time of the Senator from Utah has expired.

Mr. SMOOT. I want to ask the Senator whether section 3 is going out of the bill or not?

Mr. PHIPPS. I did not hear the question of the Senator from Utah.

Mr. SMOOT. My colleague, the junior Senator from Utah [Mr. KING], said when a suggestion was made as to the appropriation that he had no objection to section 3 being eliminated from the bill.

Mr. KING. No; I did not.

Mr. SMOOT. Then, I misunderstood my colleague.

Mr. KING. What I meant was that I had no objection to the charge being made against the District instead of against the Treasury. There must be some appropriation, because it will be necessary to have clerical assistance and executive officers. However, I am using the time of my colleague.

Mr. WADSWORTH. I notice that this appropriation must be spent before January 1, 1926. They will have only about 10 months in which to spend \$50,000, and they will have to employ quite a number of people to use up the appropriation within that period.

Mr. SMOOT. Let the bill go over and have the amount paid out of the District revenues.

The PRESIDING OFFICER. The bill will go over.

#### PAY OF RETIRED OFFICERS OF THE ARMY, NAVY, ETC.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 2294) to equalize the pay of retired officers of the Army, Navy, Marine Corps, Coast Guard, Coast and

Geodetic Survey, and Public Health Service, which had been reported from the Committee on Military Affairs with amendments in section 1, page 1, line 3, after the word "That," to insert the word "hereafter"; and in line 8, after the word "services," to insert the words "of equal rank and length of service," so as to make the bill read:

*Be it enacted, etc., That hereafter the retired pay of the officers and warrant officers of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service, who were retired on or before June 30, 1922, shall not be less than that provided for the officers and warrant officers of these services of equal rank and length of service retired subsequent to that date: Provided, That nothing in this act shall operate to reduce the pay of any officer now on the retired list.*

Sec. 2. That all or parts of acts inconsistent with this act are hereby repealed.

The amendments were agreed to.

Mr. KING. I should like an explanation of the bill from the Senator from New York.

Mr. WADSWORTH. Mr. President, in the pay act of 1922, in dealing with the pay of retired officers of all these services it was decided, on the insistence of the House members of the joint committee, that the retired officers then on the retired list of the services should not receive any increase in pay, but that officers retired subsequent to the date upon which the act took effect should receive the increase. The Senate when it passed the pay act of 1922 provided for equal treatment of all retired officers. The bill now before the Senate calendar conforms with the opinion of the Senate as expressed when it passed the pay act in 1922; but, rather than face an indefinite deadlock and lose the entire legislation, the Senate conferees receded on that matter and yielded to the insistence of the other House that officers who had been retired prior to the taking effect of the new pay act should not receive any increase. Ever since then it has been perfectly apparent that to divide the retired officers of the Army and Navy and the Marine Corps into two groups and to pay them on two separate pay schedules, one much lower than the other, is utterly unjust and indefensible. As a matter of fact, the House Committee on Military Affairs has reported to the House a duplicate of this bill.

Mr. KING. This bill does not pretend to deal with reserve officers in any of the branches of the service?

Mr. WADSWORTH. No.

The bill was reported to the Senate as amended, and the amendments were concurred in.

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

#### CONSERVATION, PRODUCTION, AND EXPLOITATION OF HELIUM GAS

The Senate, as in Committee of the Whole, proceeded to consider 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, which had been reported by the Committee on Military Affairs with an amendment to strike out all after the enacting clause and to insert:

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, when helium can not be purchased from private parties at less cost, 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, 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.*

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.

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.*

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, on the joint recommendation of the Secretary of War, the Secretary of the Navy, and the Secretary of the Interior. 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.

Sec. 5. The Army and Navy may each designate an officer to co-operate 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. WADSWORTH. Mr. President, I think in the interest of brevity I can explain what the committee has proposed to do in the amendment which it has reported. We have substituted for the House bill the text of the bill as it was originally introduced in the two Houses, which bill was the result of an agreement reached between the Department of the Interior, the Navy Department, and the War Department. Briefly, the bill reposes in the Department of the Interior the task and duty of conserving our helium supplies, which, as Senators well know, are very precious. They are perhaps more precious to this country than any other resources, and it may be remarked that in this country alone are found those gas wells that produce helium in quantities sufficient to warrant its manufacture.

The Senate committee amendment reposes in the Bureau of Mines of the Interior Department the task of producing helium on lands either purchased, condemned, or leased by the Federal Government, and it gives to the Army and the Navy the right to requisition from the Bureau of Mines such quantities of helium as may be thought necessary from time to time for the support of those two services. It is, of course, known that helium is used in the lighter-than-air machines of the two air services.

The important feature of this bill is the conservation of helium. To my mind it is comparatively unimportant which agency of the Government manufactures the helium after the helium lands shall have been once conserved.

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

Mr. PITTMAN. I object.

The PRESIDING OFFICER. The bill, being objected to, will go over.

Mr. WADSWORTH. Mr. President, does the Senator from Nevada disapprove of the Senate amendment or of the entire bill in principle?

Mr. PITTMAN. I wish to say that I have not had an opportunity to examine the bill. I have been trying to read it while the Senator from New York has been speaking. Of course, all of us have a desire to accomplish what the bill has in view. I will say very frankly that I wish to examine into the matter in order to see whether or not it is going to involve the withdrawal of lands without proper investigation, because we already have enough withdrawn lands.

Mr. SMOOT. Mr. President, let me assure the Senator from Nevada that there is no need of the withdrawal of land, because under the leasing act of February 25, 1920, the Senator will remember that helium was entirely reserved to the Government of the United States; and no matter where the Government may make a lease for gas or oil to-day, if helium is discovered, the Government immediately takes charge of the well. The present law puts the whole power of the production of helium from any well in the United States, on either withdrawn lands or on Government lands, into the hands of the



three departments of the Government. Of course, it is of such vital interest to the Government that I am quite sure after the Senator from Nevada shall have read the bill he will not object to it.

Mr. PITTMAN. I have not the slightest objection to the Government having all of the helium that comes out of all of the private oil wells in the United States, and, as the Senator from Utah has stated, that right was reserved to the Government in the leasing act. What I am interested in, however, is the power of the withdrawal of land designated as possible helium-bearing land. That is the subject I wish to look into.

Mr. SMOOT. The Government certainly will not make any withdrawals for helium lands because it does not know where they may be. Where the Government has given a lease for oil or for gas and wells have been sunk, if helium shall be discovered the Government of the United States will immediately take charge of the well.

Mr. PITTMAN. I suggest that this bill pass over for the present, and I will try to expedite my examination of it as rapidly as I can.

The PRESIDING OFFICER. The bill will be passed over.

Mr. WILLIS. Mr. President, I ask permission to have printed in the RECORD at this point a very informative statement from the Akron, Ohio, Chamber of Commerce touching the subject matter of this bill.

The PRESIDING OFFICER. Is there objection?

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

AKRON CHAMBER OF COMMERCE,  
Akron, Ohio, February 5, 1925.

Hon. FRANK B. WILLIS,

United States Senate, Washington, D. C.

DEAR SIR: In re H. R. 5722 in the Senate of the United States, January 22, 1925, read twice and referred to the Committee on Military Affairs.

On the subject matter of this bill reference is made to the following: Government printed document "Helium Gas" hearing before the Committee on the Public Lands, House of Representatives, Sixty-seventh Congress, fourth session, on H. R. 11549, December 5, 8, 9, 12, and 14, 1922; "Conservation of Helium Gas," hearing before the Committee on Military Affairs, House of Representatives, Sixty-eighth Congress, first session, on H. R. 5722, March 20, 1924; "An Explorer in the Air Service," by Col. HIRAM BINGHAM (now United States Senator from Connecticut), published by the Yale University Press, 1919.

Helium is a noncombustible gas found in natural gas in quantities as high as approximately 2 per cent in volume. While there are traces of helium in all natural gas, if it is now thought that the southwestern United States oil fields are the only worth-while wells and by virtue of this fact the United States has a monopoly on helium.

Physically, helium is a gas lighter than air. One thousand cubic feet of helium will displace enough air to lift approximately 60 pounds, which is about 10 per cent less in lifting power than hydrogen, but the fact that helium is not inflammable makes it the important factor in the safety of airships. Practically all the fatalities thus far in airship development have been due to the fire hazard encountered in using hydrogen. All airship operations by other nations have been made with hydrogen, since they have no helium.

The *Shenandoah*, the *Los Angeles*, and all other nonrigid airships operated by the United States Army and Navy are helium filled. The semirigid airship, *RS-1*, now being assembled at Scott Field, will use helium.

Helium is extracted from natural gas by what is called a "squeezing process" in the Government plant at Fort Worth, Tex. There are no privately owned plants producing helium and there will probably be none until a sufficiently large and relatively stable market develops, presumably through the growth of commercial aeronautics.

The natural gas from which helium is extracted is turned back into the city mains after the helium is removed, having been substantially improved in its thermal properties by the removal of the non-inflammable element.

The Fort Worth plant is now operated by the Navy Department under the direction of a helium board made up of one representative from the Navy, one from the Army, and one from the Bureau of Mines.

When helium was first thought of in connection with airships, its cost was approximately \$1,500 per cubic foot, but the Government demand for comparatively large quantities has steadily decreased; this cost, so that helium can now be manufactured for approximately \$45 per 1,000 cubic feet. Continued improvements in processes, with volume production, should bring the cost of helium down to perhaps as low as \$20 per 1,000 cubic feet.

In airship operation with hydrogen, it has been customary to discharge part of the gas through valves to compensate for variations in the weight due to the consumption of fuel. Since helium has been so

much more expensive than hydrogen, valving gas is avoided through a ballast recovery device by which the fumes from the exhaust of the engine are condensed into water. Water is thus recovered in amounts actually heavier than the gasoline from which it is derived. This makes the valving of helium unnecessary. Diffusion of helium gas is small and continued improvements of fabricated containers should render this loss negligible.

With hydrogen, too frequent replacement is necessary due to diffusion of air into the fabric gas bags. Hydrogen that contains from 12 to 15 per cent of air becomes explosive, and hence it must be released into space before it reaches that point. Helium when diffused with air loses buoyancy in proportion to its air impurities. However, it is not dangerous, and when it has become impure it may easily be reprocessed and repurified. This process would be very dangerous with hydrogen.

It may be necessary to replace hydrogen several times a year. This will not be necessary with helium.

As against the present cost of approximately \$45 per 1,000 cubic feet of helium, hydrogen can be manufactured at from \$3 to \$10 per 1,000, depending on the volume. Under favorable circumstances, hydrogen may be procured from oxygen manufacturers as a by-product for approximately \$5 per 1,000, and it has been purchased by the Government for as low as \$2 per 1,000 cubic feet. However, in spite of the differential in first cost of the two gases, the Air Service is finding it actually less expensive to operate airships with helium than with hydrogen, due to the factors already cited.

On page 52 of the eighth annual report of the National Advisory Committee for Aeronautics for the year 1922, it is estimated that 500,000,000 cubic feet of helium is annually being wasted in the United States. This committee report unqualifiedly recommends that Congress provide for the conservation of the existing natural helium resources through the acquisition and sealing by the Government of the largest and best helium fields. House resolution 5722 provides for the conservation of a portion of this supply and either holding this gas in its natural reservoir, the ground, until needed or extracting it for use.

This bill, which is the successor of one along substantially the same lines introduced in the Sixty-seventh Congress as representing the views of the War, Navy, and Interior Departments, provides also for the sale or lease of surplus helium to American commercial interests, and thus opens the way for building up commercial aviation in lighter-than-air craft, which with its natural corollaries of training of flying and ground crews, laying out of flying fields, erection of mooring masts and hangars, and stimulation of the creation of manufacturing facilities, would be a line of secondary defense of greatest importance to the Nation in the event of an emergency. Such ships, men, and facilities would be immediately available to the Government.

Admiral Moffett has stated, " \* \* \* further developments [in explaining what the possession of an ample supply of helium can do for the United States] will take airships over the broad expanses of the Pacific from California to Hawaii, to Guam, to the Philippines, to Asia, and to Australia."

"And with this commercial development of ships of from 5,000,000 to 8,000,000 and even 10,000,000 feet capacity, the Navy could expand its fleet of scouting ships."

"In times of national emergency the whole commercial organization could be concentrated on short notice, if we were well supplied with helium, giving this country tremendous advantage. This would be an added assurance of peace, for superior power is the greatest safeguard against aggression."

A most promising start in commercial airship transportation was made in Germany before the war and resumed after the war until restricted by the interallied treaty, which prevents the construction and use of airships of the size large enough to be commercially successful.

During this time some 35,000 passengers were carried as well as many tons of mail and express without accident or loss of life to either passengers or crew. Regular schedules were maintained between commercial centers at a great saving of time and distance by speed and directness of route. This was done despite the fact that hydrogen was used. With helium, commercial transportation by airship should be safer than any means now existing.

The trans-Atlantic flights of the English ship *R-34* and of the *ZR-3*, now the *Los Angeles*, and the four-day nonstop flight of the Zeppelin *L-59* during the World War from Bulgaria to South Africa and return, indicate the possibilities of rigid airships in traveling over land and sea for long distances at high speeds.

The performance of the *Shenandoah* in being able to battle through a 24-hour storm and return safely to port, despite serious breaks in the structure and the loss of 2 of its 19 gas compartments, when it broke away from its mooring mast at Lakehurst a year ago, is an indication of the stability of such ships. The performance of the *Shenandoah*, too, in its trial flights last fall around the United States from Lakehurst to San Diego and Seattle and return, under varied weather, atmospheric, and topographical conditions, is likewise significant for the future.

Rapid transit of passengers, mail, and express between America and Europe, between America and Hawaii and on to the Philippines, between North America and Central America, and between North America and South America is possible with rigid airships. It will be possible for a man to leave New York on Saturday morning in an airship and arrive in London Monday morning, spend four days there on business, and leave Friday morning for home and be back at his desk again Monday morning—two days for the trip over and three days for the return trip, since the prevailing winds are from west to east.

There is little room for doubt that trans-Atlantic lines would have been running between Europe and America long since had not the war and its aftermath forestalled further commercial developments.

Prevented from further progress in Germany, the Zeppelin Corporation, whose experience has been much larger and more successful than that of any other similar group in the world, has disposed of its rights, patents, and processes for North America to an American company, the Goodyear Tire & Rubber Co., of Akron, Ohio, and there now has been organized a subsidiary corporation, the Goodyear Zeppelin Corporation, to hold and exercise these rights.

The men who built the war and postwar Zeppelins, including the *Los Angeles*, representing the best skilled and experienced members of the old Zeppelin building and operating organization, are now in America and associated with the Goodyear Zeppelin Corporation.

There are several other groups of engineers who have given this subject considerable study and who have been successful in obtaining the best airship information of England, France, and Italy, and it is thought that if helium gas were available that these groups would be interested in beginning the construction of airships.

America has, then, the following advantages:

1. Exclusive possession of helium, the only efficient noninflammable gas that is available in large quantities.
2. The best skill and experience obtainable in the world, including the experience of 15 years of American companies in building balloons and nonrigid airships.
3. Large areas over which to travel since the Zeppelin ship is most efficient over long distances, thus supplementing the effectiveness of airplanes which operate at somewhat higher speeds but with less cruising range.

If it were practical in every other way to operate airships with hydrogen, the psychology of the situation would retard for the present, at least, the development of airships in this country, and capital too timid to venture into an industry involving the risks of hydrogen.

Sale or lease of surplus helium to American industry will open the way to a most significant and interesting development in air transportation. It should, by enabling the Fort Worth reducing plant to operate at capacity, still further reduce the cost of helium gas to the Government through the ordinary economies of quantity production.

As indicating the relationship between the airplane and the airship and how each supplements the other is the fact that generally as an airplane increases in size the attendant problems increase in difficulty and the net lift or pay load diminishes, while generally in the case of the airship the reverse is true. The larger the airship, the more efficient in net lift and in air maneuverability.

Working plans are now being made at Akron for a ship of 5,000,000 cubic feet capacity, which is twice the size of either the *Los Angeles* or the *Shenandoah*. England is now building two ships of this size to connect the homeland with its overseas possessions. Holland has a similar ship projected as a link with its Far East possessions. Spain is now contemplating air transport to South America. America with its possessions of helium has a great potential advantage over these other nations.

Before long the question will undoubtedly arise as to the international status of airships.

Serious thought must be given to the question of stimulating this development in America.

People who are interested in the manufacture and operation of airships have already raised the question as to whether or not legislation should be created providing that only American ships may ply in coastwise traffic or between any two American ports. The suggestion has been made that at least 50 per cent in tonnage and in numbers of all airships traveling between an American port and a foreign port should be American built and American registry.

To Ohio Representatives in Congress this entire subject has much added significance.

In addition to the all-important question of national defense and conservation of a most valuable resource—which, so far as we now know, is an exclusive resource of the United States and being wasted in tremendous quantities—is the fact that an Ohio company is developing the lighter-than-air craft. This company is well known internationally, of large financial resources, and has an organization of highly trained engineers for this work, has augmented its force with the best skill obtainable from England, Italy, and Germany, all of which is now at work adding prestige to and advancing this country's commercial activities.

The establishing of landing fields, hangars, mooring masts, and trained crews, charting air currents, the laying out of air routes within our borders and throughout the world are only part of the problems of this work.

The State of Ohio and the city of Akron would gain great benefits through such development of one of its industries, and perhaps no line of activities could find similar value.

The State of Ohio lies directly in the path of main market air routes, east and west through the breadth of the United States, thus giving well inland protected headquarters for development, manufacture, and repairs.

The city of Akron being the rubber center of the world would naturally see the great advantage of these possibilities and hence bring about the greatest strides in development. Akron has led the world in rubber uses and takes over 40 per cent of the world's supply of crude rubber, and through this leadership has made the "automobile" and "truck" the tremendous factors in transportation that is one of the marvels of the age.

The development of lighter-than-air transportation commercially is a most logical function for Akron, and of which city Ohio is justly proud.

Helium is absolutely essential to the development of lighter-than-air transportation.

We, therefore, most respectfully urge our Senators and Congressmen to aid in every way possible this development by making helium available for private enterprise, in addition to the requirements for the Army and Navy, through passage of this bill and at the present short session of Congress.

Respectfully yours,

J. G. ROBERTSON, *President*.

FIRST LIEUT. JOHN I. CONROY

The bill (H. R. 5143) for the relief of First Lieut. John I. Conroy was announced as next in order.

Mr. KING. I ask that that bill go over.

The PRESIDING OFFICER. The bill will be passed over.

LAND ADJOINING FORT BLISS, TEX.

The bill (H. R. 8267) for the purchase of land adjoining Fort Bliss, Tex., was considered as in Committee of the Whole. The bill was read, as follows:

*Be it enacted, etc.*, That a sum not to exceed \$366,000 is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for the purchase of land in the vicinity of and for use in connection with the present military reservations at Fort Bliss, Tex., and the Secretary of War is hereby authorized to make said purchase.

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

JAMES H. KELLY

The bill (S. 2888) for the relief of James H. Kelly was announced as next in order.

Mr. DIAL. I ask that that bill go over.

The PRESIDING OFFICER. The bill will be passed over.

ROADS AND BRIDGES ACROSS POTOMAC RIVER TO ARLINGTON

The bill (S. 3572) relating to the use of the roads leading from the bridges across the Potomac River to Arlington National Cemetery and to Fort Myer, Va., was announced as next in order.

The PRESIDING OFFICER. Without objection—

Mr. JONES of Washington. Mr. President, let us have the bill read so that we will know what it provides.

The PRESIDING OFFICER. The bill will be read.

The bill was read, as follows:

*Be it enacted, etc.*, That any person who shall violate any rule or regulation promulgated by the Secretary of War with respect to the use of the United States roads extending from the southern termini of the bridges across the Potomac River at Washington, D. C., to and alongside the Arlington National Cemetery, Va., and to Fort Myer, Va., shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not more than \$500 or imprisoned for not more than six months, or both.

Mr. KING. Mr. President, reserving the right to object, I should like to have an explanation of the bill.

Mr. JONES of Washington. Mr. President, how is the public going to know what the rules are? Are they to be printed or published or posted somewhere?

Mr. SWANSON. I never heard of the bill, and I should like to know who introduced it.

Mr. WADSWORTH. Mr. President, the Senator from Georgia [Mr. GEORGE] reported this bill from the Committee on Military Affairs. The bill was introduced at the earnest re-



quest of the Secretary of War. As the Senator from Georgia has made a special study of it, I will yield to him.

Mr. GEORGE. I would rather the chairman of the committee would explain the bill, but, Mr. President, briefly I will say that the roadways referred to in the bill really belong to the Government; they are military highways, but have never been taken over as a part of a military reservation. Many misdemeanors and a great deal of misconduct of rather a trivial character occur on these roadways.

There seems to be no way of reaching and policing these particular roads. The War Department suggested this measure and recommended it purely as a means of police protection.

Mr. JONES of Washington. Will the Senator inform us how the public is to be advised of the regulations and penalties?

Mr. GEORGE. My understanding is that they will be posted.

Mr. JONES of Washington. Posted along the road?

Mr. GEORGE. That is my understanding. They would be issued as other orders are issued which affect military reservations.

Mr. SWANSON. Mr. President, how would a person traveling from Washington to Alexandria and Richmond over one of these roads know what rules have been promulgated? I have no doubt that the authorities of Arlington County, Va., have never heard of this bill. I have never heard of it. I object to its consideration to-night.

The PRESIDING OFFICER. The bill will be passed over.

#### DIPLOMATIC AND CONSULAR BUILDINGS IN TOKYO, JAPAN

The bill (S. 3486) 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, was announced as next in order.

Mr. WILLIS. Mr. President, Order of Business No. 1214, being House bill 9700, is identical with this measure. I ask that the House bill may be considered instead of the Senate bill.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider 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 bill was read, 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 such other land as may be necessary, and construct thereon suitable buildings for the use of the diplomatic and consular establishments of the United States, 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.

Mr. JONES of Washington. I should like to know something about the expense involved in this measure.

Mr. WILLIS. The construction of the buildings under this bill will eventually involve an expenditure of \$1,150,000.

Mr. JONES of Washington. For sites and buildings together?

Mr. WILLIS. Yes; the bill contemplates the construction of buildings for the use of the embassy and also for the consulate in Tokyo. The Senator will remember that the consulate was formerly in Yokohama, and as a result of the earthquake both the embassy and the consulate are now entirely without quarters. The bill was strongly recommended to the committee by the President of the United States, as the Senator will see from the report, and by the Secretary of State. The committee had a hearing upon the bill; made very careful examination; and were convinced that the bill ought to pass.

Mr. JONES of Washington. How much will the land cost?

Mr. WILLIS. The statement appears in the report. I can not quote it at the moment, but if the Senator will turn to the report he will find it on page 3.

Mr. WARREN. As I understand, the United States does not own the land, but it is leased?

Mr. JONES of Washington. That is what I thought.

Mr. WILLIS. The additional land for the embassy will cost \$140,000, and the additional land for the consulate will cost \$50,000.

Mr. JONES of Washington. Are we going to put up buildings to cost a million dollars?

Mr. WILLIS. It is proposed to purchase the additional land, and then to erect a building on it for the accommodation of the embassy, which is to cost approximately \$835,000, mak-

ing a total of \$975,000 for the land and the embassy building to be constructed thereon.

For the consulate the additional land is to cost \$50,000 and the buildings thereon \$225,000, making a total of \$275,000.

Mr. JONES of Washington. Why can not the consulate and the other building be together, instead of having them separate?

Mr. WILLIS. That was very fully gone into in the hearing before the committee, and it was demonstrated to the satisfaction of the committee that for business reasons it was not desirable that the consulate should be in the same portion of the city in which the embassy is located.

Mr. JONES of Washington. It seems to me we had better not appropriate quite so much for an embassy—almost a million dollars. I should like to see the United States have embassy buildings, of course, in that city, but it does seem to me that a million dollars for an embassy building is pretty expensive.

Mr. ROBINSON. Mr. President—

Mr. WILLIS. I yield to the Senator from Arkansas.

Mr. ROBINSON. May I say to the Senator from Washington that this subject was gone into very carefully by a subcommittee of the Committee on Foreign Relations of which the Senator from Ohio and myself were members. The proposal is to authorize, for land for the embassy and the embassy staff, \$140,000, and for buildings and living quarters for the staff, \$835,000.

The conditions that exist in Tokyo, in my judgment, make it very important that this legislation be passed. I think it will be wholesome action on the part of the Congress for many reasons. The city of Tokyo was almost completely demolished, as stated by the Senator from Ohio, by an earthquake. At present there is practically no provision for the embassy and the embassy staff, nor for the members of the consulate, and they are compelled for the most part to live in Japanese buildings, which, for many reasons, some of which, I think, the Senator from Washington will readily grasp, makes living difficult on the part of our representatives there. I think the psychological effect of making this authorization will be very beneficial, and it will be an act of justice to provide for the comfort of our representatives in the Japanese capital.

Mr. WARREN. Mr. President, may I ask the Senator a question? The present embassy is on rented ground under a long lease; is it not?

Mr. ROBINSON. Yes.

Mr. WARREN. Is that land to become the property of the United States by purchase, or is the embassy to be built in some other place?

Mr. ROBINSON. I think the embassy is to be constructed on the land that is now occupied.

Mr. WILLIS. And some additional land is to be purchased, the Senator will remember.

Mr. WARREN. But will it be then entirely under purchase, and be cleared from any encumbrance in the way of lease?

Mr. WILLIS. It will be entirely the property of the United States of America then.

The PRESIDING OFFICER. The time of the Senator from Ohio has expired.

Mr. WARREN. I think the bill should be passed, without a doubt.

Mr. JONES of Washington. I will say that for the psychology of this I will not make an objection.

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

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

The PRESIDING OFFICER. Without objection, Senate bill 3486 will be indefinitely postponed.

#### BILLS PASSED OVER

The bill (S. 1208) for the relief of Swend A. Swendson was announced as next in order.

Mr. KING. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 3663) to amend section 7 of an act entitled "An act to enable any State to cooperate with any other State or States, or with the United States, for the protection of the watersheds of navigable streams, and to appoint a commission for the acquisition of lands for the purpose of conserving the navigability of navigable rivers," approved March 1, 1911, was announced as next in order.

Mr. SMOOT. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

## ROY A. DARLING

The bill (S. 3549) for the relief of Roy A. Darling was considered as in Committee of the Whole and was read, as follows:

*Be it enacted, etc.,* That so much of section 6 of the naval appropriation act approved July 12, 1921, as provides that the application for retirement of officers of the Naval Reserve Force and temporary officers of the Navy who have heretofore incurred or who may hereafter incur physical disability in line of duty in time of war shall be filed with the Secretary of the Navy not later than October 1, 1921, be, and hereby is, waived in the case of Roy A. Darling, former lieutenant, United States Naval Reserve Force, and his case is hereby authorized to be considered and acted upon under the remaining provisions of said section if his application for retirement is filed not later than 60 days from the approval of this act.

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

## JOHN J. DOBBERTIN

The bill (H. R. 8169) for the relief of John J. Dobbertin was announced as next in order.

Mr. DIAL. Let that go over.

Mr. PEPPER. Mr. President, will the Senator withhold his objection for one moment?

Mr. DIAL. I will hear the Senator.

Mr. PEPPER. Mr. President, this is a case of simple justice which the Committee on Naval Affairs thought should be reported for the favorable action of the Senate.

This man Dobbertin was formerly a marine gunner in the United States Marine Corps. He served honorably during the World War, and he had an aggregate military service for the United States of over 15 years, 12 of them in the Marine Corps. He was ill and in a hospital, and during his illness and confinement his status as a marine gunner was terminated by the action of the department without giving him an opportunity to appear before the retiring board.

Mr. DIAL. Mr. President, I may be able to expedite the matter. I know but little about this case. All I know about it is what I see in the report. The report says:

However, the committee's attention is invited to the fact that on May 15, 1924, the Director of the Bureau of the Budget advised this department that this matter had been taken up with the President, who instructed the director to advise the department "that such proposed legislation is in conflict with his financial program."

The only question is whether or not it is establishing a precedent. I have no objection to its being discussed on its merits.

Mr. PEPPER. Mr. President, I can hardly regard this as in conflict with the financial program. It is a case in which the Navy Department say they made a mistake in revoking the man's status as a marine gunner without giving him an opportunity to appear before a retiring board and be retired for disability incurred in line of duty. It is merely to give the man the right which inadvertently the department took away from him by revoking his status while he was in the hospital.

I hope the Senator will withhold his objection.

Mr. DIAL. I raise no objection. I only know what I read from the report. I simply wanted to know whether or not the bill would establish a precedent.

Mr. KING. Mr. President, I should like to ask the Senator from Pennsylvania whether, if this man had remained in the service, or this error had not been made, he would have been eligible to retirement?

Mr. PEPPER. Why, yes, Mr. President. If the department had followed the course which they themselves admit they should have followed, he would have been ordered before a retiring board and examined to determine the fact of his disability from which he was suffering at the time of the revocation of his status, and he then would have been retired in accordance with the provisions of this act. It is purely a case of remedying an inadvertent injustice done to a marine.

Mr. KING. Then, as I understand, persons who are in the Navy Department occupying positions similar to this individual were eligible to retirement?

Mr. PEPPER. That is correct, sir.

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

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

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

## PREVENTION OF VENEREAL DISEASES IN THE DISTRICT

The bill (H. R. 491) for the prevention of venereal diseases in the District of Columbia, and for other purposes, was considered as in Committee of the Whole.

The bill had been reported from the Committee on the District of Columbia, with amendments.

The first amendment was, on page 1, line 3, before the word "chief," to strike out "every" and insert "the"; in line 4, before the word "penal," to insert "hospital, dispensary, sanitarium, and of every"; in line 4, after the word "institution," to strike out "in which or in attendance upon which there is a person having syphilis, gonorrhea, or chancroid shall immediately upon becoming aware of that fact report the circumstances to the health officer as hereinafter provided," and insert "shall report any case of venereal disease in an inmate or other person under the supervision or surveillance of such officer immediately upon becoming aware of such fact," so as to make the section read:

That the chief administrative officer of every hospital, dispensary, sanitarium, and of every penal institution shall report any case of venereal disease in an inmate or other person under the supervision or surveillance of such officer immediately upon becoming aware of such fact.

The amendment was agreed to.

The next amendment was, in section 5, on page 2, line 17, before the word "physician," to strike out "some" and insert "of a"; in line 18, before the word "directed," to strike out "and" and insert "who shall also be so"; in line 19, after the word "make," to strike out "examinations" and insert "a thorough medical examination"; in line 21, before the word "has," to strike out "believes, and"; in the same line, after the words "to believe," to strike out "is" and insert "are"; in line 22, after the word "with," to strike out "syphilis, gonorrhea, or chancroid," and insert "a venereal disease in a form likely to be a source of infection to others"; and in line 24, after the word "such," to insert "medical," so as to make the section read:

SEC. 5. That it shall be the duty of the health officer, or of a physician authorized to practice medicine in the District of Columbia who shall also be so directed by the health officer, to make a thorough medical examination of persons whom the health officer has reasonable grounds to believe are afflicted with a venereal disease in a form likely to be a source of infection to others, but no such medical examination shall be made against the consent of any such person unless under order of court as hereinafter provided.

The amendment was agreed to.

The next amendment was, in section 6, page 3, line 3, after the words "health officer," to strike out "believes and"; in line 5, after the word "with," to strike out "syphilis, gonorrhea, or chancroid," and insert "a venereal disease in a form likely to be a source of infection to others"; in line 7, before the word "examination," to insert "medical"; in line 13, after the word "with," to strike out "syphilis, gonorrhea, or chancroid," and insert "a venereal disease in a form likely to be a source of infection to others"; in line 18, before the word "examination," to insert "medical"; in line 20, after the word "appear," to insert "for such medical examination"; in line 25, after the words "punished as," to strike out "other" and insert "provided for in case of those guilty of"; and on page 4, line 1, before the words "of court," to strike out "contempts" and insert "contempt," so as to make the section read:

SEC. 6. That whenever the health officer has reasonable grounds to believe that any person is afflicted with a venereal disease in a form likely to be a source of infection to others, and said person refuses to submit to said medical examination, it is the duty of said health officer to file an affidavit before any judge of the police court or the judge of any court having criminal jurisdiction, setting out that he believes, and has reasonable grounds to believe, that said person, giving his name and address, is afflicted with a venereal disease in a form likely to be a source of infection to others, and that said person refuses to submit to said examination. Thereupon it shall be the duty of said court or judge thereof to forthwith order said person to appear before said health officer for medical examination. The said court and the judge thereof shall issue an order in writing, setting out the time and place for said person to appear for such medical examination. Said order shall be in duplicate and served by the officers of said court upon said accused person; and upon the failure of said person so notified to appear and submit to said examination at the time specified, he shall be punished as provided for in case of those guilty of contempt of court, in addition to being subject to the penalties provided in this act.

The amendment was agreed to.



The next amendment was, in section 7, page 4, at the beginning of line 5, before the word "offenses," to strike out "such"; and in the same line, after the word "offense," to insert "and all procurers, bawdyhouse keepers, and similar persons"; in line 7, before the word "subjected," to insert "shall be"; and in the same line, before the word "examination," to insert "medical," so as to make the section read:

SEC. 7. That prostitutes and all persons convicted of any sexual crime, such as fornication, adultery, and other offenses, and all procurers, bawdyhouse keepers, and similar persons shall be presumed to be a source of infection and shall be subjected to medical examination under the provisions of this act.

The amendment was agreed to.

The next amendment was, in section 8, page 4, line 9, after the word "authorized," to strike out "to order to quarantine any person who is found under the provisions of this act to have syphilis, gonorrhea, or chancreoid" and insert "and shall be required to employ"; in line 13, after the words "public health," to strike out "such precautionary" and insert "all such regulatory"; in line 14, before the word "necessary," to strike out "are found" and insert "may be"; and at the beginning of line 15 to strike out "any other highly contagious or infectious disease" and insert "these communicable diseases," so as to make the section read:

SEC. 8. That the chief health officer is authorized and shall be required to employ and to adopt for the protection of public health all such regulatory measures as may be necessary to prevent the spread of these communicable diseases.

The amendment was agreed to.

The next amendment was, in section 9, page 4, line 17, after the word "person," to strike out "so quarantined, or for any other person"; in line 19, after the words "for the," to strike out "quarantine of any person" and insert "prevention of the spread of venereal disease by persons suffering from such disease," so as to make the section read:

SEC. 9. That it shall be unlawful for any person to knowingly violate the rules promulgated by the said health officer for the prevention of the spread of venereal disease by persons suffering from such disease. Said rules shall remain in force until terminated by said health officer.

The amendment was agreed to.

The next amendment was, in section 10, page 5, line 4, after the word "physician," to strike out "for the cure of such person" and insert "to assure the provision of adequate treatment in accordance with approved medical standards," so as to make the section read:

SEC. 10. That any person found, under the provisions of this act, to be afflicted with any of said diseases may consult any physician authorized to practice medicine in the District of Columbia, or any physician in good standing with the State board of health of the State wherein said physician lives, and said health officer shall act in conjunction with said physician to assure the provision of adequate treatment in accordance with approved medical standards and to prevent the spread of such diseases.

The amendment was agreed to.

The next amendment was, in section 11, page 5, line 10, after the word "by," to strike out "number" and insert "means"; in the same line, after the word "of," to insert "a"; in line 11, before the words "or otherwise," to strike out "prescriptions" and insert "prescription," so as to read:

SEC. 11. That it shall be unlawful for any person, firm, or corporation to advertise within the District of Columbia any medicine or remedy, by means of a prescription, or otherwise, for the treatment, cure, or prevention of syphilis, gonorrhea, or chancreoid.

The amendment was agreed to.

The next amendment was, on page 5, line 13, after the word "advertising," to strike out "which is confined to" and insert "of"; in line 14, before the word "medical," to strike out "and" and insert "in"; in the same line, after the word "periodicals," to strike out "and the" and insert a comma and the words "or scientific, medical, or dental journals, or"; in line 15, after the words "direct to," to strike out "the physician" and insert "physicians, dentists"; in the same line, to strike out "hospital" and insert "hospitals"; in line 17, before the word "drugs," to strike out "or the" and insert "or for those engaged in the sale of"; and in line 18, to strike out "trade by the advertiser," so as to make the proviso read:

Provided, This section shall not apply to advertising of drugs in medical trade periodicals, or scientific, medical, or dental journals, or literature mailed direct to physicians, dentists, hospitals, or for those engaged in the sale of drugs and medicinal appliances.

The amendment was agreed to.

The next amendment was, in section 12, line 20, after the word "medicine," to strike out "by retail" and insert "to any person other than a dealer, druggist, hospital, or physician"; so as to make the section read:

SEC. 12. That it shall be unlawful for any person, firm, or corporation to sell any drug or medicine to any person other than a dealer, druggist, hospital, or physician for the cure or alleviation of syphilis, gonorrhea, or chancreoid without a written order or prescription written for the person for whom the drugs or medicine are to be delivered and signed by a physician authorized to practice medicine in the District of Columbia.

The amendment was agreed to.

The next amendment was, in section 13, page 6, line 5, after the word "treating," to insert "these diseases in"; in the same line, after the word "such," to strike out "person" and insert "persons"; at the beginning of line 6, before the word "advise," to strike out "for his improvement and cure"; in line 8, after the word "shall," to strike out "so"; in the same line, after the word "him," to insert "to be so"; at the beginning of line 9, before the word "spread," to strike out "any" and insert "the," and in the same line, after the word "spread," to strike out "therefrom" and insert "of such disease," so as to make the section read:

SEC. 13. That any physician who professionally attends any person having syphilis, gonorrhea, or chancreoid shall, in addition to treating these diseases in such persons, advise said person as to the proper means to prevent the spread of said disease, and if necessary shall order him to be so isolated as to prevent the spread of such disease; and it shall be the duty of said physician, upon the willful failure or refusal of such patient to comply with the directions of said physician to prevent the spread of said disease, to report said person to the health officer as herein prescribed by this act.

The amendment was agreed to.

The next amendment was, in section 14, page 6, line 18, after the words "of the," to strike out "responsibility" and insert "responsibilities"; in line 19, before the words "in this act," to strike out "provided therefor" and insert "imposed"; in line 20, before the word "physician," to strike out "some other" and insert "another"; in line 21, after the name "District of Columbia," to strike out "setting out" and insert "certifying"; in line 25, before the word "said," to strike out "of" and insert "over"; and on page 7, line 1, after the word "on," to strike out "attach to said" and insert "be imposed upon the said," so as to make the section read:

SEC. 14. That any person who is under treatment of any physician for syphilis, gonorrhea, or chancreoid may from time to time change physicians, but before any physician treating any patient for any of said diseases shall be relieved of the responsibilities imposed in this act, he shall be furnished with a written acceptance by another physician authorized to practice medicine in the District of Columbia certifying that he will from thereon accept, for treatment, said patient under the provisions of this act, and therefrom said first physician will be relieved of any further responsibility for said patient and the responsibility over said patient shall from that time on be imposed upon the said accepting physician.

The amendment was agreed to.

The next amendment was, in section 15, page 7, line 4, after the word "circular," to strike out "showing" and insert "stating"; in line 5, before the word "therefrom," to strike out "danger" and insert "dangers"; in line 6, before the word "character," to strike out "its contagious and infectious" and insert "their communicable"; in line 7, after the word "prevent," to strike out "its" and insert "their"; in line 10, after the words "existence of," to insert "any of the"; in line 11, after the word "said," to strike out "disease" and insert "diseases"; in the same line, before the word "whether," to strike out "or" and insert "and"; in the same line, after the word "not," to strike out "a cure has been effected" and insert "such person may still be a source of infection to others," so as to make the section read:

SEC. 15. That there shall be prepared by the chief health officer a circular stating in a general way the nature of said diseases, the dangers therefrom, their communicable character, and the proper care to be taken to prevent their spread; and said pamphlet shall also advise that the health officer will from time to time examine any person so afflicted, both for the purpose of determining the existence of any of the said diseases and whether or not such person may still be a source of infection to others. Said health officer shall so distribute said pamphlets or circulars as to disseminate the knowledge therein contained to the public, and it shall be the duty of every practicing

physician in charge of any person being treated for any of said diseases to furnish said patient with said pamphlet or circular furnished by said health officer.

The amendment was agreed to.

The next amendment was, in section 16, page 7, line 23, after the word "statistical," to insert "and public health," and in line 24, after the word "disclose," to insert "to any but the health officer or his duly authorized agents," so as to make the section read:

SEC. 16. That every physician practicing medicine in the District of Columbia shall report to the health officer within 10 days any case of syphilis, gonorrhea, or chancre which he has been employed to treat, but said report shall be used for statistical and public health purposes and shall in no event disclose to any but the health officer or his duly authorized agents the identity of the person so treated except under the conditions in this act provided.

The amendment was agreed to.

The next amendment was, in section 17, page 8, line 5, after the word "or," to strike out "chancre" and insert "chancre"; in line 8, before the word "thereof," to strike out "alleviation or cure" and insert "treatment"; in line 10, after the word "provide," to strike out "therefor" and insert "for the medical care thereof"; in line 11, after the words "cases of," to strike out "highly infectious and contagious" and insert "communicable"; and in line 14, after the word "physician," to insert "immediately," so as to make the section read:

SEC. 17. That whenever any person is found under the provisions of this act to be suffering with syphilis, gonorrhea, or chancre, and said person is without means to employ a physician or without means with which to purchase suitable drugs and medicine for the treatment thereof, said person shall be under the control of the Board of Health of the District of Columbia, who shall provide for the medical care thereof as in other cases of communicable diseases of indigent persons. It shall be the duty whenever such cases come to the knowledge of any practicing physician immediately to report such cases to the health officer.

The amendment was agreed to.

The next amendment was, in section 18, page 8, line 19, after the word "if," to strike out "none" and insert "such minor child have no parent or guardian," so as to make the section read:

SEC. 18. That whenever any duty is imposed by this act upon any person, and the person upon whom such duty is imposed or would ordinarily fall is a minor child, then the parents or guardian of such minor child, and, if such minor child have no parent or guardian, the person having him in charge, shall enforce compliance by him with all the requirements of this act: *Provided*, That if such minor child has attained the age when he is answerable to the criminal laws for his acts, the responsibility herein imposed upon his parents or guardian shall not relieve such minor child of responsibility on his own account.

The amendment was agreed to.

The next amendment was, in section 19, page 9, at the beginning of line 4, to strike out "with syphilis, gonorrhea, or chancre" and insert "from a venereal disease in a form likely to be a source of infection to others"; in line 6, after the word "barber," to strike out "dentist"; in line 9, after the word "suffering," to strike out "endangers"; and in line 10, after the word "health," to insert "is endangered," so as to make the section read:

SEC. 19. That no person knowing that he is suffering from a venereal disease in a form likely to be a source of infection to others shall work as a barber, masseur, cook, baker, or other producer or handler of food or drink or in any profession, trade, or occupation, in which by reason of the disease from which he is suffering the public health is endangered, nor shall any such person be employed or permitted to work in such occupation.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

#### BILLS PASSED OVER

The bill (S. 2679) to protect trade-marks used in commerce, to authorize the registration of such trade-marks, and for other purposes, was announced as next in order.

Mr. DILL. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

Mr. WADSWORTH. What became of Order of Business 1133, House bill 11030?

The PRESIDING OFFICER. It was passed this afternoon. The bill (S. 4148) to provide a complete code of insurance law for the District of Columbia (excepting marine insurance as now provided for by the act of March 4, 1922, and fraternal and benevolent insurance associations or orders as provided for by the act of March 3, 1901), and for other purposes, was announced as next in order.

Mr. KING. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 2688) providing for sundry matters affecting the naval service, and for other purposes, was announced as next in order.

Mr. KING. Let that go over.

The PRESIDING OFFICER. May the Chair ask the Senator from Utah whether that is the so-called omnibus naval bill?

Mr. KING. Yes.

The PRESIDING OFFICER. The bill will be passed over.

#### FRANK H. WALKER AND FRANK E. SMITH

The bill (S. 3100) for the relief of Frank H. Walker and Frank E. Smith was announced as next in order.

Mr. KING. Mr. President, I have not that bill in my file. I ask that the bill be read. I do not know the purpose of it.

The PRESIDING OFFICER. The bill will be read.

The reading clerk read the bill.

Mr. KING. Mr. President, I notice in the report—the bill has just been handed to me—this language:

It seems to me that if the property owners are to be paid the present value of the property that they are not also entitled to interest amounting to \$14,724.38 on the value of the property in 1906.

In other words, the bill appears to allow an increase in value of \$15,000 to \$36,000, and now, as I understand, it is forty-odd thousand dollars. I object until we have a chance to examine it.

The PRESIDING OFFICER. Objection is made. The bill will be passed over.

#### WILLIAM WEEKLEY

The bill (H. R. 6853) to relinquish the title of the United States to the land in the preemption claim of William Weekley, situate in the county of Baldwin, State of Alabama, was considered as in Committee of the Whole.

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

#### LANDS IN COLORADO

The bill (H. R. 3927) granting public lands to the town of Silverton, Colo., for public park purposes, was considered as in Committee of the Whole.

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

#### LANDS IN CALIFORNIA

The bill (H. R. 9688) granting public lands to the city of Red Bluff, Calif., for a public park, was considered as in Committee of the Whole.

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

#### FRED J. LA MAY

The bill (H. R. 7780) for the relief of Fred J. La May was considered as in Committee of the Whole.

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

#### FIRST STATE SAVINGS BANK OF GLADWIN, MICH.

The bill (H. R. 8226) granting relief to the First State Savings Bank of Gladwin, Mich., was considered as in Committee of the Whole and was read.

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

#### RESTORATION OF HOMESTEAD RIGHTS

The bill (H. R. 8333) to restore homestead rights in certain cases was considered as in Committee of the Whole, and was read.

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

#### SNOQUALMIE NATIONAL FOREST

The bill (H. R. 2689) to consolidate certain lands within the Snoqualmie National Forest was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That the provisions of the act of March 20, 1922, "An act to consolidate national forest lands," be, and the same are hereby, extended to the following-described lands to the same extent



that such provisions would apply were said lands within the exterior boundaries of a national forest:

Township 26 north, range 10 east, sections 1, 2, 3, 10, 11, 12, and 13; township 26 north, range 11 east, sections 17 to 29, inclusive, and sections 34, 35, and 36; township 26 north, range 12 east, sections 13, 19 to 35, inclusive; township 27 north, range 9 east, sections 10 to 15, inclusive, section 22, and north half of sections 23 and 24; township 27 north, range 10 east, section 15, east half of section 16, west half of section 18, south half and northwest quarter of section 19, south half of section 20, south half and northeast quarter of section 21, section 22, and sections 26, 27, 28, 29, 30, 34, and 35, all Willamette base and meridian.

SEC. 2. That all public lands within the foregoing areas are hereby added to and made parts of the Snoqualmie National Forest subject to all valid adverse rights established prior to the passage of this act.

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

#### LANDS OF THE KIOWA, COMANCHE, AND APACHE INDIANS

The bill (H. R. 10590) authorizing the Secretary of the Interior to sell certain land to provide funds to be used in the purchase of a suitable tract of land to be used for cemetery purposes for the use and benefit of members of the Kiowa, Comanche, and Apache Tribes of Indians was considered as in Committee of the Whole and was read.

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

#### PATENT TO GOVERNMENT LANDS TO REDLANDS, CALIF.

The bill (H. R. 166) authorizing the Secretary of the Interior to issue patent to the city of Redlands, Calif., for certain lands, and for other purposes, was considered as in Committee of the Whole and was read.

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

#### MOUNT HOOD NATIONAL FOREST

The bill (H. R. 5612) to authorize the addition of certain lands to the Mount Hood National Forest was considered as in Committee of the Whole, and was read.

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

#### LAND FOR FISH HATCHERY IN OREGON

The bill (H. R. 9495) granting to the State of Oregon certain lands to be used by it for the purpose of maintaining and operating thereon a fish hatchery was considered as in Committee of the Whole, and was read.

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

#### EXTENSION OF TIME FOR DESERT-LAND ENTRY

The bill (H. R. 10411) granting desert-land entrymen an extension of time for making final proof was considered as in Committee of the Whole, and was read.

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

#### CONSOLIDATION OF NATIONAL FOREST LANDS

The bill (H. R. 11500) to amend an act entitled "An act to consolidate national forest lands," was considered as in Committee of the Whole, and was read.

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

#### BOARD OF PUBLIC WELFARE

The bill (H. R. 12002) to establish a board of public welfare in and for the District of Columbia, to determine its functions, and for other purposes, was announced as next in order.

Mr. KING. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

#### AMENDMENT OF COTTON FUTURES ACT

The bill (S. 3107) to amend the United States cotton futures act, as amended, was announced as next in order.

The PRESIDING OFFICER. The bill will be passed over.

Mr. HEFLIN. Mr. President, who made the suggestion that the bill should go over?

The PRESIDING OFFICER. The Senator from New Hampshire, the present occupant of the chair.

Mr. HEFLIN. Then I make the point of no quorum. We will have to adjourn at 11 o'clock anyway, and this is a very important measure, affecting the interests of all the cotton producers of the South. The bill should be passed. I have amended it as suggested by the Secretary of Agriculture. It is one of the most meritorious bills that ever came before Congress. We can pass bills pertaining to one kind of interest or another in a hurry, but when it comes to a measure like this,

because certain gambling exchanges do not want to have it passed, it is passed over. When it vitally affects the interests of twenty-six or twenty-eight million people I do not want to see it passed over lightly, and I do not intend to see that done.

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

Mr. HEFLIN. I yield.

Mr. WADSWORTH. The Senator must recollect that we are sitting here this evening under a unanimous-consent agreement to take up unobjected bills on the calendar.

Mr. HEFLIN. I understand that. I have sat here and permitted a great many bills to go through, to which I could have objected, just as some one has objected to this bill, probably without knowing very much about the merits of the measure. But I have not objected. We are reaching the close of the session, and the only way to get legislation is to stand up and fight for it. I am not going to sit here and permit measures to pass affecting other sections of the country and other interests, without fighting for meritorious measures which affect my section of the country.

Mr. WADSWORTH. Will the Senator yield further?

Mr. HEFLIN. I yield to the Senator.

Mr. WADSWORTH. Does the Senator honestly believe that he is helping toward the passage of his bill by raising a point of no quorum at 10 minutes of 11, when his own bill is the bill before the Senate? What good would it do his bill to compel the Senate to disperse for this evening?

Mr. HEFLIN. If the Senate would adjourn now, my bill would be the first on the calendar when we meet again.

Mr. WADSWORTH. It may be some time before we get another chance at the calendar, including the Senator's bill.

Mr. HEFLIN. That is why I am making the point now; we might not get to the calendar again.

Mr. SWANSON. It would not be the next on the calendar unless by unanimous consent we should commence where we leave off to-night. The same objection could be made on the next call of the calendar.

Mr. WADSWORTH. My complaint is, if I may use the expression, that the Senator from Alabama is not abiding by the rules of the game.

Mr. HEFLIN. Yes; I am. The Senator from New York has gotten two or three bills through to-night, and I have not objected to them. I want to do what is fair and right by every other Senator.

Mr. WADSWORTH. Had the Senator from Alabama objected to any bill which happened to be reported from the Committee on Military Affairs by me, I should not have resorted to the means to which the Senator from Alabama proposes to resort.

Mr. HEFLIN. Mr. President—

Mr. WADSWORTH. I agreed to the unanimous-consent agreement.

The PRESIDING OFFICER. The time of the Senator from Alabama has expired. The Senator from Alabama suggests the absence of a quorum, and the Secretary will call the roll.

Mr. HEFLIN. I withdraw the point of no quorum.

The PRESIDING OFFICER. The suggestion is withdrawn. The Secretary will call the next bill on the calendar.

#### CONSTRUCTION OF PUBLIC BUILDINGS

The bill (H. R. 11791) to provide for the construction of certain public buildings, and for other purposes, was announced as next in order.

Mr. KING. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

#### P. DOUGHERTY CO.

The bill (S. 2253) for the relief of the P. Dougherty Co. was considered as in Committee of the Whole and was read, as follows:

*Be it enacted, etc.,* That the claim of The P. Dougherty Co., a corporation created by and existing under the laws of the State of Maryland, owners of the barge *Maine*, against the United States, for damages alleged to have been caused by collision between the said barge and the U. S. S. *Lake Lida* in Elizabeth River on the afternoon of March 13, 1920, may be sued for by the said The P. Dougherty Co., or by S. G. Miller, the agent of the said company, and master of the barge *Maine* at the time of said collision, in the District Court of the United States for the Eastern District of Virginia, sitting as a court of admiralty and acting under the rules governing such court; and said court shall have jurisdiction to hear and determine such suit and to enter a judgment or decree for the amount of such damages, and costs, if any, as shall be found to be due against the United States in favor of the said The P. Dougherty Co., or in favor of the company's said agent, S. G. Miller, as master of said barge *Maine*, on behalf of said owner, upon the same principles and measures of liability as in

like cases in admiralty between private parties and with the same rights of appeal: *Provided*, That such notice of the suit shall be given to the Attorney General of the United States as may be provided by order of the said court; and it shall be the duty of the Attorney General to cause the United States Attorney in such district to appear and defend for the United States: *Provided further*, That said suit shall be brought and commenced within four months from the date of the passage of this act.

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

#### Santee River Bridge, South Carolina

The bill (S. 4209) to authorize the building of a bridge across the Santee River, in South Carolina, was considered as in Committee of the Whole.

The bill had been reported from the Committee on Commerce with amendments, on page 1, line 4, after the word "construct" and the comma, to strike out the word "and"; on the same line, after the word "maintain," to insert the words "and operate"; on line 6, after the word "at," to insert the words "a point suitable to the interests of navigation," so as to make the bill read:

*Be it enacted, etc.*, That the State Highway Department of South Carolina be, and is hereby, authorized to construct, maintain, and operate a highway bridge and approaches thereto across the Santee River at a point suitable to the interests of navigation, at or near a point known as Pinckneys Landing, between the counties of Clarendon and Orangeburg, S. C., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

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

#### Congaree River Bridge, South Carolina

The bill (S. 4210) to authorize the building of a bridge across the Congaree River in South Carolina was considered as in Committee of the Whole.

The bill had been reported from the Committee on Commerce with amendments, on line 4, after the word "construct," to strike out the word "and"; after the word "maintain," on the same line, to insert the words "and operate"; and on line 6, after the word "River," to insert the words "at a point suitable to the interests of navigation," so as to make the bill read:

*Be it enacted, etc.*, That the State Highway Department of South Carolina be, and is hereby, authorized to construct, maintain, and operate a highway bridge and approaches thereto across the Congaree River at a point suitable to the interests of navigation at or near the city of Columbia, between the counties of Richland and Lexington, S. C., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

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

#### Catawba River Bridge, South Carolina

The bill (S. 4211) to authorize the building of a bridge across the Catawba River in South Carolina, was considered as in Committee of the Whole.

The bill had been reported from the Committee on Commerce with amendments, on page 1, line 4, after the word "construct," to strike out the word "and"; on the same line, after the word "maintain," to strike out the words "and operate"; on line 6, after the word "River," to insert the words "at a point suitable to the interests of navigation"; on page 2, line 1, to strike out the word "water," and to insert in lieu thereof the word "waters," so as to make the bill read:

*Be it enacted, etc.*, That the State Highway Department of South Carolina be, and is hereby, authorized to construct, maintain, and operate a highway bridge and approaches thereto across the Catawba River at a point suitable to the interests of navigation at or near the town of Fort Lawn, between the counties of Chester and Lancaster,

S. C., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

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

#### Broad River Bridge, South Carolina

The bill (S. 4212) to authorize the building of a bridge across the Broad River in South Carolina was considered as in Committee of the Whole.

The bill had been reported from the Committee on Commerce with amendments, on page 1, line 4, after the word "construct" and the comma, to strike out the word "and"; after the word "maintain," on the same line, to insert the words "and operate"; on line 6, after the word "River," to insert the words "at a point suitable to the interests of navigation," so as to make the bill read:

*Be it enacted, etc.*, That the State Highway Department of South Carolina be, and is hereby, authorized to construct, maintain, and operate a highway bridge and approaches thereto across the Broad River at a point suitable to the interests of navigation at or near a point known as Strothers Ferry, between the counties of Newberry and Fairfield, S. C., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

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

#### Santee River Bridge, S. C.

The bill (S. 4213) to authorize the building of a bridge across the Santee River, S. C., was considered as in Committee of the Whole.

The bill had been reported from the Committee on Commerce with amendments, on page 1, line 4, after the word "construct" and the comma, to strike out the word "and"; after the word "maintain," to insert the words "and operate"; on line 6, after the word "at," to insert the words "a point suitable to the interests of navigation, at"; and on page 2, line 2, after the word "navigable," to strike out the word "water" and insert in lieu thereof the word "waters," so as to make the bill read:

*Be it enacted, etc.*, That the State Highway Department of South Carolina be, and is hereby, authorized to construct, maintain, and operate a highway bridge and approaches thereto across the Santee River at a point suitable to the interests of navigation, at or near a point known as St. James Ferry, between the counties of Georgetown and Charleston, S. C., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

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

#### Savannah River Bridge, S. C.

The bill (S. 4214) to authorize the building of a bridge across the Savannah River between South Carolina and Georgia was considered as in Committee of the Whole.

The bill had been reported from the Committee on Commerce with amendments, on page 1, line 5, before the word "maintain," to strike out the word "and" and, after the word "maintained" and the comma, to insert the words "and operate"; on line 7, after the word "River," to insert the words "at a point suitable to the interests of navigation," so as to make the bill read:

*Be it enacted, etc.*, That the State Highway Department of South Carolina and the State Highway Department of Georgia be, and are hereby, authorized to construct, maintain, and operate a highway bridge and approaches thereto across the Savannah River at a point suitable to the interests of navigation at or near the point where the



Seaboard Air Line Railway now crosses, between the counties of Abbeville, S. C., and Elbert, Ga., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

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

#### SUSQUEHANNA RIVER BRIDGE

The bill (S. 4217) granting the consent of Congress to the Susquehanna Bridge Co. and its successors to construct a bridge across the Susquehanna River between the borough of Wrightsville, in York County, Pa., and the borough of Columbia, in Lancaster County, Pa., was considered as in Committee of the Whole.

The bill had been reported from the Committee on Commerce with an amendment, on page 1, line 4, after the word "Bridge" to strike out the word "Company" and insert in lieu thereof "Corporation"; and before the word "organized" in the same line, to strike out the words "a corporation"; so as to make the bill read:

*Be it enacted, etc.,* That the consent of Congress is hereby granted to the Susquehanna Bridge Corporation, organized under the laws of the State of Pennsylvania, and its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Susquehanna River at a point suitable to the interests of navigation, and between the borough of Wrightsville, in the county of York, and the borough of Columbia, in the county of Lancaster, in the State of Pennsylvania, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

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

Amend the title so as to read: "A bill granting the consent of Congress to the Susquehanna Bridge Corporation and its successors to construct a bridge across the Susquehanna River between the borough of Wrightsville, in York County, Pa., and the borough of Columbia, in Lancaster County, Pa."

#### DETROIT RIVER BRIDGE, MICH.

The bill (S. 4225) to extend the time for commencing and completing the construction of a bridge across the Detroit River within or near the city limits of Detroit, Mich., was considered as in Committee of the Whole, and was read, as follows:

*Be it enacted, etc.,* That the times for commencing and completing the construction of the bridge authorized by act of Congress approved March 4, 1921, to be built by the American Transit Co., its successors and assigns, across Detroit River, within or near the city limits of Detroit, Wayne County, Mich., are hereby extended one year and five years, respectively, from the date of approval hereof.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

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

#### FORT GRATIOT LIGHTHOUSE RESERVATION

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., was considered as in Committee of the Whole, and was read.

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

#### RED RIVER OF THE NORTH DAM

The bill (H. R. 10596) to extend the times for commencing and completing the construction of a dam across the Red River of the North was considered as in Committee of the Whole, and was read.

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

#### HELIUM GAS

Mr. WADSWORTH. Mr. President, all the bridge bills seem to have been disposed of, and I ask that the Senate re-

sume the consideration of House bill 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.

Mr. PITTMAN. I understand the Senator is about to offer an amendment to the bill upon which we have agreed.

Mr. WADSWORTH. I am.

Mr. PITTMAN. With that amendment in the bill, I have no objection to it.

The Senate, as in Committee of the Whole, resumed the consideration of the bill.

Mr. WADSWORTH. On page 4 of the bill I move to amend the committee amendment, on line 9, by striking out the words "or probable."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

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

The bill was read the third time, and passed.

#### COLORADO RIVER BRIDGE, CALIFORNIA

Mr. SHORTRIDGE. Mr. President, I ask that the Senate proceed to the consideration of Senate bill 4289, authorizing the construction of a bridge across the Colorado River near Blythe, Calif.

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

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

#### CHOWAN RIVER BRIDGE, NORTH CAROLINA

Mr. CURTIS. The senior Senator from North Carolina [Mr. SIMMONS] asked me to request unanimous consent that the Senate proceed to the consideration of Senate bill 4229, granting the consent of Congress to the State Highway Commission of North Carolina to construct a bridge across the Chowan River at or near the city of Edenton, N. C. I make that request.

There being no objection, the bill was considered as in Committee of the Whole, and was read.

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

#### CLAIMS OF ASSINIBOINE INDIANS

Mr. WHEELER. I ask unanimous consent that the Senate proceed to the consideration of House bill 7687, conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and enter judgment in any claims which the Assiniboiné Indians may have against the United States, and for other purposes. This bill has passed the House. It is a bill giving the Indians an opportunity to go into the Court of Claims.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Indian Affairs with amendments to strike out from line 3, page 1, to line 4, page 2, as follows: "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 Assiniboiné Indian Nation or Tribe, or arising under or growing out of any act of Congress in relation to Indian affairs, which said Assiniboiné 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," and to insert in lieu thereof the following:

That all claims of whatsoever nature which the Assiniboiné Indian Nation or Tribe may have against the United States, which have not heretofore been determined by a court of competent jurisdiction, may be submitted to the Court of Claims for determination of the amount, if any, due said Indians from the United States under any treaty or agreement or law of Congress, or for the misappropriation of any of the property or funds of said Indians, or for the failure of the United States to administer the same in conformity with any treaty or agreement with the said Indians: *Provided*, That if in any claim submitted hereunder a treaty or an agreement with the Indians be involved, and it be shown that the same has been amended or superseded by an act or acts of Congress, the court shall have authority to

determine whether such act or acts have violated any property right of the claimants, and, if so, to render judgment for the damages resulting therefrom; and jurisdiction is hereby conferred upon said Court of Claims, with the right of appeal to the Supreme Court of the United States by either party, to hear and determine all legal and equitable claims of whatsoever nature which said Indians may have against the United States; it being the intent of this act to allow the said Court of Claims full and complete authority to adjust and determine all claims submitted hereunder so that the rights, legal and equitable, both of the United States and of said Indians may be fully considered and determined and to render judgment thereon accordingly.

On page 4, beginning with line 1, to strike out to line 23, as follows:

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 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.

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 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.

And to insert in lieu thereof the following:

SEC. 3. That if any claim or claims be submitted to said court, it shall determine the rights of the parties thereto, notwithstanding lapse of time or statutes of limitation, and any payment which may have been made by the United States upon any claim so submitted shall not be pleaded as an estoppel, but may be pleaded as a set-off in any suit; and the United States shall be allowed credit subsequent to the date of any law, treaty, or agreement under which the claims arise for any sum or sums heretofore paid or expended for the benefit of said Indians, if legally chargeable against that claim.

SEC. 4. That if it be determined by the court that the United States, in violation of the terms and provisions of any law, treaty, or agreement, has unlawfully appropriated or disposed of any money or other property belonging to the Indians, damages therefor shall be confined to the value of the money or other property at the time of such appropriation or disposal, together with interest thereon at 5 per cent per annum from the date thereof; and with reference to all claims which may be the subject matter of the suits herein authorized, the decree of the court shall be in full settlement of all damages, if any, committed by the Government of the United States and shall annul and cancel all claim, right, and title of the said Assiniboine Indians in and to such money or other property.

SEC. 5. 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 more than \$50,000, and shall be paid out of the judgment. All actual and necessary expenses incurred in the prosecution of said suit by the attorney or attorneys so employed shall be paid by the Secretary of the Treasury, as they arise, out of the funds standing to the credit of said Indians in the Treasury of the United States upon first being allowed by said Court of Claims and certified to the Secretary of the Interior.

And to insert at the end of the bill a new section, to be known as section 8, as follows:

SEC. 8. The proceeds of all amounts, if any, recovered for said Indians shall be deposited in the Treasury of the United States to the credit of the Indians decreed by said court to be entitled thereto, and shall draw interest at the rate of 5 per cent per annum from the date of the judgment or decree. The costs incurred in any suit hereunder shall be taxed against the losing party; if against the United States such costs shall be included in the amount of the judgment or decree, and if against said Indians shall be paid by the Secretary of the Treasury out of the funds standing to their credit in the Treasury of the United States.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

CUSTOMHOUSE BUILDING AND SITE, DENVER, COLO.

Mr. PHIPPS. I ask unanimous consent that the Senate proceed to the consideration of Senate bill 3721, authorizing the Secretary of the Treasury to exchange the present customhouse building and site located in Denver, Colo. It provides for an exchange of Government property in Denver, the old customhouse building.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and empowered, in his discretion, to exchange the present customhouse building and site, situate in block 98, lots Nos. 1 to 8, inclusive, fronting northwest 200 feet on Arapahoe Street, and northeast 125 feet on Sixteenth Street, Denver, Colo., for a new site and a building to be constructed thereon for the use and accommodation of the customs service and other Government officials.

The new site must have the approval of the Secretary of the Treasury, and the title thereto must be satisfactory to the Attorney General of the United States. The site shall have approximately the same area as the present customhouse site above described; the ground area of the building to be constructed shall be approximately 17,000 square feet; building to be four stories above the basement and provision made in the construction of the foundation and walls and columns for placing three additional stories thereon, if required, in the future.

The plans and specifications for said building shall be prepared by the Supervising Architect of the Treasury Department or by a private architect employed by the purchasers of the customhouse property, as the Secretary of the Treasury may elect; in the latter case the architect and the plans and specifications prepared by him, and in either case the completed building, must meet the approval of the Supervising Architect of the Treasury, who may detail representatives to supervise or inspect the building during construction until final acceptance.

Authority is hereby given to the Secretary of the Treasury to turn the present building and site thereof over to the party or parties offering property in exchange therefor upon condition that good and sufficient security is furnished by said party or parties to insure the prompt construction of the building herein contemplated, upon the site selected, and its conveyance to the United States of America free and clear from any lien or incumbrance of any kind or character, and that in the meantime the customs service and other Government officials now occupying quarters in the present building shall be provided, without expense to the United States, adequate space for their accommodation, either in their present quarters in the customhouse or elsewhere, until the new building is completed and ready for occupancy.

The Government shall be involved in no expense in this transaction, except in connection with the drawings and specifications, if prepared by the Supervising Architect, and in connection with the superintendence, inspection, and general administration. Nor shall the United States be involved in any expense incident to the work in connection with the removal of Government property either from the old building into quarters provided by the purchasers or to the new building upon its completion.

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

ISABELLE R. DAMRON

Mr. SWANSON. I ask unanimous consent that the Senate proceed to the consideration of Senate bill 3378, for the relief of Isabelle R. Damron, postmaster at Clintwood, Va.

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

The bill had been reported from the Committee on Claims with an amendment, on line 6, to strike out "\$695.03" and to insert in lieu thereof "\$439.98," so as to make the bill read:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Isabelle R. Damron, postmaster at Clintwood, Va., the sum of \$439.98, the same being the amount of money stolen from the safe in the post office at Clintwood, Va., on July 25, 1923, by persons unknown.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

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



## COLORADO RIVER BRIDGE, ARIZONA

Mr. CAMERON. I ask that the Senate proceed to the consideration of House bill 4114, authorizing the construction of a bridge across the Colorado River near Lee Ferry, Ariz.

The bill was considered as in Committee of the Whole and was read, as follows:

*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 Navajo Indian Reservation, to remain a charge and lien upon the 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 guaranties 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.

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

## EXCHANGE OF PUBLIC LANDS IN DELAWARE

The PRESIDING OFFICER. The next bill on the calendar will be announced, being Senate bill 4239.

The bill (S. 4239) to provide for the exchange of certain lands now owned by the United States in the town of Newark, Del., for other lands, was considered as in Committee of the Whole, and was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be authorized to convey to the town of Newark, Del., land facing on Depot Road in said town, not more than 15 feet deep, for the purpose of widening said road, in exchange for the same depth of land in the rear of said lot.

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

## RAILROAD SWITCHING CHARGES

The bill (H. R. 597) regulating switching and switching charges on railroads in the District of Columbia, and for other purposes, was announced as next in order.

Mr. WILLIS. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

## HEIGHT OF BUILDINGS IN THE DISTRICT OF COLUMBIA

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, was considered as in Committee of the Whole, and was read.

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

## MEDAL COMMEMORATING NORSE-AMERICAN CENTENNIAL

The bill (S. 4230) to authorize the Secretary of the Treasury to prepare a medal with appropriate emblems and inscriptions commemorative of the Norse-American Centennial was considered as in Committee of the Whole and was read, as follows:

*Be it enacted, etc.,* That a medal, not to exceed in number 40,000, with appropriate devices, emblems, and inscriptions commemorative of the arrival in the United States of the first shipload of Norse immigrants on board the sloop *Restaurationen*, which event is to be celebrated at the Norse-American Centennial on the Minnesota State Fair grounds June 6 to 9, 1925, inclusive, shall be prepared under the direction of the Secretary of the Treasury at the United States Mint at Philadelphia. The medals herein authorized shall be manufactured, subject to the provisions of section 52 of the coinage act of 1873, from suitable models to be supplied by the Norse-American Centennial (Inc.). The medals so prepared shall be delivered at the Philadelphia Mint to a designated agent of said Norse-American Centennial (Inc.) upon payment of the cost thereof.

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

## FRANCIS J. YOUNG

The bill (S. 3581) for the relief of Francis J. Young was considered as in Committee of the Whole, and was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Treasury be, and he hereby is, authorized and directed to pay to Francis J. Young, father

of Wallace J. Young, late consul at Bradford, England, \$4,500, being one year's salary of his deceased son, who died of illness incurred in the Consular Service; and there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, a sufficient sum to carry out the purpose of this act.

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

## CLAIMS OF CALIFORNIA INDIANS

The bill (S. 4301) authorizing any tribe or band of Indians of California to submit claims to the Court of Claims was considered as in Committee of the Whole.

The bill had been reported from the Committee on Indian Affairs with amendments, on page 4, line 6, to renumber the section from "5" to "4," and on line 11, to renumber the section from "6" to "5," so as to make the bill read:

*Be it enacted, etc.,* That all claims of whatsoever nature which any tribe or band of Indians of California may have against the United States may be submitted to the Court of Claims for determination of the amount, if any, not exceeding \$1.25 per acre, due said tribes or bands from the United States for lands formerly occupied and claimed by them in the said State, which lands are alleged to have been taken from them without compensation; and jurisdiction is hereby conferred on the Court of Claims, with the right of either party to appeal to the Supreme Court of the United States, to hear and determine all legal and equitable claims, if any, of said tribes or bands against the United States and to enter judgment thereon.

SEC. 2. If any claim or claims be submitted to said courts they shall settle the rights therein, both legal and equitable, which shall be based upon the fair value of any such lands not exceeding \$1.25 per acre at the time the tribes or bands were wrongfully deprived thereof, of each and all the parties thereto, notwithstanding lapse of time of statutes of limitation, and any payment which may have been made upon any claim so submitted shall not be pleaded as an estoppel, but may be pleaded by way of offset in such suit and the United States shall be allowed credit for all sums heretofore paid or expended for the benefit of said tribes or any band thereof. The claim or claims of the said tribes or any band thereof shall be presented jointly by petition, subject, however, to amendment, suit to be filed within two years after the passage of this act; and such action shall make the petitioner or petitioners party plaintiff or plaintiffs and the United States shall be the party defendant; and any other band or bands or tribes of California the court may deem necessary to a final determination of such suit may be joined therein as the court may thereafter order: *Provided*, That said court shall settle and determine the claims or rights of any such band or tribe as may be joined in said suit. Such petition may be verified upon information and belief as to the facts therein alleged by the attorney or attorneys employed by the aforesaid tribes or bands of Indians of California under contract approved by the Commissioner of Indian Affairs and the Secretary of the Interior under existing law, and shall set forth all the facts on which the claims for recovery are based, and said petition shall be signed by the attorney or attorneys so employed and no other verification shall be necessary; official letters, papers, 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 of said tribes or bands thereof to such papers, correspondence, or records as may be needed by the attorney or attorneys for said tribes or bands of Indians: *Provided*, That the Secretary of the Interior shall prescribe such rules and regulations as may be necessary for the selection by the Indians of the attorney or attorneys, as provided for in the act.

SEC. 3. Upon the final determination of such suit, cause, or action the Court of Claims shall decree such fees as it shall find reasonable to be paid the attorney or attorneys employed by said tribes, but in no case shall the fees decreed by such court be more than 10 per cent of the amount of the judgment recovered in such suit, and in no event to exceed \$25,000, exclusive, however, of all necessary and proper expenses incurred in the preparation and prosecution of the suit or suits therein provided for, such fee and expenses to be paid from the judgment, if any, entered against the United States.

SEC. 4. For the purpose of this act the tribes or bands of Indians of California shall be construed to mean those Indians residing in California at the time of the alleged deprivation of their lands and their descendants who are now actual residents of said State.

SEC. 5. The balance of such judgment shall be placed in the Treasury of the United States to the credit of the Indians entitled thereto, and shall draw interest at the rate of 4 per cent per annum until such time as the Congress shall otherwise direct.

SEC. 6. Upon the rendition of a judgment in favor of the Indians the Secretary of the Interior, under such rules and regulations as he may prescribe, shall cause a roll to be made of all the Indians entitled to participate in the judgment.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

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

#### RECESS

The PRESIDING OFFICER. The hour of 11 o'clock having arrived, under the unanimous agreement previously entered into, the Senate will stand in recess until to-morrow at 12 o'clock.

Thereupon the Senate (at 11 o'clock p. m.), under the unanimous-consent agreement previously entered into, took a recess until to-morrow, Thursday, February 19, 1925, at 12 o'clock meridian.

#### NOMINATIONS

*Executive nominations received by the Senate February 18 (legislative day of February 17), 1925*

CHIEF JUSTICE OF THE SUPREME COURT OF THE PHILIPPINE ISLANDS

Ramon Avancena, of the Philippine Islands, vice Manuel Araullo.

ASSOCIATE JUSTICE OF THE SUPREME COURT OF THE PHILIPPINE ISLANDS

Antonio L. Villareal, of the Philippine Islands, vice Ramon Avancena.

ASSISTANT COMMISSIONER OF THE GENERAL LAND OFFICE

Thomas C. Havell, of Tennessee, to be Assistant Commissioner of the General Land Office, vice George R. Wickham, resigned.

#### APPOINTMENT TO THE NAVAL RESERVE FORCE

George A. Berry, ex-lieutenant, United States Naval Reserve Force, to be a lieutenant commander, United States Naval Reserve Force, from the 26th day of January, 1925, in accordance with a provision contained in an act of Congress approved January 26, 1925.

#### POSTMASTERS

##### ALABAMA

Arthur W. Smith to be postmaster at Shawmut, Ala., in place of A. L. Pittman, resigned.

##### ARKANSAS

Robert S. Smith to be postmaster at Garland, Ark., in place of R. R. Wright. Office became third class October 1, 1924.

Ferrell S. Tucker to be postmaster at Black Oak, Ark., in place of A. C. Gillies, resigned.

##### CALIFORNIA

Virgil W. Norton to be postmaster at Sutter Creek, Calif., in place of V. W. Norton. Incumbent's commission expired August 15, 1923.

John J. Freeman to be postmaster at North San Diego, Calif., in place of J. J. Freeman. Office became third class January 1, 1925.

Harold A. Snell to be postmaster at McArthur, Calif., in place of H. A. Snell. Office became third class January 1, 1924.

Nellys R. Squier to be postmaster at Butte City, Calif., in place of Jackson James, resigned.

##### GEORGIA

James D. Lane to be postmaster at Monticello, Ga., in place of Augusta Glover. Incumbent's commission expired February 4, 1924.

John L. Dorris to be postmaster at Douglasville, Ga., in place of J. L. Dorris. Incumbent's commission expired July 28, 1923.

Fair Durden to be postmaster at Graymont, Ga., in place of Fair Durden. Office became third class July 1, 1923.

Essie T. Patterson to be postmaster at Byromville, Ga., in place of Hattie Brand. Office became third class January 1, 1924.

Pearl Warren to be postmaster at Abbeville, Ga., in place of P. D. Wootten, removed.

##### IDAHO

Haly C. Kunter to be postmaster at Ririe, Idaho, in place of H. C. Kunter. Office became third class October 1, 1924.

##### ILLINOIS

Alfred P. Goodman to be postmaster at Verona, Ill., in place of A. P. Goodman. Office became third class January 1, 1925.

Bijah J. Gibson to be postmaster at Crescent City, Ill., in place of B. J. Gibson. Office became third class January 1, 1925.

##### INDIANA

George H. Griffith to be postmaster at Fremont, Ind., in place of Elmer Ritter. Incumbent's commission expired June 5, 1924.

##### IOWA

Boyd B. Wade to be postmaster at Woodward, Iowa, in place of D. J. Rhoads. Incumbent's commission expired June 5, 1924.

##### KANSAS

Clara O. Cutbirth to be postmaster at Silver Lake, Kans., in place of C. O. Cutbirth. Office became third class January 1, 1925.

##### KENTUCKY

Virginia M. Spencer to be postmaster at Garrett, Ky., in place of V. M. Spencer. Office became third class April 1, 1924.

##### LOUISIANA

Ruby M. Ivey to be postmaster at Benton, La., in place of W. G. Stinson, resigned.

##### MASSACHUSETTS

Ralph H. Parker to be postmaster at Framingham, Mass., in place of H. W. Damon, deceased.

##### MINNESOTA

Ernest S. Mariette to be postmaster at Oak Terrace, Minn., in place of E. S. Mariette. Office became third class January 1, 1925.

##### MISSISSIPPI

Jeff L. Barrow to be postmaster at Pelahatchee, Miss., in place of M. A. Tanner. Incumbent's commission expired January 28, 1924.

James L. Cooper to be postmaster at Maben, Miss., in place of J. L. Cooper. Incumbent's commission expired June 4, 1924.

Walter E. Dreaden to be postmaster at Lambert, Miss., in place of W. E. Dreaden. Incumbent's commission expired August 5, 1923.

Zilpha L. Killam to be postmaster at Hickory, Miss., in place of Z. L. Killam. Incumbent's commission expired June 2, 1924.

John E. Nordan to be postmaster at Forest, Miss., in place of M. S. Graham. Incumbent's commission expired June 4, 1924.

Thomas W. Maxwell to be postmaster at Canton, Miss., in place of B. F. Hill. Incumbent's commission expired June 4, 1924.

Eppie R. Baker to be postmaster at Duck Hill, Miss., in place of W. C. Tyler. Incumbent's commission expired June 4, 1924.

Thomas J. Davis to be postmaster at Baldwyn, Miss., in place of K. M. Hefflin. Incumbent's commission expired June 5, 1924.

Davis Staples to be postmaster at Stewart, Miss., in place of Davis Staples. Office became third class January 1, 1925.

Opie C. Genn to be postmaster at Norfield, Miss., in place of L. L. McCann. Office became third class October 1, 1923.

George F. McLelland to be postmaster at Newton, Miss., in place of H. C. Majure, deceased.

George T. Hallas to be postmaster at Hazlehurst, Miss., in place of S. S. Matthews, removed.

##### MONTANA

Ovid S. Draper to be postmaster at Bonner, Mont., in place of O. S. Draper. Office became third class October 1, 1924.

##### NEBRASKA

Nora G. Johnson to be postmaster at Big Spring, Nebr., in place of N. G. Johnson. Incumbent's commission expired May 21, 1924.

Maurice S. Groat to be postmaster at Inavale, Nebr., in place of M. S. Groat. Office became third class January 1, 1925.

##### NEVADA

Eva A. Griswold to be postmaster at Deeth, Nev., in place of E. A. Griswold. Office became third class January 1, 1925.

##### NEW JERSEY

William G. Wallis to be postmaster at Florence, N. J., in place of F. N. Hughes. Incumbent's commission expired June 5, 1924.

##### PENNSYLVANIA

Delbert W. Wright to be postmaster at Hop Bottom, Pa., in place of S. M. Williams. Incumbent's commission expired April 23, 1924.

##### SOUTH CAROLINA

Herbert O. Jones to be postmaster at Salley, S. C., in place of H. O. Jones. Office became third class July 1, 1924.



## TEXAS

Winnie Everitt to be postmaster at Shepherd, Tex., in place of J. C. Fain. Office became third class April 1, 1924.  
Arbye L. Curtis to be postmaster at Big Lake, Tex., in place of W. M. Cutbirth. Office became third class July 1, 1924.

## VIRGINIA

Devon R. Raymer to be postmaster at Roda, Va., in place of H. S. Estill, resigned.

## WEST VIRGINIA

Levi Gay to be postmaster at Eccles, W. Va., in place of J. C. Lowry, jr., resigned.

## WISCONSIN

Robert R. Porter to be postmaster at Wheeler, Wis., in place of R. R. Porter. Incumbent's commission expired March 22, 1924.

Louis A. Meininger to be postmaster at Waukesha, Wis., in place of A. J. Dopp. Incumbent's commission expired June 5, 1924.

John A. Dysland to be postmaster at Mount Horeb, Wis., in place of Alois Goebel. Incumbent's commission expired June 5, 1924.

Edwin J. Pynn to be postmaster at Hartland, Wis., in place of E. J. Pynn. Incumbent's commission expired March 22, 1924.

Ralph H. Tolford to be postmaster at Thorp, Wis., in place of William Wagner, resigned.

## CONFIRMATIONS

*Executive nominations confirmed by the Senate February 18 (legislative day of February 17), 1925*

## SECRETARY OF AGRICULTURE

William M. Jardine to be Secretary of Agriculture.

## GOVERNOR OF ALASKA

George Alexander Parks to be Governor of Alaska.

## COAST AND GEODETIC SURVEY

*To be aids*

Riley Jacob Sipe. Philip Randall Hathorne.  
Allen Ames Parker. John Mahlon Neal.  
Samuel Barker Grenell.

## PROMOTIONS IN THE NAVY

*To be commanders*

George W. Simpson.  
Alexander M. Charlton.

*To be lieutenant commanders*

George B. Wilson.  
Charles E. Rosendahl.

*To be lieutenant commander on the retired list*

Richard E. Byrd, jr.

*To be lieutenants*

Frank Stinchcomb.	Earle C. Peterson.
Robert S. Savin.	Francis E. Matthews.
William E. Smith.	Joseph W. McColl, jr.
Frederick Strohte.	Ira D. Spoonemore.
Frank Leghorn.	Charles R. Hoeffcker.
Andrew M. Parks.	Henry L. Burmann.
Claude Farmer.	Arthur P. Spencer.
Leon W. Mills.	John S. Hawkins.
Frank W. Rasch.	Charlie S. East.
Edward G. Evans.	Reuben F. Davis.
Thomas T. Hassell.	William C. Betzer.
John O. Jenkins.	

*To be lieutenant (junior grade)*

Jefferson D. Beard.

*To be assistant surgeon, with the rank of lieutenant (junior grade)*

Carl M. Dumbauld.

*To be pay director, with the rank of captain*

McGill R. Goldsborough.

*To be chief boatswains, to rank with but after ensign*

William F. Ahrens.  
Edwin J. Hill.

*To be chief gunners, to rank with but after ensign*

William H. Moore. Walter J. Love.  
Edward J. Kreuger. Herman Vollmer.

*To be chief machinists, to rank with but after ensign*

Stephen D. Thornton.	Asa M. Gainer.
Alfred Ward.	William J. Brennan.
Frank P. Moore.	George Rahm.

*To be chief carpenters, to rank with but after ensign*

William H. Buchanan.	Benjamin Meyer.
Garrett P. Fitzmaurice.	Daniel McLeod.
William F. Leahy.	Harold E. Landre.

*To be chief pay clerk, to rank with but after ensign*

Murray D. King.

## MARINE CORPS

*To be second lieutenants*

Milo R. Carroll.	Theodore B. Millard.
Floyd A. Stephenson.	David K. Claude.
Homer L. Litzenberg, jr.	Albert L. Gardner.
Willburt S. Brown.	James P. S. Devereux.
Samuel S. Ballentine.	Robert C. Orrison.

## POSTMASTERS

## COLORADO

Patrick H. Gallagher, Windsor.

## FLORIDA

Richard E. Damon, Jupiter.  
Mima Gurganious, Lacochee.

## KANSAS

Clyde O. Brown, jr., Centralia.

## KENTUCKY

Zelmer R. Hill, Jamestown.

## NEW MEXICO

Cora L. Vaughan, State College.

## NEW YORK

Morgan C. Harris, Newport.

## PENNSYLVANIA

Jeremiah H. Fetzer, Coopersburg.  
William M. Kelvington, Meadow Lands.

## PORTO RICO

Josefina C. Silva, Hato Rey.

## TENNESSEE

Homer W. Black, Bolivar.  
John E. Barnes, Ramer.  
Florine W. Landress, Signal Mountain.

## WISCONSIN

John I. Edwards, Hazel Green.  
Hugh S. Caldwell, Lodi.  
Grace R. Morgan, Spring Green.

## HOUSE OF REPRESENTATIVES

WEDNESDAY, February 18, 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:

Heavenly Father, we would pray: Bless the Lord O my soul, and all that is within me, bless His holy name. Have mercy upon us O Lord, according to Thy loving kindness; according unto the multitude of Thy tender mercies blot out our transgressions. May we observe Thy precepts diligently, and deeply realize that blessed are the undefiled in the way, who walk in the law of the Lord. Blessed are they who keep Thy testimonies, who seek Thee with a whole heart. We pray in the name of Jesus. Amen.

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

## FIFTIETH ANNIVERSARY OF GEORGE PEABODY COLLEGE FOR TEACHERS

Mr. BYRNS of Tennessee. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record by inserting an address delivered by our colleague from Louisiana, Hon. JAMES B. ASWELL, at the fiftieth anniversary celebration of George Peabody College for Teachers at Nashville, Tenn. I ask unanimous consent to incorporate it in the Record in eight-point type.

Mr. SNELL. Mr. Speaker, I think it is prohibited by the Joint Committee on Printing.

Mr. BYRNS of Tennessee. If it is prohibited, I will withdraw that part of my request.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to extend his remarks in the Record by inserting an address delivered by Mr. ASWELL of Louisiana, on the occasion mentioned. Is there objection?

There was no objection.

Mr. BYRNS of Tennessee. Mr. Speaker, the fiftieth anniversary of George Peabody College for teachers, which is located at Nashville, Tenn., is being celebrated this week. Many distinguished persons and prominent speakers are in attendance, among them our colleague Hon. JAMES B. ASWELL, of Louisiana. Doctor ASWELL is an honored alumnus of the institution and for years was a member and vice president of the board of trustees, having resigned that position because his duties in Congress prevented his attendance on its meetings.

He delivered to-day a most excellent address on the occasion of this anniversary celebration, one which can be read with pleasure and profit by everyone. The address is as follows:

#### PEABODY COLLEGE IN THE LIFE OF THE NATION

In keeping with Mr. Peabody's high purpose and great wisdom, Peabody College was wisely located. Nashville, for more than 50 years the Mecca of thousands of students annually attracted here seeking the advantages offered by special kinds of college and university training, is the educational center, the recognized "Athens of the South." Peabody College is fortunately located. During 50 years the college has grown stronger, and day by day it will grow stronger still, by being in Nashville and by having a share in the varied educational enterprises centered here. Nashville is, indeed, a city of light "set upon an hill." Peabody College for teachers shines in this light as the Harvard of the South.

The primary purpose of the Peabody fund was to organize and develop schools and school systems, in towns, cities, and counties. The Peabody men and women who have gone out from this institution as teachers, principals, superintendents, and presidents of colleges and universities, recognizing that the need of the hour was for leadership, have been and are crusaders of a high order. With zeal and success, from the Potomac to the Rio Grande, from the Atlantic to the western boundaries of Texas and Oklahoma, and on to the Pacific coast, basing their energies on morality and universal intelligence, they have been powerful factors in educating and in bringing the impoverished South once again to the level of the finest and best in our national life. In his second letter written to the trustees of the Peabody Education Fund, in 1869, the turbulent hour of the reconstruction period, Mr. Peabody said:

"I do this with the earnest hope and in the sincere trust that, with God's blessing upon the gift, it may prove a permanent and lasting boon, not only to the Southern States, but to the whole of our dear country, which I have ever loved so well."

The South, the country, and the world are uplifted and blessed because Mr. Peabody, the outstanding peacemaker and builder of friendships, had the vision, knew the science, and used the art of giving helpfully. He knew and meant to say that helping the South to educate itself would be the surest way of uniting all sections of our common country and building a Nation great and strong enough to endure.

In discussing the subject assigned me, I shall present: (1) The Peabody name; (2) the Peabody spirit; (3) Peabody achievements.

#### THE PEABODY NAME

The Peabody name represents a citizen of the world, a friend and lover of mankind, who possessed unusual charm of manner—a world character who saw far beyond his time. With prophetic vision and devotion to humanity, he was the pioneer, the leader of giving in a manner worthwhile in America and the world. His wise giving was the inspiration of Slater, Carnegie, Sage, Jeanes, Rockefeller, and all the other later philanthropists. He represented a new conception of serviceable giving. He unconsciously inspired and directed multiplied millions into new channels of service. He set the pace and led the way in helping men help themselves by giving them a vision of their own opportunities. He expressed the highest thought and noblest sentiment of giving, raising it to the exalted rank of privilege and duty.

The name George Peabody is dynamic, because it suggests flawless philanthropy. The name is potent to-day, not so much because George Peabody's was the first and greatest fortune of his time; not because he received honors and applause like that accorded conquerors and kings; not because of his international power; not because at his death he was honored in England by Queen Victoria with a place of state in Westminster Abbey and a warship to convey his remains to his native land for burial; and not because the United States Government dispatched a warship to act as escort and the Congress decreed honors to his name for his philanthropies—not because of these—but because of the spirit of his generosity, his wisdom and sympathy, and his breadth of friendliness and helpfulness.

It was an unusual and rare quality which prompted Mr. Peabody to make his gift to the South when and as he did. He was from New

England, had long been a resident in London, and yet he had the heart to feel and the intelligence to envisage the most important thing that could be done for his native country. He saw that the place which needed help and hope was the desolate and devastated South. He saw that the rest of the country would go forward in prosperity and education, intelligence, and efficient culture, whereas the South would lag behind unless promptly and liberally assisted. He chose to exert the benevolence of his friendly spirit and the power of his money to prevent the calamity of letting one part of our country grow prosperous and educated while the other part would be doomed to an endless struggle of poverty recovering from the ravages of a civil war. He saw that this condition could no more make a united country than the situation which made Lincoln declare that our country could not prosper, could not even exist, one-half free and one-half slave. Mr. Lincoln, the exemplar of our country's magnanimity and the preserver of our eternal unity, sought and secured the physical freedom of a race, while Mr. Peabody, knowing no bounds of sections or of continents, sought and is securing the intellectual freedom of all his countrymen.

The greatness of the name is further enhanced when we know that Mr. Peabody's conception came from his own inner purpose and not from outside or chance suggestion. He was seemingly remote from the South. He was seemingly aloof from the United States. There seems to be no evidence that this momentous decision of his was occasioned by any outside incident or connection. No one person and no concrete event suggested this act to his magnificent vision. Surely this act of patriotism with its sequence of philanthropy must be ranked as an inspiration from on high and raises George Peabody among the supreme lovers of mankind, one whom patriots and educators should canonize.

His gifts to the poor of London, his gifts to his native town in Massachusetts and neighboring towns, his gifts to institutions of learning, and his statements of the purposes underlying these gifts, entitle him to rank in educational doctrine, not only with thinkers and theorists, like Plato, Aristotle, Cicero, Seneca, Quintilian, Comenius, and the other great philanthropists, but to be placed alone in his practical wisdom of making a gift so as to realize his ideal. It has often been said, and must be accepted as literally true in the light of the experience of the 50 years of Peabody College, that that \$2,000,000 which he gave for southern education has achieved more and has more practical significance than many times that amount of money given anywhere else or for any other purpose in the world.

The name Peabody, therefore, is the richest heritage that Peabody College could have, well-nigh flawless, pure, and undefiled, wise, tender, and unfailing. The name is our inspiration to greater endeavor. It has been spread by the influence of Peabody College and its graduates and students to the ends of the earth, always, we hope, unsullied, a symbol of service and helpfulness.

The name of Peabody is especially a priceless heritage recognized gratefully by the direct recipients of Mr. Peabody's bounty and the benediction of his good will, but throughout the country his name is acclaimed as the symbol of wise philanthropy and matchless generosity.

#### THE PEABODY SPIRIT

The way in which Mr. Peabody gave accounts for the results effected by his munificence. President Gilman of Johns Hopkins University said in 1895: "Every year unfolds the excellence of the plans which received the sanction of George Peabody and shared his bounty." Others have noticed the wisdom that was exercised in drawing up the instructions under which the trusts were administered.

Mr. Peabody had a philosophy of giving as well as an impulse to give. In 1852 when he was invited to the centennial celebration of his native town he was unable to be present, but sent a gift of gratitude and with it, inclosed in a sealed envelope, a toast for the occasion. When the seal was broken the letter was found to contain these words:

"A sentiment from George Peabody, of London: Education—a debt due from present to future generations."

The first element in his giving was a feeling for the solidarity of the human groups that make up society, a feeling that the poorest and the meanest jeopardize the best, and that the best should improve the worst.

Later, when he gave \$2,000,000 to the poor of London, he again enunciated his doctrine: "It is my desire," he said, "not so much to relieve poverty as it is to prevent poverty and make it impossible." His influence shines out as clear in this instance as his sympathy was broad and quick. He would not have us constantly forced to use the surgeon of drastic laws on the sore spots of the race, but he would wisely use the processes of preventive remedies. He would insure happiness by diminishing tears, sorrow, and want at the source.

But the crowning instance of his philanthropy is the gift to the South, made in 1867 and 1869. This gift of \$2,000,000 is unique in that Mr. Peabody gave it right on the heels of the Civil War, when the people of his section were enemies to the South and the people of the South were enemies to his people. The two sections had but a moment before been struggling to annihilate each other. Looking



far out over the strife, Mr. Peabody saw the entire Nation and in making this gift said: "I give this to the suffering South for the good of the whole Nation." This one time, at least, did a human being on this earth reach the height of obeying the injunction, "Love your enemies."

Not in vain did Mr. Peabody wish for the spread of his influence to the life of the whole Nation. This gift to the South has exerted an uninterrupted influence since 1867, when the trustees of the education fund began their work which brought into life our entire system of public education in the South, starting that movement which is now so tremendous in its sweep.

More and more, Mr. Peabody became dominant in Peabody College, which since 1875, has been the central agency for the Peabody Foundation and the chief exponent of the Peabody spirit. From this has come the establishment of over 40 State normal schools, of which Peabody College can rightfully be called the mother and the model. The department of education or teachers' college in each southern State university flows also from this central teachers' college and the work of the Peabody education fund. With the permanent endowment of Peabody College in 1909 and the large increase in assets, through gifts since that time, Peabody College will be more and more able to spread abroad the Peabody spirit. The college has ever remained true to that spirit, has ever followed the ideals of Mr. Peabody's benefactions, and has ever kept the faith to render full service to education, through the teachers and the schools. The Peabody spirit, which we hope does and shall ever run strong on this campus and in this institution, will be found wherever those who have been in residence here may go. With this spirit embodied in the teachers sent out from Peabody, we shall hope for an unending reproduction of the gentle, wise, high spirit of George Peabody. His gifts are talked of everywhere. They are concentrated in the South and are visible concretely here in George Peabody College for Teachers. The best possible wish for the South and for the Nation is that the spirit of his life may be embodied in the lives of innumerable boys and girls taught in the schools throughout all the breadth of our land.

Mr. Peabody was a prophet in pointing out the great medium of philanthropy when he said: "Education—a debt due from present to future generations." He graphically presented a subject which has come to occupy more thought than any other. Education ranks as a great enterprise from the business standpoint, it ranks as a great hope along with religion, it ranks among the processes of improvement along with the home and the discoveries of science. Not only is education thus recognized in this country, but it has become a world-wide enterprise of the first rank. Lance G. E. Jones, of Oxford, England, recently said:

"Among the movements which the future historian of social development in England will find it necessary to record as characteristic of the first quarter of the twentieth century will be a steadily increasing interest in all that concerns the education of the people. Probably at no time has this interest been so widespread as it is to-day. The signs of it are everywhere—the demand for admission to secondary schools, publicity in the press and on the platform, questions in the House of Commons, the interest of taxpayers in the proceedings of local education authorities, and even of villagers in village schools, alike are indicative of the larger place that problems of education, national and local, are gradually filling in men's minds. Nor is the change merely the fruit of renewed zeal on the part of enthusiasts, or the urgent demands of economists; rather it is a natural consequence of the gradual expansion of that system of popular education of which the foundations were laid barely a century ago.

"No one who pays other than lip service to the welfare of his country can fail to welcome the change, for in this new and widespread interest lies the surest hope of the future. \* \* \* Indeed, we would suggest that the great need of the moment is knowledge."

What had been dimly hoped by educational prophets and seers of the past was incarnated and made practical by George Peabody, and Peabody College put it into the schools, and, therefore, into the life of the Nation. Froebel said, "The problem of the world is an educational one." That was a statement then accepted by a few choice spirits like him, now it is the slogan even of remote communities. The spiritual aspects of education are realized more and more.

These spiritual values are centered in the teachers far more than in the organization and administration of the schools. The wide recognition of this fact would please the hearts of high thinkers from Pestalozzi and Froebel down to the educational leaders of the present time. Sir Graham Balfour said:

"The immediate administration of officials is simply the work of shouldering the burden of the teachers. Teachers should be set free to educate with as few hindrances as possible. Education is for the pupils first and last; all the rest of us are their servants."

In somewhat the same way M. Guizot said in 1833 before the French Chamber of Deputies:

"All the provisions hitherto described would be of no effect if we took no pains to procure for the public school thus constituted an able master of the high vocation of instructing the people. It can not be too often repeated that it is the master that makes the school."

Victor Hugo gives the scale of values for the different stages of mankind in terms of suffering and wretchedness. He reminds us that if we have seen the misery of men we know nothing until we have seen the misery of women. And if we have seen the misery of women we know nothing until we have seen the misery of children. In the progress of education the time has come to state the case positively. We should say that when we value the power of men we have not reached the best until we have come to value the influence of women; and when we have come to value the influence of women we still have not reached the best until we have clearly seen the unending possibilities of children.

It is to this conception that the spirit embodied in George Peabody College for teachers has led. No greater service than this high conception of education and the clear vision of the supreme human enterprise can be rendered to these United States.

#### PEABODY ACHIEVEMENTS

Peabody College in its 50 years of existence has participated with enthusiasm and effectiveness in the marvelous growth of education in the United States. This influence has been exerted most powerfully, as was natural, in the Southern States, but Peabody College has worked for the whole country and has been at the forefront in educational leadership.

In 1875 the enrollment in the public schools of the country was 8,761,259 pupils. To-day the enrollment is 23,239,227. In 1875 the sum invested in the public schools was \$82,532,954, in 1922 it was \$1,580,671,296. This enormous number of children actively at work in the schools, taught by 729,426 teachers, form a big enterprise, no matter whether considered from the vast sums of money invested or from the still vaster human interests involved. In that same period—since Peabody College was founded—the growth of national population has expanded from about 39,000,000 to about 110,000,000.

In the South the enrollment in public schools has increased even more rapidly than in the rest of the country, whereas our population has not increased quite so rapidly. This achievement of the Southern States is all the more marvelous when it is remembered that only in the last decade have these States acquired the same relative wealth and prosperity that was theirs before the Civil War began in 1861.

An enlightened body of trained teachers has contributed very greatly to this improvement in our southern schools. The influence of Peabody in supplying the heads of normal schools, members of their faculties, leaders in public education, and teachers for the schools was special and direct. In the early pioneering days from 1875 to 1890 there seemed to be insuperable obstacles to be overcome. Poverty and ignorance seemed impenetrable, but the leadership of Peabody began to tell and the persistence of her message and influence began to take effect. From 1890 to 1900 State normal schools were established in all the Southern States and a new era of expansion and hopefulness gave the public schools a tremendous impetus. It was then that the training of teachers in the South moved forward with the rest of the country and has since kept pace with the national progress.

In those early days the idea of universal education met with special opposition in the Southern States. Even more opposition was felt and expressed for the idea of special training of teachers and for adequate support and salaries for an improved teaching profession in the whole country. From about 1860 to 1890 the private normal schools, many of them with education fakers at their heads, brought the word "normal" into national disrepute.

The effect of Peabody, believing that "Teaching is the noblest of professions, but the sorriest of trades," was to reduce the number of private and gainful normal schools and to elevate the State normal schools for the proper training of public-school teachers and leaders.

The power of example is well illustrated in the influence of Peabody College participating in the growth of teacher training in the United States. When Peabody opened her doors in 1875 there was not a single public normal school in the South. To-day there are 72 State normal schools and colleges, with 54,055 students in attendance. In 1875 there were 34,220 students enrolled in the normal schools of the United States, and in 1922 there were 232,144.

Peabody College was established in 1875 as a central institution for the higher training of teachers, a "West Point" to turn out officers for the great army of teachers. It was the power of example—this model for those believing in the training of teachers—that spread so powerfully in the nineties over all the South, and now goes triumphantly marching through all parts of the country.

In growth from a small beginning to its present large aspects, Peabody College has kept ahead as the leader in the training of teachers in the South. From 60 students in 1875 it grew to over 600 students by 1900, and now enrolls over 3,000 students in the four quarters of

the calendar year. It has blazed many trails and been looked to with confidence as a safe and energetic guide in its special field. In 1892, when North Carolina was establishing its Normal College for Women at Greensboro, the distinguished president-elect, Dr. Charles D. McIVER, came to Peabody and spent a week studying the workings and ideals, which he transplanted to his own new institution. History has been repeated again and again. Throughout the South, even when many of the normal schools and teachers' colleges had grown to greater numerical strength and larger income than Peabody was blessed with, none the less they still regarded Peabody as leader, not merely because of greater age, greater experience, and unflinching devotion to the cause of teacher training, but because Peabody had never failed in sanity nor in progressiveness nor in promoting the profession of teaching. The visit of the Sadler Commission on British Education, which came to Peabody in 1903, showed again great confidence in the Peabody ideals and achievements. Those who were the advisers of the Sadler commission directed them to study Peabody as one of the national leaders in the training of teachers. Peabody is the center, the head, and front of the new organization, now some five years old, the Southern Association of Teacher-Training Institutions. This career of service and achievement has met with recognition for Peabody in its own territory and throughout the country. The sacrifices and struggles of the early days, the wisdom and patience of those who founded and those who have guided its destinies, are fully justified in the position of trusting confidence in which Peabody finds itself to-day.

Among all the changes through which Peabody College has gone in a very complex and checkered career it has never allowed itself to lose its hope or to forget its mission. It has not been reluctant to change, nor has it been afraid to take the next step in progress. It had to begin simply because its environment was without means and haunted by uncertainty. But the Peabody courage was never daunted. It looked straight down the long vista, but did not fail to see the actual conditions on both sides of that long journey to the distant goal. With progress in the South Peabody was quick to take the next step, to enlarge its resources by deserving them, and the new era beginning about 1890 saw a large increase of students as the result. Before that time the enrollment had never reached 200, but almost suddenly the enrollment reached nearly 400, as a symptom of the new feeling and the new hope and the new start toward better things. With the marvelous renaissance of education throughout the prospering South about 1900, Peabody faced the most desperate crisis in her existence. Conservative forces prevented the institution from stepping forward to meet the new needs and render the larger service for which it was longing and striving, but her face had always been to the future, and it was still fixed in that direction. Under these trying conditions, when she demanded to be free and allowed to render larger service to meet larger demands, she kept persistently at her post until by 1909 confidence in her leadership again returned and new resources were poured into her lap, and the last great epoch opened up before her with the new possibilities after which she had so yearned. Consciousness of her mission enabled her to achieve this permanency and assume this new responsibility. The will to serve made it possible for her to have again the privilege of serving.

Looking backward over the 50 years of Peabody College, we can, without boasting, point proudly and affectionately to the value of the Peabody name. With gratitude we bow in recognition of the gift of the Peabody spirit which has purified our ambitions and strengthened our courage. With pride we note the achievements and progress of this institution from its infant beginnings to its giant strides. We reflect that for 35 years, with meager resources, Peabody College accomplished wonders in progress and influence. We rejoice to see the enlarging sphere of service and influence which Peabody has been permitted to wield. The college has been trusted now with more adequate resources and can hope for approval and confidence by reason of service rendered. For the future Peabody College asks the privilege of being permitted and enabled to meet the ever-increasing demands upon education.

Peabody will go forward still true to her mission, still true to the teacher and the child, hoping that the time is not far off when philanthropy will seize its greatest opportunity by establishing some great fund for the benefit of teachers, comparable with those which have been established for medicine, science, art, and the other noble objects of thought and life. The teacher stands central among all these objects, and Peabody College will exalt the teacher. In every rural community, village, town, city, and State the vital need of the time is for capable, consecrated leadership—for prepared teachers big enough and wise enough and spiritual enough to lead in every worthy community endeavor. In the preparation and the inspiration of such leaders Peabody College is finding her highest expression and fulfilling her noblest mission in the life of the Nation.

#### MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, its Chief Clerk, announced that the Senate had passed without amendment bills of the following titles:

H. R. 10471. An act authorizing the Postmaster General to permit the use of precanceled stamped envelopes; and

H. R. 11725. An act to legalize a pier and wharf in York River at Gloucester Banks, near Gloucester Point, Va.

The message also announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 4325. An act authorizing the construction, maintenance, and operation of a bridge across the St. Louis River between the cities of Superior, Wis., and Duluth, Minn.

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 9634) to provide for the creation, organization, administration, and maintenance of a naval reserve and a Marine Corps reserve, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. ODDIE, Mr. McKELLAR, and Mr. SWANSON as the conferees on the part of the Senate.

The message also announced that the Senate had passed with amendments the bill (H. R. 12101) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1926, and for other purposes, in which the concurrence of the House of Representatives was requested.

#### POSTAL SALARIES AND POSTAL RATES

Mr. GRIEST. Mr. Speaker, I ask unanimous consent that the postal pay and rate bill be taken from the Speaker's table, that we disagree to the Senate amendment, and agree to the conference asked for by the Senate.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to take from the Speaker's table the postal pay and rate bill, disagree to the Senate amendment, and agree to the conference asked by the Senate. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 11444) reclassifying the salaries of postmasters and employees of the Postal Service, readjusting their salaries and compensation on an equitable basis, increasing the postal rates to provide for such readjustment, and for other purposes.

The SPEAKER. Is there objection?

Mr. BLANTON. Reserving the right to object, Mr. Speaker, why does not the gentleman ask to concur in the Senate amendments and get the bill out of the way?

Mr. GRIEST. Because the Senate amendment, by reason of its lack of revenue, makes it unlikely and, I believe impossible, for the bill to become law.

Mr. BLANTON. Surely the rider that the Senate inserted placing the Cable bill, embracing the corrupt practice act, on it is what the gentleman refers to?

Mr. GRIEST. No; I do not object to that.

Mr. BLANTON. The bill has been loaded down with a lot of propositions which, I imagine, were put on hoping to defeat the bill. I shall not object to the request, because I am in favor of passing this bill at the earliest date possible.

Mr. BANKHEAD. The gentleman has just stated that concurrence in the Senate amendment means that the bill will not become a law. Does the gentleman mean to leave us under the impression that if that contingency arises the President will not approve the Senate bill?

Mr. GRIEST. I am not so informed by the President, but that is my opinion.

Mr. BANKHEAD. The gentleman must have something on which to base his statement.

Mr. GRIEST. My opinion is that the Senate amendment does not arise sufficient revenue to warrant the President in signing the bill. The Senate amendment will raise about \$23,000,000. The salary increases aggregate about \$68,000,000. The House bill will raise \$62,000,000. So that there is a very great difference between the House bill and the Senate bill as to the amount of revenue raised to meet the expenditure involved.

Mr. BANKHEAD. I think we might as well be candid with each other on these matters. The gentleman's statement is predicated on the proposition that the President will not approve it?

Mr. GRIEST. I so believe.

Mr. RANKIN. Practically the only change made in the Senate bill is the striking out of the provision that raised the postage on parcels post, is it not?

Mr. GRIEST. The service charge on parcels post is 2 cents in the House bill and nothing on the Senate bill that came to us yesterday.

Mr. RANKIN. That is practically the only change made, is it not?

Mr. GRIEST. That is the only change in the bill that the Senate sent here a couple of weeks ago, but the entire Senate



bill differs widely from the terms of the bill which the House passed a week ago, and which I am now asking to be sent to conference.

Mr. RANKIN. But the chief difference in the amount of raise is by reason of the fact that the Senate cut out the surcharge on parcels post?

Mr. GRIEST. No; the 2-cent charge will amount to only \$13,600,000 according to the estimate of the department, and the difference between the two bills is about \$39,000,000 on the rate schedules.

Mr. RANKIN. The gentleman's opinion is that unless we put those charges back on the parcels post and restore the other postal charges the President will veto the bill?

Mr. GRIEST. Oh, no; I do not say that at all. I think this bill can be remedied in many of its provisions. Personally, I am hopeful that the charge on parcels post will be modified as it appears in the House bill.

Mr. RANKIN. If the gentleman's request is agreed to, I wonder if he will give us a chance to vote on concurring in the Senate amendment to leave off the surcharge on parcels post?

Mr. GRIEST. In reply I can only say that I do not expect to be a conferee.

The SPEAKER. Is there objection?

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

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

The SPEAKER. The gentleman will state it.

Mr. BLANTON. Is it not in order now to move to concur in the Senate amendments? To take this bill from the Speaker's table and concur in the Senate amendments?

The SPEAKER. Nothing can be done except by unanimous consent. The bill is not before the House except by unanimous consent.

Mr. BLANTON. Then if this unanimous consent were granted would it not then be in order to move to instruct our conferees to concur in the Senate amendments?

The SPEAKER. The House could instruct the conferees. Is there objection? [After a pause.] The Chair hears none, and appoints the following conferees: Mr. PAIGE, Mr. KELLY, and Mr. BELL.

Mr. BLANTON. Mr. Speaker, I offer a preferential motion. I move to instruct the conferees to concur in the Senate amendments.

The question was taken; and on a division (demanded by Mr. BLANTON) there were—ayes 13, noes 51.

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

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

Mr. RAMSEYER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. It is too late; a point of no quorum has been made.

Mr. RAMSEYER. But we are going to vote on the amendment and the Members do not know what the amendment is.

Mr. BLANTON. To concur in the Senate amendment and thus pass this postal salary bill in favor of the postal employees, which dates their increase from July 1, 1924.

Mr. BANKHEAD. Mr. Speaker, I demand the regular order.

The SPEAKER. It is evident 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 is on the motion of the gentleman from Texas to instruct the conferees to concur in the Senate amendment.

The question was taken; and there were—yeas 120, nays 234, not voting 77, as follows:

[Roll No. 72]

YEAS—120

Abernethy	Cannon	Garrett, Tex.	Kincheloe
Allen	Carter	Gasque	Lanham
Allgood	Casey	Gilbert	Lankford
Almon	Cleary	Greenwood	Larsen, Ga.
Arnold	Collier	Hammer	Lazaro
Bankhead	Collins	Harrison	Lea, Calif.
Bland	Cook	Hastings	Linthicum
Blanton	Davis, Tenn.	Hawes	Lozier
Bowling	Deal	Hayden	Lyon
Box	Dickinson, Mo.	Hill, Ala.	McIntire
Boyer	Doughton	Howard, Nebr.	McKeown
Brand, Ga.	Drane	Howard, Okla.	McKynolds
Briggs	Drewry	Hudspeth	McSwain
Browning	Driver	Hull, Tenn.	Major, Ill.
Buchanan	Evans, Mont.	Humphreys	Major, Mo.
Bulwinkle	Fulmer	Jeffers	Mansfield
Busby	Gambrell	Johnson, Ky.	Martin
Byrns, Tenn.	Gardner, Ind.	Johnson, Tex.	Milligan
Canfield	Garrett, Tenn.	Jones	Moore, Ga.

Moore, Va.  
Morehead  
Morris  
O'Connor, La.  
Oldfield  
Oliver, Ala.  
Parks, Ark.  
Peery  
Pou  
Quin  
Ragon

Rainey  
Raker  
Rankin  
Rayburn  
Reed, Ark.  
Romjue  
Rubey  
Salmon  
Sanders, Tex.  
Sandlin  
Sears, Fla.

Smithwick  
Spearing  
Stegall  
Stedman  
Stevenson  
Swank  
Taylor, Colo.  
Taylor, W. Va.  
Thomas, Ky.  
Thomas, Okla.  
Tillman

Tucker  
Upshaw  
Vinson, Ga.  
Vinson, Ky.  
Watkins  
Weaver  
Williams, Tex.  
Wilson, La.  
Wingo  
Woodrum  
Wright

NAYS—234

Ackerman  
Aldrich  
Andrew  
Anthony  
Ayres  
Bacharach  
Bacon  
Barbour  
Beck  
Beers  
Begg  
Bell  
Bixler  
Black, N. Y.  
Black, Tex.  
Bloom  
Boylan  
Britten  
Browne, Wis.  
Brumm  
Burdick  
Burtess  
Burton  
Butler  
Cable  
Campbell  
Carew  
Celler  
Chindblom  
Christopherson  
Clague  
Clancy  
Cole, Iowa  
Cole, Ohio  
Colton  
Connally, Tex.  
Connelly  
Cooper, Ohio  
Cooper, Wis.  
Corning  
Cramton  
Crisp  
Cresser  
Crowther  
Cullen  
Dallinger  
Darrow  
Davey  
Davis, Minn.  
Dempsey  
Denison  
Dickinson, Iowa  
Dickstein  
Dowell  
Dyer  
Eagan  
Edmonds  
Elliott  
Evans, Iowa

Fairchild  
Fairfield  
Faust  
Fenn  
Fish  
Fisher  
Fleetwood  
Frear  
Freeman  
French  
Frothingham  
Fuller  
Funk  
Gallivan  
Garber  
Geran  
Gibson  
Gifford  
Glatfelter  
Green  
Griest  
Griffin  
Guyer  
Hadley  
Hall  
Hardy  
Hawley  
Hersey  
Hickey  
Hill, Md.  
Hill, Wash.  
Hoch  
Holaday  
Huddleston  
Hudson  
Hull, Iowa  
Hull, Morton D.  
Hull, William E.  
Jacobstein  
James  
Johnson, S. Dak.  
Johnson, Wash.  
Kearns  
Keller  
Kelly  
Ketcham  
Kiess  
King  
Knutson  
Kopp  
Kurtz  
Kvale  
LaGuardia  
Lampert  
Larson, Minn.  
Leach  
Leatherwood  
Leavitt  
Lehlbach

Lindsay  
Lineberger  
Longworth  
Lowrey  
McDuffie  
McFadden  
McKenzie  
McLaughlin, Mich.  
McLaughlin, Nebr.  
McLeod  
McSweeney  
MacGregor  
MacLafferty  
Madden  
Magee, N. Y.  
Magee, Pa.  
Mead  
Merritt  
Michaelson  
Michener  
Miller, Ill.  
Miller, Wash.  
Mills  
Minahan  
Montague  
Mooney  
Moorer, Ind.  
Morgan  
Morin  
Morrow  
Murphy  
Nelson, Me.  
Newton, Minn.  
Newton, Mo.  
Nolan  
O'Connell, N. Y.  
O'Connell, R. I.  
O'Connor, N. Y.  
Oliver, N. Y.  
Paige  
Park, Ga.  
Perkins  
Periman  
Prall  
Purnell  
Quayle  
Ramseyer  
Ransley  
Reece  
Reed, N. Y.  
Reed, W. Va.  
Reid, Ill.  
Richards  
Robinson, Iowa  
Robison, Ky.  
Sanders, N. Y.  
Schafer  
Schneider

NOT VOTING—77

Anderson  
Aswell  
Barkley  
Beedy  
Berger  
Boies  
Brand, Ohio  
Browne, N. J.  
Buckley  
Byrnes, S. C.  
Clark, Fla.  
Clarke, N. Y.  
Connolly, Pa.  
Croll  
Cummings  
Curry  
Dominick  
Doyle  
Favrot  
Fitzgerald

Foster  
Fredericks  
Free  
Fulbright  
Garner, Tex.  
Goldsborough  
Graham  
Haugen  
Hooker  
Johnson, W. Va.  
Jost  
Kendall  
Kent  
Kerr  
Kindred  
Kunz  
Langley  
Lee, Ga.  
Lilly  
Logan

Luce  
McNulty  
Manlove  
Moore, Ill.  
Moore, Ohio  
Nelson, Wis.  
O'Brien  
O'Sullivan  
Parker  
Patterson  
Peavey  
Phillips  
Porter  
Rathbone  
Roach  
Rogers, Mass.  
Rogers, N. H.  
Rosenbloom  
Rouse  
Sabath

Sanders, Ind.  
Schall  
Schallenberger  
Sherwood  
Sprout, Kans.  
Sullivan  
Summers, Tex.  
Sweet  
Tague  
Treadway  
Ward, N. Y.  
Ward, N. C.  
Wilson, Miss.  
Winslow  
Wolff  
Wood  
Wurzbach

So the motion to concur was rejected.

The Clerk announced the following pairs:  
Until further notice:

Mr. Winslow with Mr. Garner of Texas.  
Mr. Boies with Mr. Hooker.  
Mr. Connolly of Pennsylvania with Mr. Croll.  
Mr. Wood with Mr. Jost.  
Mr. Free with Mr. Kindred.  
Mr. Manlove with Mr. Logan.  
Mr. Patterson with Mr. Tague.  
Mr. Treadway with Mr. Buckley.  
Mr. Sweet with Mr. Rouse.  
Mr. Fredericks with Mr. Sherwood.  
Mr. Beedy with Mr. Barkley.  
Mr. Rogers of Massachusetts with Mr. Aswell.  
Mr. Curry with Mr. O'Sullivan.

Mr. Sanders of Indiana with Mr. Clark of Florida.  
 Mr. Kendall with Mr. Byrnes of South Carolina.  
 Mr. Moore of Ohio with Mr. Dominick.  
 Mr. Wurzbach with Mr. Kent.  
 Mr. Sproul of Kansas with Mr. Sumners of Texas.  
 Mr. Roach with Mr. Lee of Georgia.  
 Mr. Ward of New York with Mr. Rogers of New Hampshire.  
 Mr. Anderson with Mr. Browne of New Jersey.  
 Mr. Brand of Ohio with Mr. Sullivan.  
 Mr. Fitzgerald with Mr. Cummings.  
 Mr. Clarke of New York with Mr. Johnson of West Virginia.  
 Mr. Graham with Mr. O'Brien.  
 Mr. Luce with Mr. Lilly.  
 Mr. Schall with Mr. Kunz.  
 Mr. Foster with Mr. Doyle.  
 Mr. Haugen with Mr. Shallenberger.  
 Mr. Moore of Illinois with Mr. Fayrot.  
 Mr. Parker with Mr. Wilson of Mississippi.  
 Mr. Phillips with Mr. Kerr.  
 Mr. Rathbone with Mr. Goldsborough.  
 Mr. Porter with Mr. Fulbright.  
 Mr. Rosenbloom with Mr. McNulty.  
 Mr. Nelson of Wisconsin with Mr. Sabath.  
 Mr. Peavey with Mr. Wolff.

The result of the vote was announced as above recorded.

#### CHIPPEWA INDIANS OF MINNESOTA

Mr. SNYDER. Mr. Speaker, I present a conference report on the bill H. R. 9343 and ask that the same be printed in the RECORD under the rule.

The SPEAKER. The Clerk will report the bill by title.  
 The Clerk read as follows:

A bill (H. R. 9343) to authorize the adjudication of claims of the Chippewa Indians of Minnesota.

The SPEAKER. Ordered printed under the rule.

#### PERMISSION TO ADDRESS THE HOUSE

Mr. GREEN. Mr. Speaker, I ask unanimous consent to address the House for five minutes.

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

Mr. MOORE of Virginia. Mr. Speaker, reserving the right to object, I shall not object in this instance, but if any similar request is made following the five-minute address of my friend from Iowa, I shall object.

The SPEAKER. Is there objection?

There was no objection.

Mr. GREEN. Mr. Speaker, on last Friday my colleague, Mr. RAMSEYER, addressed the House at considerable length and revived the controversy between the House and the Senate on a feature of the Post Office bill which originated in the other legislative body. I am not myself particularly interested in post-mortems, and I have no doubt the House is not, either. For that reason I shall not undertake to reply to what the gentleman said at that time. I do, however, want to call the attention of the House to an extremely important matter, which is somewhat related thereto, but of which no mention has been made so far. I might, however, while I have the floor, say this in reference to what the gentleman from Iowa stated at that time; that the quotation which he made from Doctor Franklin was an answer which that distinguished patriot was compelled to make on that particular occasion or else give up the entire case which he was seeking to make.

My colleague also at that time saw fit to issue a challenge to me with reference to certain authorities. That challenge was answered by the gentleman from Connecticut [Mr. TILSON], but, of course, not to the satisfaction of my colleague. However, I shall leave it there, for I have neither the purpose nor the desire to renew the discussion as to the effect of certain judicial decisions.

At the time when I presented the resolution returning the Post Office bill to the Senate as infringing on the prerogatives of the House, I endeavored to make it plain that my position was that the last and final authority was this House itself. So great a lawyer and statesman as Daniel Webster took this view in discussing a similar question in the Senate, and the Senate at that time, if it did not entirely agree, at least acquiesced. Such, I believe, is the opinion of the Senate to-day, and it was notable that the motion which was made in the Senate to strike from the bill the rate-making provisions as being unconstitutional failed even in that body by only a small majority. But I do not wish to discuss even this feature at this particular time.

What I wish to call particularly to the attention of the House at this time is this: That it is only a few years ago when it was common to remark that the power and prestige of this House was gradually declining and that the control of legislation was passing to another body.

I am happy to say that no such expressions have been heard during this Congress, but, on the contrary, a different ten-

dency has been observed. The House is once more coming into its own. [Applause.] It has shown that it does not propose that another body shall rewrite the revenue bills which are passed by this House. It has recently shown that body it will not permit it to do by indirection what it can not do directly, and it demonstrated by the adoption of the resolution returning the Post Office bill to the Senate as infringing on the prerogative of the House to originate revenue measures that the House was determined to maintain its rights. It has repeatedly shown in other respects a disposition to uphold, in the interest of the people, the great privileges which were conferred upon it.

Mr. Speaker, the privileges which were conferred upon this House by the Constitution are the birthright of the people of this Nation. [Applause.] We ought to uphold them to the last, and I take this opportunity to commend the leader of the majority [Mr. LONGWORTH] and also the leader of the minority [Mr. GARRETT of Tennessee] in this House for their efforts in this direction, which have contributed to a large extent to bring about this change; and I might add, although I can not mention all I ought to name at this time, the chairman of the Committee on Rules [Mr. SNELL] and the ranking minority member of the Committee on Ways and Means [Mr. GARNER of Texas], who have been active in this respect.

Mr. Speaker, as long as I am a Member of this House and as long as it does me the honor to put any of these matters in my charge, I shall continue to uphold its privileges, its power, and its dignity. [Applause.]

#### SALE OF MILK IN THE DISTRICT OF COLUMBIA

Mr. REED of West Virginia. Mr. Speaker, I submit a conference report to accompany the bill S. 2803, an act to regulate within the District of Columbia the sale of milk, cream, and ice cream, and for other purposes, for printing under the rules.

#### CALENDAR WEDNESDAY

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

#### ARLINGTON MEMORIAL BRIDGE

Mr. ELLIOTT (when the Committee on Public Buildings and Grounds was called). Mr. Speaker, by direction of the Committee on Public Buildings and Grounds I call up the bill (S. 3173) to provide for the construction of a memorial bridge across the Potomac River from a point near the Lincoln Memorial in the city of Washington to an appropriate point in the State of Virginia, and for other purposes.

The Clerk read the title of the bill.

Mr. BLANTON. Mr. Speaker, I raise the question of consideration.

The question was taken; and the Speaker announced that the ayes seemed to have it.

Mr. BLANTON. Mr. Speaker, I ask for a division. This is the \$14,000,000 bridge bill.

The SPEAKER. The gentleman is out of order.

The House divided; and there were—ayes 151, noes 58.

Mr. BLANTON. Mr. Speaker, I ask for the yeas and nays. The SPEAKER (after counting). Twenty-three Members have arisen; not a sufficient number, and the yeas and nays are refused.

So the House decided to consider the bill.

The SPEAKER. This bill is on the Union Calendar, and the House will automatically resolve itself into the Committee of the Whole House on the state of the Union, and the gentleman from Illinois, Mr. CHINDBLOM, will take the chair.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union, with Mr. CHINDBLOM in the chair.

Mr. ELLIOTT. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

Mr. BLANTON. Mr. Chairman, I object. The bill ought to be read.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the commission created by section 23 of the act approved March 4, 1913 (37 Stat. p. 885), is hereby authorized and directed to proceed at once with the construction of a memorial bridge across the Potomac River from the vicinity of the Lincoln Memorial in the city of Washington to an appropriate point in the State of Virginia, including appropriate approaches, roads, streets, boulevards, avenues, and walks leading thereto on both sides of said river, together with the landscape features appertaining thereto, all in accordance with the design, surveys, and estimates of cost transmitted by said commission to Congress under date of April 22, 1924: *Provided,* That said commission may make such changes in design and location of said bridge without increasing the total cost of the project as in its discretion may be found to be necessary or advisable.



SEC. 2. That the execution of the project herein and hereby authorized shall be carried out under the general supervision of the Arlington Memorial Bridge Commission, in the immediate charge of the executive officer of the said commission, and that said construction shall be entered upon as speedily as practicable in accordance with the plans submitted by the said commission and shall be prosecuted to completion by contracts or otherwise as may be most economical and advantageous to the Government and approved and ordered by the said commission in a total sum not to exceed \$14,750,000, which sum is authorized to be appropriated from any moneys available or that may become available in the Treasury of the United States.

SEC. 3. That the said executive officer of the said Arlington Memorial Bridge Commission is hereby authorized, with the approval of the said commission, to employ the services of such engineers, architects, sculptors, artists, and other personnel as shall be determined to be necessary without reference to civil-service requirements and at rates of pay authorized by said commission: *Provided*, That such officers of the United States Corps of Engineers as may be considered necessary by said commission may be detailed by the President on this work for such periods as the commission may require.

SEC. 4. That the said Arlington Memorial Bridge Commission is hereby authorized to occupy such Government-owned lands as may be necessary for the bridge project authorized herein and on completion of the project to transfer to the park system under the Chief of Engineers, United States Army, all or such portions of such lands as the said commission may in its discretion decide to be necessary.

SEC. 5. That the said Arlington Memorial Bridge Commission is hereby authorized to procure by purchase, in the open market or otherwise, as may be most advisable, or by condemnation, such privately owned lands as may be necessary for approaches on the Virginia shore and to allow B Street NW., Washington, D. C., to be opened up from the Capitol to the Potomac River in accordance with the said plans of the said commission: *Provided*, That any condemnation carried out under this act shall be in accordance with the provisions of the act of Congress, approved August 30, 1890, providing for a site for the enlargement of the Government Printing Office.

SEC. 6. That the project herein authorized may be prosecuted by direct appropriations or by continuing contracts, or by both direct appropriations and continuing contracts: *Provided*, That the expenditures in any year shall not exceed the amounts for the corresponding year as shown in the 10-year program of expenditures and construction contained in the report of the said commission.

SEC. 7. That said commission shall annually submit to Congress, through the Bureau of the Budget, a statement of sums of money previously expended and an estimate of the total sum of money necessary to be expended in the next succeeding year to carry on the work authorized by this act.

Mr. ELLIOTT. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. ELLIOTT. Mr. Chairman and gentlemen of the committee, about 90 years ago a great President of the United States, Andrew Jackson, conceived the idea that there should be built across the Potomac River between the District of Columbia and the State of Virginia a bridge of ever-enduring granite as an emblem of the union of the North and the South. [Applause.] Since that time the question has been a burning one in the affairs of our Nation.

On the 4th day of July, 1851, Daniel Webster in making a Fourth of July speech in this city said:

Before us is the broad and beautiful river, separating two of the original thirteen States, which the late President, a man of determined purpose and inflexible will, but patriotic heart, desires to span with arches of ever-enduring granite, symbolical of the firmly established Union of the North and the South. That President was Andrew Jackson.

Since that time the question of constructing a great memorial bridge across the Potomac to symbolize the Union of the States, the more perfect Union of the States, has been under consideration, and on several occasions Congress has passed laws authorizing the presentation of plans for this purpose. On a number of other occasions Congress has, either the House or the Senate, passed resolutions directing various investigations connected with this project. The most complete previous effort to start construction on this bridge was made in 1901. In 1901, under the sundry civil act of Congress, approved March 4, 1899, it was provided that design should be secured for a memorial bridge at Washington, as follows, "a memorial bridge across the Potomac River, to enable the Chief of Engineers of the Army to continue an examination of the subject," and in accordance with that authorization a competition was held which was participated in by a number of engineers

and architects, and a number of designs were submitted for a bridge across the river, starting at the foot of B Street, or the extension of New York Avenue, across the naval reservation—this report was submitted to Congress, but nothing was done until 1913, when again the matter was taken up with Congress, and in the public buildings act of March 4, 1913, the following is provided, section 23:

That a commission is hereby created, to consist of the President of the United States, the President of the Senate, the Speaker of the House of Representatives, and the chairman of the Committees on Public Buildings and Grounds of the Senate and House of Representatives, for the purpose of investigating and reporting to Congress a suitable design for a memorial bridge across the Potomac River, from the city of Washington, to a point at or near the Arlington estate in the State of Virginia, and the said commission is hereby authorized to expend the sum of \$25,000 in procuring such designs and for making such surveys and estimates of cost as they may deem advisable, and report as early as may be to Congress.

Although the above-mentioned act of 1913, creating the Arlington Memorial Bridge Commission, authorized the expenditure of \$25,000 for the purpose of investigation and reporting to Congress a suitable design for a memorial bridge across the Potomac River, it was not until nine years later that an appropriation was made in the executive and independent offices appropriation act, approved June 12, 1922, reading as follows:

To enable the commission created by section 23 of the public buildings act approved March 4, 1913, to investigate and report to Congress a suitable design for a memorial bridge across the Potomac River, from the city of Washington, to a point at or near the Arlington estate, in the State of Virginia, together with such surveys and estimates of cost as they may deem advisable, to be expended under the direction of the commission and to remain available until expended, \$25,000.

This appropriation of \$25,000 was to enable the Memorial Bridge Commission authorized by Congress to prepare the plans and specifications and bring them back to Congress for its consideration. The commission has brought back their plans and their recommendations and they are before you to-day. I understand there has been spent on various plans for this bridge at various times in the neighborhood of \$50,000.

Mr. BLANTON. Will the gentleman yield there?

Mr. ELLIOTT. Yes.

Mr. BLANTON. Is the gentleman prepared to state that fully half of that sum has not been wasted?

Mr. ELLIOTT. I am not talking about that. I am trying to give this House an insight into the facts as I understand them.

As I have said, the commission has its report before you. The commission is composed of Calvin Coolidge, President of the United States; the President of the Senate, our honored Speaker, and the chairmen of the Committees on Public Buildings and Grounds of the House and of the Senate.

They have brought the plans back and their recommendation is that the memorial bridge proper will cost \$7,250,000; bridge plaza and water gate, \$1,000,000; Columbia Island, \$2,880,000; parkway and memorial entrance to cemetery, \$1,390,000; extension of B Street eastward to the Capitol and widening to 120 feet, \$2,070,000; widening Twenty-third Street from Washington Circle to B Street, \$160,000.

As to the Columbia Island project, the Bridge will start at the Lincoln Memorial and go across the river in line with the Sheridan entrance to Arlington memorial. The west end of the bridge will be on Columbia Island. This island has about 172 acres of land in it, and it is a part of this plan after this bridge is built to put a sea wall around the island and to dredge the river and make another park such as we now have down in the vicinity of the Lincoln Memorial. That is also made ground. Then there is to be another bridge from Columbia Island going across Little River. That is a small arm of the Potomac River that goes around on the west side of this island. When this is completed it will make a parkway from the northeast corner of the Capitol grounds, down along the Mall, across the river and into Arlington—that is you can go from the Capitol into Arlington without going outside of the park.

Here is another proposition that is connected with this, and that is the widening and extension of B Street. That runs along on the south side of Center Market. It comes east to Sixth Street and there it stops. The object of this widening and extension is to take out that block occupied by the St. James Hotel on the south side of the street, and then the block on the north side of Pennsylvania Avenue east of the Ford Building, and so when this matter goes through it will obliterate

ate two blocks of buildings on Pennsylvania Avenue, one on the north side and one on the south side.

It will take \$160,000 of this money to widen and rebuild Twenty-third Street from Washington Circle south to the point where it strikes B Street, north of the Lincoln Memorial.

They have recommended that this be divided up into a 10-year program. The first year \$500,000 is all that would be appropriated. This amount would enable the commission to organize and get ready for the building. The second year \$2,500,000 for work on the river piers, and the third year \$2,500,000 for work on the river piers, and then the \$2,500,000 for work on the arches. Then \$2,000,000 more for the fifth year, and that is supposed to get the bridge in condition so that it can be used. The last \$5,000,000 is to be \$1,000,000 a year until it is completed, and the most of it is in parking and the treatment of Columbia Island.

Now, this bridge proposition has been indorsed by the following Presidents: Andrew Jackson, William Howard Taft signed the public building bill of 1913, Woodrow Wilson indorsed the proposition, William McKinley also indorsed it, Warren G. Harding indorsed it, and the present President, Calvin Coolidge, has indorsed it, and his recommendation is on file over his signature, recommending the passage of this bill.

When this bridge is completed it will be an outlet for the traffic to the south and southwest of the city of Washington. The great Lee Highway, which is proposed as a continental highway, running from Boston, Mass., to San Francisco, will pass over this bridge. In addition to that the highway leading to Mount Vernon, the home of George Washington, and south to Richmond, Va., and all points of the South, the traffic will pass over this bridge.

Another thing I want to call attention to is that in 1932 we will celebrate the two hundredth birthday of George Washington, the first President of the United States. I understand that a bill has already been reported to make preliminary arrangements for this centennial.

Mr. MOORE of Virginia. That bill has been passed and signed by the President.

Mr. ELLIOTT. I thank the gentleman. If that centennial takes place there is one place around this city that is appropriate to hold it, and that is the Government land at the Virginia side of this bridge. The Government has 1,222 acres of land over there in various places, which will make a magnificent spot for the holding of this great celebration. If you do hold that celebration this bridge should be ready for use at that time, and can be ready if we pass this bill to-day. Eventually this bridge is going to be constructed; why not now? Now is the time and this is the place. [Applause.]

Mr. ZIHLMAN. How much does this bill appropriate during the present fiscal year?

Mr. ELLIOTT. It authorizes the first year an appropriation of \$500,000. Mr. Chairman, I reserve the balance of my time.

Mr. LANHAM. I trust that, like all patriotic Americans, I have a proper pride in the Nation's capital, but I trust also that I have a proper regard for the welfare of those who live in the 48 States of the Union and whose activities make the Capital possible. [Applause.] We are presented to-day a measure that provides for the construction of a bridge in the District of Columbia to cost approximately \$15,000,000, and we are told that it will fittingly represent the joining of the North and the South. I think I am quite as responsive to sentiment as a citizen and legislator should be, but I feel that this observation about the union of the sections is merely thrown in for good measure. Surely the real reunion of the North and the South has been more beautifully accomplished and typified in the fighting, side by side, on the battle fields of the Spanish-American War and the late world conflict of the sons of those who wore the blue and the gray, than could be hoped for in any bridge we might now authorize. [Applause.] They have mingled their blood in the sacred cause of our country, and there seems to be no urgent present necessity after that sacrifice to spend \$15,000,000 merely to indicate that the North and South are reunited.

It is a pleasant prospect, of course, to peer into the future and see the capital in the years to come with its magnificent edifices and its splendid bridges. It is alluring to fancy that each structure will rival the poet's vision of the princely palace of Kublai Khan, but I like to keep also within the scope of my vision the practical problems which confront the people of this Nation and to help frame our legislation in keeping therewith. I realize that a bridge may have for us a special appeal by reason of the fact that in our legislative deliberations we have to span so often the chasm of conflicting thoughts and opinions, but there are other considerations also, gentlemen,

which force themselves upon our attention in a very practical way.

Since the close of the World War, we have launched in this country on a postwar campaign against extravagance. We have had very eminent leadership in this crusade. Admonished on all sides to be sparing in our expenditures, we have taken from our banner for a time that splendid word "Excelsior" and have substituted "Economy" in its stead. We have entered as patriotic recruits in the ranks for this service. We have fought and won hard engagements with the inspiration of that slogan, "Save till it hurts." We have sacrificed necessary construction in the States. We have contented ourselves with character building. We have been taught to hold in abeyance for the present our desires for Federal structures and to concentrate our building endeavors upon a contemplation of those familiar lines of Holmes in *The Chambered Nautilus*—

Build thee more stately mansions, O my soul!

In this stern warfare for economy we have come hopefully to-day to the fight at the bridge, but in this memorable battle, where, oh where, my friends, is the valiant Horatius? [Laughter and applause.] Surely we faithful followers might have expected to find him keeping his appointment here. "How are the mighty fallen! Perished are the weapons of the great!" Our campaign for economy is lagging because of the absence of Horatius at this critical point. It seems to me that to-day there is afforded a splendid opportunity to follow up our preaching with the genial conviction of example. [Applause.]

The statement has been attributed to Hancock that the tariff is a local issue. We seem to be learning lately that economy is a local issue, too. It is intended to be exercised in all localities in the 48 States, but it has no application whatever to the District of Columbia. The keepers of these sacred precincts say, "Open sesame," and the Treasury pours forth its gold.

I can not recall that I have heard of any proposition suggesting lavish expenditures of public funds in the District of Columbia that has not been declared to be entirely in keeping with the program of economy that has been prepared. And so to-day we are told that the Treasury has \$15,000,000 in its inside pocket that may be laudably used for a bridge in the District. And the North and the South will certainly be joined in one respect—together they will furnish all the money. We are asked to tell the people we represent that they must deny themselves tangible evidences of Federal esteem as manifested in public buildings and console their minds and consciences with the comforting thought that they are promoting economy, but that the District of Columbia has not attained that high mental attitude in which it can be satisfied with other than material demonstrations of national regard.

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

Mr. LANHAM. Yes.

Mr. BLANTON. Outside of its governmental activities the taxpayers of the Government have already expended here for civic improvement \$190,000,000.

Mr. LANHAM. I thank the gentleman for this statement of the aggregate amount. That sum would probably be sufficient to do the necessary building throughout the country, but the country, it seems, must continue its practice of economy. We read in the Scriptures that a little leaven will leaven the whole lump, but when we apply this principle to the matter of economy in our administration, the whole lump, the 48 States of the Union, are expected to furnish all of the leaven and it is to be used almost exclusively here in the District. If I recall the incident correctly, the brethren of Joseph found some cause to fall out with him because of his coat of many colors. Is it not barely possible that if we continue to bedeck and array the District exclusively with these various vestments of our financial bounty the 48 States in their threadbare garments may come to be a trifle jealous themselves? If it be expedient that we practice economy, should there not be some show of consistency? Should we make fish of one part of the country and flesh of another?

I call your attention to the further fact that this bridge is to be built entirely within the District of Columbia, and yet, according to the terms of this measure, there is absolutely no provision with reference to the usual 40-60 per cent in the source of the funds. The entire contribution is to be made by those economists in the 48 States and solely from their own pockets.

A few days ago the House passed a public building bill providing for the expenditure of \$150,000,000. It was understood that at least \$50,000,000, one-third of this sum, was to be expended in the District of Columbia, but for fear the District of Columbia might be restricted to just one-third of the appro-



priation authorized no words of limitation were inserted. Having turned over our functions in the same measure to administrative branches of the Government, it is possible that the entire \$150,000,000 could be spent here, but it is made sure that \$50,000,000 must be. To-day we have the proposal to add \$15,000,000 more. That makes \$65,000,000 in these two bills that will be devoted to construction in the District of Columbia, in addition to the other liberal appropriations that have been alluded to, and yet they preach to us that this is a very proper observance of the doctrine of economy and well within the limits of the contemplated program. I should like to see all proper building done in the Nation's Capital, but I should like also to see all proper building done in this country. [Applause.] Surely all the self-denial should not be exhibited by the good people whom we have the honor to represent. And so, as a faithful recruit in the army of economy, I feel that I am present at my post of duty to-day and that, however irksome the task may be, true to my convictions as a soldier enlisted in these ranks, it is not incumbent upon me to add \$15,000,000 more for the District of Columbia to be taken out of the savings of the people. If for the present we must make sacrifices in the name of economy, why not make those sacrifices unanimous? In a spirit of consistency, perhaps, in the words of the old song, "we'd better bide a wee." [Applause.]

Mr. CHAIRMAN, I reserve the remainder of my time.

Mr. ELLIOTT. Mr. Chairman, I yield five minutes to the gentleman from Virginia [Mr. MONTAGUE]. [Applause.]

Mr. MONTAGUE. Mr. Chairman and gentlemen of the committee, I submit this bill is supported by valid considerations. It is not supported alone by reason of its memorial character, as worthy as that may be. It rests also upon considerations of utility and practical necessity. Washington has no adequate outlet to the south or west for her incoming and outgoing people. It is essential that this increasing traffic be properly cared for. You can have no memorial exercises at Arlington across the Potomac, such, for example, as was had on the occasion of the dedication of the monument to the unknown soldier, without great inconvenience and sometimes injury to the people by reason of the congestion on every bridge across the Potomac. Our country is growing. Our Capital is growing. We have a great river—perhaps no other capital in the world has one comparable to it. We should not neglect to span that river not only for the uses of commerce but while so spanning it why should not its architecture and art memorialize our nourishing traditions, typify our power, and the peace and the glory of the Republic? [Applause.] There is economy, it is true, that should be preserved. We have, I think, a Horatius at the bridge, and I would ask my delightful and valued friend from Texas not to play that rôle to-day but to heed the real Horatius, the President of the United States, who valiantly advocates its construction. [Applause.] The "economy" which the gentleman from Texas would substitute for "excelsior" is countered by the President, who himself has given to this enterprise his official and personal approval. This undertaking has been under consideration for many years, as has been so well stated by the gentleman from Indiana.

I have never believed that Congress should exercise a niggardly policy toward the District of Columbia. I have never felt that the people in the 48 States of the Union had anything else in their hearts but pride and appreciation in the expenditure of all money necessary to make this Capital a great educational and patriotic establishment. I repeat, an educational structure that will not only meet the necessities and conveniences of government, but one that will satisfy the longings of a great democracy for the beauty of architecture and the inspiration of art. A democracy, gentlemen, is as much entitled to the advantages of architecture, to the ennobling expressions of art, as a monarchy; and the people of America, in my judgment, will gladly support these enduring expressions of art and patriotism and historic tradition in our Capital.

Mr. McKEOWN. Will the gentleman yield?

Mr. MONTAGUE. For one question.

Mr. McKEOWN. Does the gentleman's State of Virginia contribute anything to this memorial bridge?

Mr. MONTAGUE. I think not, except by taxation, as other States.

Mr. ALMON. The same as any other State.

Mr. MONTAGUE. Virginia contributes as much proportionately as any other State. The gentleman perhaps forgets that Virginia does not own the land where this bridge abuts on either side of the Potomac; all of this is Government property.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ELLIOTT. I yield the gentleman two additional minutes.

Mr. MONTAGUE. Virginia has no control of this bridge; it is wholly a Federal undertaking, but Virginia will contribute from taxation in proportion to her population and property just as any other State of the Union.

One further remark: The House should not be misled by the assertion that this bridge will cost \$15,000,000. The bridge itself is only a part of the scheme involving this sum. I understand, subject to correction by the gentleman from Indiana, that the bridge itself will not cost \$8,000,000. The remaining sum goes to improvements in and about the District in connection with the bridge, improving streets and approaches to the bridge. We have been pretty niggardly, in my judgment, in our effort to complete the Capitol we now sit under. I addressed myself on a former occasion to that subject. I have introduced a bill for some years on this subject, and I hope to address myself to the subject again in the next Congress. But the matter under consideration is a matter of practical necessity, the needs of commerce, of outgoing and incoming traffic. These demands can not be met by the present bridges across the Potomac, and while we are about it, while meeting the needs of commerce and of social and public conveniences, why can we not reach a little higher and satisfy the educational, the patriotic, the traditional aspirations of a great Republic. [Applause.]

Mr. LANHAM. Mr. Chairman, I yield five minutes to the gentleman from Tennessee [Mr. BYRNS]. [Applause.]

Mr. BYRNS of Tennessee. Mr. Chairman, from the vote on the question of the consideration of this bill I assume it is going to pass, but I wish to register my protest against what I believe to be an unnecessary expenditure of the public funds at this time. I am unable to harmonize the passage of a bill authorizing the expenditure of \$15,000,000 for the purposes provided in this bill with the program of economy of the President and his repeated declarations to the people of his intention to cut down the expenses of the Government. A few weeks ago he delivered an address in the auditorium of this city to the employees of the Government at one of their regular business meetings, and in the course of that address he said:

The people of this Nation have been not only patient under the heavy burden of war taxation, they have been heroic. Their burden of taxation has been greatly lightened, but our fight must be for further reduction of the burden of the people. This campaign for economy has no other object. So far as it is within my power I propose to continue my efforts for economy in Federal expenditures. What we have done must be considered only the beginning.

#### URGES FURTHER REDUCTIONS

We have proven that we can reduce the cost of government, and I propose that this cost shall be further reduced. In this effort I look to you for loyal support. When you leave this meeting to-night carry with you a pledge to bend every effort to carry on your activities with less money. Take with you the determination to guard against each and every unnecessary expenditure.

Gentlemen, I lay it down as a proposition, that if you will read the hearings conducted by the Committee on Public Buildings and Grounds upon this bill, consisting of the statement of Colonel Sherrill and one or two other gentlemen, you will not find a line in those hearings to convince any Member of Congress, as I read them, that the erection and construction of this bridge is necessary at this time as a public convenience or utility. So I say I am unable to harmonize what is said about the recommendation of the President for this expenditure with his declaration of a few weeks ago when he appealed to employees, when he broadcasted to the people of this country the necessity of cutting out all unnecessary expenses.

Why, the gentleman from Indiana [Mr. ELLIOTT] quoted Andrew Jackson as being in favor of this proposition. The only evidence of that is not the declaration of Old Hickory, but an eloquent statement made by Daniel Webster in a speech which he made many years ago. The gentleman from Indiana said that President Taft was for it, and that President McKinley, President Woodrow Wilson, and President Harding were for it, and that President Coolidge is for it. Gentlemen, nearly 90 years ago, according to the gentleman from Indiana, a great President advocated the building of this bridge. Is it not a little significant that during all those years there has been no serious effort or attempt on the part of Congress to construct this bridge, but on the contrary it has waited until this time, when the people are burdened with taxes more than they ever were in all the history of the coun-

try in peace time, to bring forward a proposition for the expenditure of \$15,000,000 to construct a bridge across the Potomac River?

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

Mr. BYRNS of Tennessee. May I have five minutes more?

Mr. LANHAM. I yield to the gentleman five minutes more.

The CHAIRMAN. The gentleman from Tennessee is recognized for five minutes more.

Mr. BYRNS of Tennessee. It is to be passed with the approval of the President, whose chief basis of strength with the people of this country is an appeal for economy and for a reduction of the expenditures of the National Government.

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

Mr. BYRNS of Tennessee. For a very brief question I will yield.

Mr. McKEOWN. Does not the gentleman at least think this ought to go over until the new Congress comes in?

Mr. BYRNS of Tennessee. Undoubtedly. A few weeks ago I stood here advocating the expenditure of two or three hundred thousand dollars additional for the Bureau of Foreign and Domestic Commerce, because I was satisfied and I think Congress was satisfied that that money would be well spent and would be a revenue producer, bringing in untold millions to the business and agricultural interests of our country. Those who opposed it did so on the ground of economy and the necessity of reducing the expenses of the Government. Eloquent appeals were made for the overburdened taxpayer. But here you are asked to vote an authorization of an expenditure of \$15,000,000. Four per cent interest would amount annually to twice the sum that Congress was asked to appropriate for the Bureau of Foreign and Domestic Commerce and denied. I am wondering what the attitude of gentlemen will be with reference to this nonrevenue-producing and unnecessary appropriation. Gentlemen, there must be a limit to the expenditures of the Government. There must be a limit to the appropriations that we are heaping upon the heads and shoulders of the tax-paying people of this country. I want to see Washington improved, but I tell you, my friends, in this great city in which you and I take pride, and which is taxed only 14 mills on the dollar, or \$1.40 on the hundred, it seems to me that upon a project to construct a bridge across the Potomac River and wholly within the District of Columbia and involving money to be expended on improving streets and approaches, the committee should at least have proposed that the District share in that expenditure, especially when the people of my State and yours, in addition to their Federal taxes, are paying two or three times more in the way of State and municipal taxes than are the people of the District of Columbia. I say, my friends, that while I want to see this city improved and beautified, and while I take great pride in it, I am thinking of the people back home who have to meet these expenditures from year to year. I take the ground that this is an unnecessary expenditure at this time, and that Congress should not permit itself to be persuaded to vote for something that is unnecessary.

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

Mr. BYRNS of Tennessee. Yes.

Mr. BLANTON. If we pass this bill, instead of its costing \$14,750,000, it is going to cost \$25,000,000 before we get through with it.

Mr. BYRNS of Tennessee. I think the gentleman is correct. And if you will read the hearings you will notice that Colonel Sherrill states that the engineer who was selected to make the survey estimated that it would cost over \$22,000,000. Gentlemen, you are just beginning expenditures upon it.

I am not a prophet nor the son of a prophet, but I make the prediction that if this bill becomes a law and the bridge is constructed and the streets are widened and beautified, more particularly for the benefit of the people of Washington than for your constituents and mine, you will find before you get through with it that, as the gentleman from Texas [Mr. BLANTON] says, you will have spent \$25,000,000. I do not think we can afford to levy additional taxes upon the people of this country for a purpose such as this at this time. The time has come when each Representative from considerations of economy at home in their respective districts is called upon to reduce expenditures. In favoring this appropriation we are not serving the people in our districts or the country. I protest against the passage of this bill in the interest of economy and in the interest of the overburdened taxpaying people of this country. [Applause.]

Mr. ELLIOTT. Mr. Chairman, I yield five minutes to the gentleman from Michigan [Mr. CRAMTON].

The CHAIRMAN. The gentleman from Michigan is recognized for five minutes.

Mr. CRAMTON. Mr. Chairman, as a member of the Committee on Appropriations, for several years sitting at the feet of the gentleman from Illinois [Mr. MADDEN] and the gentleman from Tennessee [Mr. BYRNS], who has just spoken, I think I have been as consistent an advocate of economy in Government expenditures as any of us.

The pending proposition is one that appeals to the imagination. This project has been conceived and worked out in a large way, and however any of us may feel with reference to the propriety of the expenditure we must recognize the beauty of the project.

I am frank to say that I have been under the impression that I could not support the bill, although I had hoped that the way would open so that I could support so great an undertaking; an undertaking which you know and I know some time will be brought about.

There have been three things in the bill that have seemed to me obstacles to its favorable consideration, and in tabloid form I want to refer to them. First, the cost, and the possible conflict with our program of economy and with respect to present burdens on the Treasury.

But when you come to consider that this is a 10-year construction program the burden upon any one year is not large enough to permit that one consideration to be of controlling importance. I have felt that too much authority was given the commission with reference to the development of parks, but Colonel Sherrill assures me that there is not included in the program any park development except that immediately necessary in connection with the bridge construction.

The third item that I consider of great importance is the one referred to by the gentleman from Texas [Mr. LANHAM] and the gentleman from Tennessee [Mr. BYRNS], namely, the failure of the bill to make any provision whatever for District contribution with reference to this development of streets and approaches in the District, and other items more especially for the benefit of the District. Added to that is the failure of the bill to make any provision by which abutting property owners upon those improved streets and approaches would be called upon or could be called upon to make any contribution toward the benefits they will enjoy.

I have prepared an amendment to reach that third consideration which, to me, has seemed the one of most importance. That amendment I shall read to you, and I expect to offer it when the proper place is reached in the bill, at the end of section 2. Although I do not desire to commit the gentleman, I understand that the amendment is agreeable to the chairman of the committee, the gentleman from Indiana [Mr. ELLIOTT]. I am advised by Colonel Sherrill that it is agreeable to him, and I am advised by certain very distinguished local citizens who are much interested in the project that it is agreeable to them. The amendment is:

*Provided*, That such appropriations as may be made under the authority of this act for the execution of said project shall be chargeable to the Treasury of the United States and the revenues of the District of Columbia in such manner as shall then be determined by Congress to be equitable: *Provided further*, The opening, widening, extending, or improvement of any streets of the District of Columbia in connection with this project shall be subject to assessments for benefits in accordance with the laws governing similar work under the Commissioners of the District of Columbia.

With that amendment, Congress from time to time as it makes appropriations for the details of the work can determine and must determine the portion that equitably should be borne by the District, and I feel that with that amendment I am able to support the bill, and I hope such an amendment can be accepted.

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

Mr. LANHAM. Mr. Chairman, I yield five minutes to the gentleman from Kentucky [Mr. JOHNSON].

Mr. JOHNSON of Kentucky. Mr. Chairman, if this bridge were to be built along Pennsylvania Avenue, out on Connecticut Avenue, on Sixteenth Street, or anywhere else in the District of Columbia, the whole expense of the building of it would not fall upon the United States. The boundary line between the District of Columbia and Virginia is high-water mark on the Virginia side. Consequently, this bridge, when built, will be entirely within the District of Columbia. It may be that an approach to the bridge will be on Virginia soil, but that is owned by the United States.



When the Connecticut Avenue Bridge was built, at a cost of more than \$1,000,000; when the bridge across Piney Branch, on Sixteenth Street, was built, and when the bridge on M Street, across Rock Creek, was built, all being in the District of Columbia, the District of Columbia participated in the payment of each of them; but now comes the proposition to build another bridge within the District of Columbia, the cost to be paid entirely out of the Treasury of the United States. Why should the people in California, in Iowa, in Indiana, in New York, or any other State be taxed to build this bridge, which is going to cost more than \$20,000,000 before it is finished—why, I ask, should they be taxed to build this bridge and permit the immediate beneficiaries of it to escape any payment whatever toward its construction?

They say the bridge is needed now. There is only one demand for the bridge at this particular time, and that is that those persons who have bought property at the other end of the proposed bridge, in which to speculate, have had their money invested, as they think, long enough, and Congress is asked to come to their relief now in order that they may realize quickly on their speculation in those lands and make the people of the United States pay the cost and let the people within the District of Columbia go scot free of any payment toward it.

An amendment has been drafted providing that under the law which is now in existence the United States shall pay 40 per cent of the cost of this bridge and the District of Columbia 60 per cent. I did not know, until the gentleman from Michigan [Mr. CRAMTON] took the floor, that he had an amendment which he was going to offer. But bear in mind another thing. The people of the United States are asked to pay the entire cost of this bridge, and then, as one of the gentlemen from Virginia said to me only a few moments ago, "This bridge is to be built on lands owned by the Government." I said to him, "That is much more the reason why the people of the District of Columbia should come in and pay something toward its cost, because the United States is asked to give not only all of the money but all of the land upon which it is to be built." Therefore, I think, Mr. Chairman, that before this bill is passed there ought to be some provision to compel or permit the people of the District to contribute toward its cost. The people here are escaping with a tax rate of only one-fourth or one-fifth the rate paid in many of the cities of gentlemen who sit before me now. The people here are now paying \$1.40, when I see a gentleman before me whose city levies six and one-half times that much upon the property within its confines.

Mr. BLANTON. Will the gentleman yield?

Mr. JOHNSON of Kentucky. I will.

Mr. BLANTON. Just across this river, at the other end of this bridge, lies the great Commonwealth of Virginia, whose people will come across this bridge into the District every day, and yet not one cent will they contribute toward the construction of this bridge.

Mr. JOHNSON of Kentucky. In addition to that, they already have a good bridge upon which to cross. This thing of connecting the names of Lincoln and Lee to this project is merely to conjure up votes for it. Its promoters are moved by mercenary motives, not by sentiment. In fact, the most fertile imagination can not connect real sentiment with it, even by the use of the names of Lincoln and Lee.

In conclusion, let me ask the Members to bear in mind that the direct beneficiaries of this bridge, under this bill, are to escape paying any part of its cost. [Applause.]

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

Mr. ELLIOTT. Mr. Chairman, I yield five minutes to the gentleman from Virginia [Mr. MOORE].

Mr. MOORE of Virginia. Mr. Chairman and gentlemen of the committee, it is only repetition to say that this proposition has two aspects; in the first place, what may be termed the material aspect.

The time arrives and arrives more and more frequently when there is extraordinary travel between the city of Washington and the Arlington Cemetery, which can not be accommodated by the present facilities. The ordinary travel between the State of Virginia and Washington can be accommodated by the existing facilities; but when there are great celebrations in the National Cemetery that is impossible, as has been illustrated on many former occasions. Unless this bridge is built, it will frequently happen that the people of the country will come to Washington desiring to visit the Arlington Cemetery upon memorial occasions and will be unable to find safe access to it. Therefore the necessity for the construction of the bridge is much greater now than when Mr. Webster spoke his eloquent words or when Mr. McKinley advocated this bridge or when

Mr. Wilson was for it or when Mr. Coolidge signed the report which is before us. There is thus suggested the material feature of the matter, and that is that between this great Capital City and the great shrine at Arlington there should be proper and sufficient means of approach.

When we come to consider the matter of economy, the President of the United States, who voices that policy more emphatically, perhaps, than anybody else, does not hesitate for one moment to put his signature to the report recommending the construction of the bridge. Mr. Coolidge does not falter any more upon that than his predecessors have faltered upon it. Economy is all right.

Mr. McSWAIN. Will the gentleman yield?

Mr. MOORE of Virginia. I regret I can not yield. I only have five minutes.

Economy is a good cry, but nobody says that economy should go to the point of suspending desirable appropriations altogether, and least of all will gentlemen claim that economy should be carried to the extent of not doing the things that are necessary in the interest of the Nation, which desires not only to add to its accumulations but to perpetuate its splendid memories. There is the other aspect. The bridge will be a memorial. It will be no less a memorial than the Washington Monument or the wonderful temple dedicated to the memory of Lincoln. It will typify the reunion of the two sections which were once divided by the Potomac. It will commemorate the fame of great men of both sections. In this sense it has the same justification as the monument to Washington, the monument to Lincoln, and the monument to Grant.

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

Mr. ELLIOTT. Mr. Chairman, I yield five minutes to the gentleman from Alabama [Mr. ALMON], a member of the committee.

Mr. ALMON. Mr. Chairman and gentlemen, we have a great Nation, a young Nation, but one of the wealthiest Nations in the world. In some respects we have a beautiful capital, in others we have not. I sometimes feel ashamed of some of the conditions and appearances around and about our National Capital.

However, I want to say that this improvement is not a local one. This is a national question and is nation-wide in its benefits. It is not for the District of Columbia and the State of Virginia—Washington is the capital of the Nation and belongs to the people of the Nation.

We are living in a progressive age. We are a progressive people, and the fact that this bridge has been talked about for more than 75 years and has not been built is no reason why we should not discharge our duty here to-day. It is a reason why we should. Gentlemen talk about the expense of it, and most of the arguments I have heard here this afternoon against the bill are criticisms of the program of economy of the present Republican administration. If the administration decides—and it has decided—that this is in line with its program of economy, why should we on this, the Democratic, side of the aisle be howling so much about it? Every southern Member should feel a special interest and pride in the building of this bridge, which is a part and an important connecting link in the Lee Highway, going through the very heart of the South.

I am in favor of this bill as it is written and as it has been reported. I would like to see the amendment that is going to be offered by the gentleman from Michigan [Mr. CRAMTON] adopted because I think it is right. I shall vote for that amendment, but if the amendment is voted down I shall vote for the bill as it stands.

My friend, the gentleman from Texas [Mr. BLANTON], tries to scare somebody by saying it will cost \$25,000,000 before it is completed. What does the gentleman know about what it will cost? We have here the report signed by the engineers and by the President of the United States and the Speaker of the House and the chairmen of the Committees on Public Buildings and Grounds of the Senate and House, showing what it will cost.

Mr. BLANTON. Will the gentleman yield?

Mr. ALMON. No; I have not the time. The gentleman talks 40 hours while I talk a minute in each session of Congress. [Laughter and applause.]

Mr. BLANTON. For the benefit of the people.

Mr. ALMON. I am not criticizing what the gentleman says, because he always has something to say when he speaks, but I have only five minutes and can not let him have a part of it. That is my only reason for declining to yield to him.

The engineers have been investigating this project for 10 years and we have their report saying it will cost \$14,750,000,

and only \$7,000,000 of that is for the construction of the bridge. The balance is for the widening and improvement of streets and the approaches, and a wide street and driveway to the Capitol, and I think the District of Columbia should be required to pay its proper part of the cost. The total project will cost the Government much less than \$14,000,000 if the amendment I have referred to is adopted, and this will be spread over a period of five years.

This is an age of automobiles and building of good roads and bridges. Gentlemen talk about extravagance. Our States, counties, and cities are spending millions and millions of dollars every year in building good roads and streets and sidewalks and consider it a good investment. You gentlemen did not call extravagant the bill which we passed at this session appropriating \$75,000,000 to aid the States and the counties build good roads back at home.

We ought to build this bridge and open up this great highway and let the people from the South go to the North and the people from the North go to the South, and have a decent and comfortable and safe way to get across this miserably dangerous place on this river. All of you who went to the burial of the unknown soldier will recall the experiences we had that day in trying to get across that old bridge. Delayed for hours—men, women, and children were delayed for hours, and many were forced to leave their vehicles and walk home. There are now ten times as many automobiles here as there were 5 years ago, and 10 years from now there will be fifty times as many more.

Mr. McKEOWN. Will the gentlemen yield?

Mr. ALMON. I know what you want to say. I will not say what kind of talk you are going to make, but you are against this bill, and you ought to be for it, Tom. The bill is going to pass, and some day you are going to be proud of this bridge and will live to regret the day you voted here against this bill. [Applause.]

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

Mr. LANHAM. Mr. Chairman, I yield five minutes to the gentleman from Nebraska [Mr. HOWARD].

#### MESSAGE FROM THE SENATE

The committee informally rose; and Mr. TILSON having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Craven, its Chief Clerk, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11753) making appropriations for the Departments of State and Justice and for the judiciary and for the Departments of Commerce and Labor for the fiscal year ending June 30, 1926, and for other purposes.

#### MEMORIAL BRIDGE ACROSS THE POTOMAC RIVER

The committee resumed its session.

Mr. HOWARD of Nebraska. Mr. Chairman and gentlemen, I want to touch on one phase of this question that has not been touched except superficially by the gentleman from Kentucky. This economy program does not interest me very much and it does not seem to interest anybody very much. I have been thinking that if our President should intrust his economy canary bird to the hands of the management of this bill it would not stand any more show than Tom McKeown's grasshopper would stand in a pen of hungry turkeys in Oklahoma. [Laughter.]

Gentlemen of the House, I do not know anything about engineering, and I do not know very much about the District of Columbia. I can not support this bill with or without the Cramton amendment, because I regard it as an immoral thing. Touching the moral or immoral side of it, I want to call your attention to this fact. I do not know for sure, but it seems to me that a Member of this House ought to have a word which would be received and believed by his fellows, and if he does not he ought to be unworthy of a place here.

Now, I am bringing to you the testimony of a Member of this House who tells me that less than one week ago there came to the lobby of our hotel, Congress Hall, a gentleman who lives in the city. He had a little map showing his own property possessions, and how much they cost him. And then he told how he had just learned that the presidential program was to provide for the building of this bridge. He said "That makes me happy, because it instantly doubles the value of all my property." He further said that four men in Washington, working through one particular bank, would make more than a million dollars on their possessions of land adjacent to this new bridge, if this bill went through.

Oh, my friends, that seems to me to be the great desire for the building of this bridge. I yield first place to no man

in my admiration for and devotion to the memory of the soldiers of the Civil War. I am the product of what was left from both sides of the war after it was finished, and certainly my whole heart of sympathy goes out toward any movement to honor their memory; but this bridge does not seem to me to be a clean thing, and I do not believe that I could feel right in my own eyes if I should vote for that which I regard as unclean, in order to perpetuate and honor a clean memory.

I do not know who these men were that the man named at the hotel. He gave the names of but two. I do not know who they are, but if I had the prowess of word architecture possessed by Parke Godwin, then I would paint a word picture of those four men who are now so eager to augment their own bank accounts by promoting a wicked scheme in alleged effort to perpetuate a sacred memory. And the word picture would say of these four:

"Oh, what a quartet they are! Smart rascals and sleek servants; hand in hand in every plot to filch a nation or to foul a blessed memory; back to back to spit on truth and honor and defy the law's stern call. It is meet that while they live they should be joined in every walk and work in life, and when they die placed side by side in putrid, poisoned state, too rank for jackals, too noxious for the worm."

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

Mr. LANHAM. I yield to the gentleman two minutes more.

Mr. HOWARD of Nebraska. I think I can finish in that time. Now, gentlemen, there are two arguments in favor of the passage of this bill, and only two, which appeal to me. One is the beautiful character of the gentleman from Indiana [Mr. ELLIOTT], in charge of the bill, and the other my delightful companion from Virginia [Mr. MOORE], who so eloquently espoused this outrage. [Laughter and applause.]

#### ARLINGTON MEMORIAL BRIDGE

Mr. LANHAM. Mr. Chairman, I yield 10 minutes to the gentleman from Texas [Mr. BLANTON].

Mr. BLANTON. Mr. Chairman, this voluminous document I hold in my hand, just handed to every Member of Congress, is the most expensive propaganda I have ever seen distributed on the floor of the House, since I have been here, in behalf of legislation. It must have cost several thousand dollars at least. That of itself ought to defeat the bill.

If you will look on page 983 of the Record for December 30, 1924, you will see that this bill, authorizing \$14,750,000 to be appropriated, was taken up in the Senate of the United States and then passed there in a few minutes. Any Senator could have stopped its passage there because they have rules in that body whereby bills can be stopped. And we are urged to pass it now because the Senate passed it in a few minutes without one voice raised against it.

I am reminded of the fact that only last night the Senate likewise without debate and within a very few minutes attached a legislative rider to an appropriation bill, raising the salaries of Senators and Congressmen from \$7,500 to \$10,000. The Record shows that not a voice was raised there against it. It being a legislative item, any Senator could have stopped it by making a point of order against it, for it is not in order to attach such a legislative rider to an appropriation bill, except by unanimous consent. I suppose that when that matter comes before the House, the like argument will then be made that we should agree to the Senate amendment because the Senate passed it in a few minutes without a voice being raised in opposition to it. I promise the House now, that when that matter is decided here, it is going to be decided by a record vote, letting each Member on a roll call register his position on the question. When this legislative appropriation bill was before the House, I then offered an amendment to it, proposing to reduce the membership of this House from 435 to 304 Members, a reduction of 131 Members, which would have saved to the taxpayers of this Nation more than a million dollars each year, besides giving to the country a more efficient legislative body, where the Members would stay on the floor and attend to business and pass better legislation. But my proposal was turned down.

The distinguished gentleman from Alabama [Mr. ALMON] asks how the gentleman from Texas knows that this will cost \$25,000,000. I know it because I have carefully investigated it, and because the \$14,750,000 estimate is made by the engineers of the War Department. I remember very well when they estimated for their first appropriation on Muscle Shoals, the special pet of the gentleman from Alabama. If he will go to the Committee on Appropriations and ask its chairman, Mr. MADDEN, to show him his file, he will see where the engineers in their first estimate on the three dams at Muscle



Shoals said the three dams would cost \$19,500,000. The Wilson Dam No. 2 alone has cost \$50,000,000. There is my answer to the gentleman from Alabama. Muscle Shoals stands to-day as a \$150,000,000 investment for the United States Government, and when the camel first got its nose under the tent it was a \$19,000,000 proposition. The Francis Scott Key Bridge, only recently completed, was estimated by these same authorities to cost only \$1,000,000, yet before we completed it the Congress had to appropriate and spend \$2,350,000 of the people's money. That is my answer to the distinguished gentleman from Alabama.

There has already been passed by the Senate a bill to dam the Potomac River up here at Great Falls just above Washington for the benefit of the people of the District of Columbia, which will save each family here 4 cents a month on its light bill. That is what the evidence shows. The Senate passed it without any argument. There was no opposition against it there. It is estimated by Army engineers to cost only \$44,421,000. I have estimates carefully made by some of the most expert engineers in the United States proving that instead of it costing only \$44,421,000, as the War Department says it will cost, it will in fact cost this Government \$75,000,000 at least before we can complete it.

There was a time when the distinguished gentleman from Alabama [Mr. ALMON] was an economist, and I used to follow him, but ever since he has been hunting votes for his Muscle Shoals proposition he has been one of the gang. [Laughter.] I can not follow him any longer.

Why should this bridge be built? We already have three good bridges. We have spent in the District of Columbia \$190,000,000 for civic purposes alone, in addition to the governmental functions, and there is no way of telling how many millions of dollars additional we have spent here for Government buildings and for beautifying public buildings and grounds. As I say, we have already expended \$190,000,000 for civic improvements for the benefit of the residents of the District of Columbia. A million dollar bridge was built for them up here on Connecticut Avenue, and then think of all these other bridges across the Potomac.

Mr. STRONG of Kansas. Mr. Chairman, will the gentleman yield?

Mr. BLANTON. Not now, if my friend from Kansas will excuse me. Then there are the bridges to Anacostia. The people back home paid 50 per cent of all that. I know that this is the special pet of our friend from Maryland [Mr. ZIEHLMAN] and the generalissimo, our special friend from Virginia, Judge WALTON MOORE. Yes; this is their pet. I am not surprised to see the distinguished ex-Governor of Virginia [Mr. MONTAGUE] get up on the floor of the House and speak in favor of this bill. The construction of the bridge will greatly benefit Virginia.

I wish some one would show me a river that is a State line between two States, where a bridge spans it, where the cost is not jointly met by the people of the two States. Wherever you find a bridge that spans a county line, between two counties, you will find that both counties share part of the expense. Here we have built bridge after bridge across the Potomac into the Commonwealth of Virginia, and that great Commonwealth has never spent one dollar on those bridges. I used to think that the District of Columbia needed representatives here. They do not need any representatives. They have two of the liveliest wires working day and night for them, without sleep or slumber, that I ever saw—the distinguished gentleman from Maryland [Mr. ZIEHLMAN] and the distinguished gentleman from Virginia [Mr. MOORE]. What benefits the District benefits Maryland and Virginia. We built that splendid \$3,000,000 Key Bridge for the gentleman from Virginia and the gentleman from Maryland.

Mr. STRONG of Kansas. Mr. Chairman, will the gentleman yield?

Mr. BLANTON. Oh, is that what the gentleman wanted to inquire about?

Mr. STRONG of Kansas. I just want to say that that bridge was completed only last year.

Mr. BLANTON. Yes; we completed it only last year. They ought to wait at least one more year before they ask us to build another one. Three million dollars, approximately, was the cost of that.

Mr. ELLIOTT. Not quite \$3,000,000.

Mr. BLANTON. Oh, the gentleman has not quite kept up with all of the details. To be exact, it was built at a cost of \$2,350,000, but there were many extras before and after. Do you not remember that just as soon as it was completed there was a very splendid jollification meeting held up at Frederick, Md.? That new Key Hotel reechoed with the jovial speeches that were made there for a week afterwards.

Mr. McSWAIN. And right on the heel of finishing the new one there is an appropriation proposed to tear down the old one alongside of it, which is better than most of our bridges down our way.

Mr. BLANTON. Of course. Mr. Chairman, they talk about putting the Cramton amendment on this bill. He knows that if it is amended that such amendments would be stricken out in conference. When this bill is finally passed into law those in charge will allow no changes on it. I know that the gentleman from Michigan [Mr. CRAMTON] got his lump-sum plan adopted in the House, which takes \$9,000,000 out of the taxpayers' money to spend here for the residents of the city of Washington; but I know this also, that since that bill has been sojourning in another body the Members of that body have increased the \$9,000,000 to \$11,000,000, and you are going to vote on \$11,000,000 here in just a day or two. You will have to decide whether you will make your taxpayers pay \$11,000,000 of the civic expenses of the District for the next fiscal year and reduce still lower the tax bill of \$1.40 per hundred that is now paid here. If that squares itself with your idea of what ought to be done by the taxpayers here and those of the country generally, well and good, but I can not agree to it. I must enter my protest against it. Because another body does this we do not have to follow it. We passed a bill here the other day which was against my wish—I voted against it and some of you on the Republican side voted against it, but we were overcome by the high rollers of the House—which bill permitted the Shipping Board to employ five men at \$18,000 a year each, and that bill went to the Senate, and the Senate changed it, increasing the number to seven, and you are going to have to vote on that pretty soon. The Senate provides now that the Shipping Board can employ seven men at \$18,000 a year each, when Representatives and Senators get \$7,500 a year. Are they worth that much more than you are? It is time to stop all this, and I hope we will be able to strike out the enacting clause of this bill, the second pet measure this term of my friend from Indiana [Mr. ELLIOTT].

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

Mr. ELLIOTT. Mr. Chairman, I yield five minutes to the gentleman from Wisconsin [Mr. COOPER]. [Applause.]

Mr. COOPER of Wisconsin. Mr. Chairman, I shall be very glad indeed to vote for this bill, because I feel that in so doing I shall be discharging a duty to all the people of the United States. [Applause.] My very good and exceedingly able friend the gentleman from Texas [Mr. LANHAM]—and I will apply the same adjectives to the gentleman from Tennessee [Mr. BYRNS] and my distinguished and reticent friend from Texas [Mr. BLANTON] [laughter] says, in effect, that this will be wasted money—money thrown away. But it will not, in my judgment, be money either wasted or misapplied. "Human beings," said Daniel Webster, I remember, "are composed not of reason alone but of imagination also, and sentiment; and that is not wasted or misapplied which is appropriated to the purpose of giving right direction to sentiments, and opening proper springs of feeling in the heart."

There is a practical side to this question. The great necessity for the bridge has been amply demonstrated by the distinguished gentlemen from Virginia [Mr. MONTAGUE and Mr. MOORE] and others. This necessity is clear to me, as it must be to anyone who remembers the day of the burial at Arlington of the Unknown Soldier—the vast assemblage of people, among whom were not only the diplomats of the world, here at the summons of President Harding to attend the disarmament conference, but also Marshal Foch, General Diaz, General Pershing, Admiral Lord Beatty, the commander of the British fleet, and many other very famous officers—indeed, all of the foremost military commanders of the Allies—the greatest assemblage of illustrious men ever together on this earth in honor of a dead hero—and then remembers the literally disgraceful scene when those ceremonies were over and we saw these diplomats and commanders, many of them, walk from Arlington after waiting an hour and a half to get their automobiles out of the crush. I myself, with friends, waited an hour, but finally got through. Secretary Hughes walked—

Mr. UNDERHILL. So did Secretary Weeks.

Mr. BLANTON rose.

Mr. COOPER of Wisconsin. Pardon me, I know I deprive the gentleman of an opportunity—

Mr. BLANTON. The gentleman mentioned my name. Will he yield for one question?

Mr. COOPER of Wisconsin. Not now. It was so long ago that Members have forgotten what I said to or about the gentleman. [Applause.] I have only five minutes and must decline to yield.



This bridge is not a District of Columbia matter. It is not a "main street" bridge. It will be a great national memorial bridge. No other structure in this District is a memorial bridge, and therefore there is no comparison to be drawn between it and those other bridges. This bridge will arouse the patriotism and touch the heart of every citizen of the Republic who crosses it.

The CHAIRMAN. The time of the gentleman has expired.

Mr. COOPER of Wisconsin. Can the gentleman from Indiana yield me an additional minute?

Mr. ELLIOTT. I yield the gentleman one more minute.

Mr. COOPER of Wisconsin. Gentlemen seem to have forgotten that the plan is to have an avenue from this Capitol to the Potomac and that in that avenue will stand only the towering shaft to George Washington and the superb, the matchless memorial to Abraham Lincoln. Beyond will come the memorial bridge and then Arlington, where rest in dreamless sleep the soldier dead. During the generations after you and I are forever gone millions of our countrymen will come to this Capital City and millions, as the generations pass away, will go over that bridge to Arlington. The Capitol, Washington, Lincoln, the Memorial Bridge, and Arlington, the home of Lee! [Applause.] It is a glorious conception!

Every Member of the House should be glad of the opportunity to vote for the pending bill. [Applause.]

Mr. LANHAM. Mr. Chairman, I yield 10 minutes to the gentleman from Missouri [Mr. LOZIER].

Mr. LOZIER. Mr. Chairman and gentlemen, I am opposed to this bill for many reasons, any one of which I deem sufficient to justify my opposition. This bill violates the first, the last, and, in fact, every principle of economy. The enactment of this legislation can not be reconciled with the pronouncement in favor of economy in expenditure of public funds that has gone out from the White House and from the Congress.

May I say that economy in public expenditures is not a coat or a garment to be put on and taken off at pleasure. This bill calls for an appropriation ultimately of \$14,750,000, which will be taken out of the Treasury of the United States, from funds to which the people of the Nation, without regard to their residence, have made their contribution. When the adjusted compensation legislation was pending the President opposed its passage on the ground of economy. The postal salaries bill was vetoed by the President on the ground of economy. We are denied post-office buildings because the President says we can not afford them. The President has recently reduced the rivers and harbors appropriation bills approximately \$14,000,000, about the amount he now proposes to spend on this memorial bridge project. I could give dozens of instances of where the President has applied the policy of economy, where he opposed legislation and ignored the policy of economy, and yet practiced extravagance where he favored certain legislation. If Congress proposes an appropriation that does not meet with the favor of the President, he proclaims his devotion to the principle of economy and nullifies the action of Congress. But many projects which are the essence of extravagance meet with his unqualified approval. This bill can not be reconciled with the President's oft-repeated demands for economy in governmental expenses.

Reduced to its last analysis, this bridge project is primarily for the beautification and adornment of the city of Washington. Very little stress is laid on the bridge being required to meet the traffic needs of the city. The report signed by President Coolidge and his associates on this commission emphasized the architectural beauties of the proposed bridge, and predicates their recommendation for the building of the bridge on the fact that it will not only be the greatest causeway or bridge that was ever built since the curtain went up on human history, but that it will be an architectural epic, a marvel of marble and concrete with which none of the structures of either ancient or modern times can be compared, and that it will serve as a memorial to symbolize the reunion between the South and the North and will honor the memories of Lincoln and Lee, the great leaders in our unhappy Civil War.

It is not seriously contended that this bridge is demanded by traffic conditions existing at the present time or that may arise in the immediate future. Everyone who is informed as to the facts knows that the three bridges we now have between the District of Columbia and Virginia easily accommodate the traffic, and from the traffic standpoint alone no one will contend that this bridge should be built.

But the advocates of this bill tell us that when the unknown soldier was buried at Arlington the bridges and roads were badly congested. But that was an extraordinary and unprecedented occasion. A grateful Nation was paying a deserved tribute to an American soldier whose identity was undisclosed

and unknown, but who had sacrificed his young life on the altar of his country. From reports I am convinced that there was a congestion on the bridges, streets, and roads on that occasion, but no one has called our attention to any other occasion when those conditions existed. Only one time in the entire history of this Nation has there been a serious congestion in the traffic between the District of Columbia and the Virginia side, and that was when the unknown soldier was laid to rest in the Arlington Cemetery. With this exception there has never been such a congestion of traffic as would justify the construction of this bridge.

We have, with ostentatious ceremonies, buried but one unknown soldier in Arlington Cemetery since this Government was ushered into existence. If I can read and understand history aright, I believe it will be another hundred years, perchance 500 years, before this great Nation will again go through the ceremony of burying an unknown soldier; in fact, I do not believe this Nation will ever again be involved in another great war. We are not justified in spending \$14,750,000 merely to avoid another traffic jam should we at some time in the future bury another unknown soldier in the Arlington Cemetery. The probabilities of there being another traffic jam like the one referred to are very remote.

The city of Washington claims a population of approximately 500,000, but this population is not divided by the river but is all in the District of Columbia. The three bridges we now have adequately satisfy all traffic needs. The great city of New York, with more than 7,000,000 people, has 4 bridges. The great city of London, stretching for 40 miles along each side of the Thames River, with a population of 9,000,000 people, is efficiently served by 12 bridges. There are 9 bridges over the river Spree in the city of Berlin, which has a population of 4,000,000. The city of Paris, the most beautiful capital and the most beautiful city in the world, has 33 bridges over the Seine River. But in all of those cities the population is divided by the rivers, and, of course, more bridges are necessary to meet and satisfy the traffic demands. But here in the city of Washington the population is all on the north side of the river, and there is but little occasion to pass over the Potomac; hence the three bridges that now span the Potomac are entirely adequate to serve all traffic demands.

I have studied this bill very carefully. I have tried to read every news account, every editorial, and every argument I could find relating to this project. I have studied all of the reports dealing with the subject, and a careful study of all available data has convinced me that this is a bad bill and should be defeated.

The President and his associates do not say over their own signatures that this bridge is necessary in order to accommodate the traffic. The architectural and memorial features of the structure are emphasized very strongly, and it is insisted that the bridge should be built as a memorial to demonstrate the complete unity of our people. The President and his associates on the commission do not present one single practical reason for the building of this bridge.

But the President tells us that Rome had "five great avenues of approach." What has that to do with this case? How does that justify this \$14,750,000 expenditure? It seems to me that there is no urgent need for "more avenues of approach" to Washington. It is easier to get into Washington than to get out. Any person, although as weak-minded and unsophisticated as a Congressman, can enter Washington without difficulty, but he must have outstanding genius and be a financial wizard to get out of Washington with enough money in his pocket to pay his way back home. Sojourners in Washington are "better off" financially when they arrive than when they depart. [Laughter.] My experience and observation convince me that the trouble with Washington is not so much the lack of avenues of approach as the lack of avenues of escape. [Laughter.] The Washington formula, especially when applied to Congressmen, is, first, ascertain his maximum income; second, determine the minimum amount necessary to enable the victim to keep body and soul together; and third, take the remainder. [Laughter.] Elsewhere the rule is universal that a person's estate can not be administered until after his death, but this rule does not prevail in Washington.

In the Capital City the slogan is, "Don't wait, but get in ahead of the undertaker," and as soon as a person lands in the District of Columbia they proceed to operate on him. [Laughter.] Inasmuch as the administration on a sojourner's estate begins automatically on his arrival in the District of Columbia, and being a continuing process, or "esto perpetua," its penalties can be avoided only by the unhappy victim fleeing the District. And if a person, once domiciled in Washington, should, in a lucid interval, take up an abode



elsewhere, and should thereafter, as a result of recurring mental infirmities, return to the District, letters of administration de bonis non issue instant as writs of right as soon as he places foot on District soil and his financial peonage is automatically renewed. [Laughter.] No, gentlemen; the crying need of the city of Washington is not more avenues of approach, but more avenues of escape. In any event, the proposed bridge is not needed, and the President can render his country a worthwhile service by withdrawing his approval of this project.

Who will get the benefit of this bridge? Certainly the people of Washington, the people who will travel over the bridge, the people whose property will be tremendously enhanced in value by the building of this bridge and the opening of avenues and driveways which are a part of this project. The administration has no money to construct post office buildings in cities and towns in the Middle West where the need for such buildings is very pronounced, but he finds \$14,750,000 of public money to expend in the construction of a bridge, largely for the beautification and ornamentation of the city of Washington.

This project is primarily a municipal project—one that will benefit the people of the city of Washington, and these people should pay the cost if they insist upon the bridge being built.

In discussing this bill several days ago, I called attention to the fact that this is but one of 12 or 13 projects which have been incubated by the people of the city of Washington, and which will be from time to time presented to Congress for approval, and which will take out of the Treasury of the United States more than \$200,000,000 in the next 10 or 20 years. These projects are not primarily governmental matters, but are in essence municipal projects designed to beautify the city of Washington, and being municipal activities, the expense necessary to consummate these projects should be borne by the people of the District.

I hold in my hands bills, pamphlets, plans, and reports of projects which are now being formulated by the city of Washington and which Congress is expected to finance which will involve the expenditure of a sum that will stagger reason and awaken amazement, because of the extravagant demands they make on the Treasury of the United States. I will not enumerate these projects for the reason that I mentioned them in detail several days ago in discussing this bill. The people of Washington are going on the theory that the United States Government is maintained primarily for their use and benefit. [Applause.]

May I call your attention to two novel features of this wasteful project? I quote from page 10 of the report of the President and his associates, on this project:

The narrow waterway separating the island from the Virginia shore will be peculiarly adapted for boating parties and is destined to grow in popularity as time goes on. A number of landing places have been provided along this channel, etc., etc.

Oh, how thoughtful in our President to provide for boating parties, landing places, and footpaths for the oppressed and downtrodden people of the District of Columbia. No money for the ex-soldiers, no money for postal employees, no money for public buildings, no money for hundreds of other worthy projects, but \$14,750,000 to build a bridge and to adorn it with pilasters, tablets, pylons, columns, stylobates, and many other similar architectural creations.

I wish every Member of this House would read the report and recommendations of this commission, as well as the plans and specifications in the appendix. If you do, I am sure you will conclude that the primary purpose of this bridge is to beautify the city of Washington. The report does not feature any other phase of this project.

My colleagues, "Tell it not in Gath, publish it not in the streets of Askelon," but confidentially, one of the crowning achievements of this bridge project is a polygonal, or many-sided temple at the junction of the bridge and the Lee Highway. I said a polygonal, not a polygamous temple. How exceedingly fortunate that we are to have a polygonal temple. What could more fully meet and satisfy the national aspirations and supreme longings of the American people? Methinks this monumental structure would be a monumental failure if President Coolidge and his associates had not made provision for this polygonal temple.

Like Job, the ancient Idumaean sage, the American people are patient and long-suffering. In architectural details they are not at all times exacting. Of the technique of bridge building they claim no special knowledge. With the creations

of Phidias, Praxiteles, Christopher Wren, and Michel Angelo, they profess no pedantic familiarity. They are not experts on colonnades, entablatures, faces, naves, arches, façades, and pediments. But every American, however untutored, is an expert on polygonal temples. [Laughter.] In this cultural realm, in this esthetic domain, in this artistic sphere, they are preeminent. To the average American the sight of a polygonal temple will cure sore eyes, and is sweeter than the nectar and ambrosia of the gods. The stolid, taciturn, impassive, level-headed Americans may look with complacency on war, pestilence, famine, financial disaster, physical affliction, and social ostracism, but as a panacea for all these ills, President Coolidge is going to build them a polygonal temple. True the American people are taxed \$14,750,000 to build this bridge, but look what they get for their money; among many other things, a polygonal temple. Athens had her Parthenon, Milan her cathedral, Paris her Notre Dame and Fontainebleau, Rome her Pantheon and St. Peters, Spain her La Giralda, Constantinople her St. Sophia, India her Taj Mahal, and by the grace of President Coolidge, the American people are to have a polygonal temple. [Laughter.]

While "Silent Cal" was "keeping cool," talking economy and incidentally running for President, he was also planning to spend \$14,750,000 for a bridge not demanded by existing conditions. The President, in the instant case, is short on economy, but long on artistic architecture. For the small number of architectural experts and for the elite and those who are intensively cultured and who live, move, and have their being in the realm of the esthetic and the artistic, the President has planned a bridge with segmental arches, colossal columns, marble pylons, granite abutments, graceful pilasters, symmetrical peristyles and exquisite bas-reliefs, but the 109,000,000 common people in America who were not so easily satisfied, with one voice and with one accord, joined in the loud-swelling chorus:

A polygonal temple we long have sought,  
And mourned because we found it not.

Coincident with which there echoed and reverberated from ocean to ocean the despairing, frenzied, and passionate appeal to Calvin:

Give us a polygonal temple or give us death.

I assume the pressure of public sentiment in favor of a polygonal temple was more than the President could resist, for "after having given due consideration to the requirements of economy," he recommended the immediate expenditure of \$14,750,000 for the construction of this so-called memorial bridge, including a polygonal temple, doubtless intended to satisfy the aspirations and longings of the American people.

In conclusion let me say that in my opinion no Member of this House can vote for this bill and go before his constituents and justify his vote. A vote in favor of this measure is a vote in favor of extravagance. By such a vote you are taking \$14,750,000 of the people's money and spending it for the benefit, not of the people of the United States, but for the benefit of the people of the District of Columbia. This is not economy; it is not right or just; and, to speak plainly, it is an abuse and embezzlement of the power and confidence your constituents have reposed in you. I realize that this bill will probably pass, because the people of Washington, the newspapers of Washington, and the administration are all behind it. Nevertheless it is vicious legislation, and the Member who votes for this bill should never hereafter so much as utter the word economy. [Applause.]

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

Mr. ELLIOTT. Mr. Chairman, I yield one minute to the gentleman from Iowa [Mr. Kopp].

Mr. KOPP. Mr. Chairman, in the brief time allotted to me, it is manifestly impossible for me to give all the reasons I have for supporting this bill, and therefore I ask unanimous consent that I may have the privilege of extending in the Record my remarks on the subject of public economy.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent to extend his remarks on the subject indicated. Is there objection?

There was no objection.

Mr. KOPP. Mr. Speaker, all will agree that nothing is more essential at this time than public economy. The people are heavily taxed and they want relief. Certainly additional burdens should not be piled upon their backs.

Therefore the amendment of the Senate increasing the salaries of the Senators and Representatives is wholly indefensible. I can not concur in such a course. I am absolutely op-

posed to it. When the matter comes before the House I hope it will be voted down.

This is no time to raise our own salaries. We were not sent here for that purpose. We were sent here to give the people our best thoughts and efforts. Their welfare should now be our one concern.

Bankruptcies and foreclosures have been far more prevalent in my State during the last few years than ever before. Many of my constituents—honest, upright, and industrious men and women—have had everything swept away. They face the future with empty hands. Raising our own salaries would be a poor way to show our interest in our distressed constituents at home.

It would be a palpable breach of good faith on my part to approve the Senate's action. I was a candidate for reelection last fall and the people were kind enough to send me back. I made no claim during the campaign that I was dissatisfied with my salary. I did not give notice to the people that I would vote to increase my salary. Therefore the people had a right to assume that I was willing to continue to represent them at the same salary that I had been receiving. As far as I am concerned that was the implied agreement. That agreement must be, and will be, faithfully kept by me. No vote of mine will be cast for an increase of my own salary.

Generously the people of my district have given me their confidence. That confidence, above all else, I desire to retain. I refuse to barter it away for the sake of personal gain.

Mr. ELLIOTT. Mr. Chairman, I yield five minutes to the gentleman from Arkansas [Mr. Wingo].

The CHAIRMAN. The gentleman from Arkansas is recognized for five minutes.

Mr. WINGO. Mr. Chairman, the pending proposal is to build a memorial bridge to the southwest of Washington across the Potomac River at a point where it will be a direct connection between the Lincoln Memorial and Arlington National Cemetery, which is the old historic home of Robert E. Lee.

We may twist and squirm and talk about economy and appeal to this feeling and to that, but I think that practical men must recognize that there are both practical and sentimental reasons to be advanced for the building of this structure. I think I am about as economical as some of these gentlemen who are always talking economy. You need the bridge; and if you need the bridge, then why should you not, when you construct it across a historic river like the Potomac at this point, build a bridge for all time, and in the name of common sense, why should it not be architecturally a thing of beauty?

Oh, it would be economy to pull the cravats off these elegant Beau Brummells who are parading around talking economy, and it would be economy to put them in a gunny sack, perhaps, and let them run barefoot around here.

Next to the sacred ground in which the remains of my mother rest, Arlington is the most sacred spot on earth to me. [Applause.]

I hate to see any man from the South vote against this bill. Let me say a word to you boys from the South. The war is over and the mad passions have died away. During the heat of that struggle the enemies of Robert E. Lee sought to efface and destroy his home by turning it into a cemetery, but in the inscrutable providence of God it has become a national shrine and a memorial to him. Even his enemies of that day admit now that no purer and nobler character ever walked the earth, nor was there ever a man whose sense of duty was more highly developed than that of Robert E. Lee. [Applause.]

I think it is fitting that a national memorial should link the national shrine to Lincoln and the historic home of Robert E. Lee. [Applause.] I think it is fitting that the Nation should span the historic Potomac at this point with a memorial bridge that will be a gateway for those of us from Dixie to come to the heart of the Nation.

Do we need it? As practical men, we know we do. Then as a matter of sentiment it is worth the money that will be expended. I like to see men strive to beautify even their little humble cottages and put around them those things which appeal to their sense of beauty. I like to see the citizens of my counties build handsome schoolhouses and handsome public buildings. I helped to put through, even in the stress and storm of the war a \$1,000,000 bridge proposal for my charming little city of Fort Smith, and that surely was a greater burden upon the taxpayers of that community than this bridge will be upon the entire Nation, and this bridge is needed just as much as was that bridge.

Mr. ALLGOOD. Who pays for the school buildings that are erected in Arkansas? Do not the people have to pay for them out of their own pockets?

Mr. WINGO. Yes; and this is our country, this is our river, and Lee's home is our home, and Lee's highway is a southern highway, and this bridge is a part of it. [Applause.]

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

Mr. ELLIOTT. Mr. Chairman, I yield five minutes to the gentleman from New York [Mr. Oliver]. [Applause.]

Mr. OLIVER of New York. Mr. Chairman and gentlemen of the committee, I shall probably not use all of the five minutes allotted to me. I am heartily in favor of the bill that is before the House. This is not a political proposition. I do not believe the charge is well laid that President Coolidge violates his pledge of economy in advocating the building of this bridge. The plans were authorized to be made in 1913 under another administration, and those plans are being carried out and redeemed under the present administration.

Economy does not mean keeping money in the Treasury. Economy may mean spending money for purposes for which the public wants it spent. Some of the gentlemen said that the Civil War is over and that the Spanish-American War and the great World War are monuments to the reunion which has been brought about since the Civil War. This is true. There is no denying that statement. The Washington Monument was built although the country itself was a monument to Washington. The Lincoln Memorial was built although the Union itself was a monument to Lincoln. The tomb of the Unknown Soldier was erected although the whole country had paid its tribute everywhere to the great dead of the last war. [Applause.] That is no argument. Economy! Why, if some of these gentlemen had their way, when they were building this magnificent Capitol I do not believe they would have allowed the wonderful paintings in the Rotunda to be there, because that was an expenditure of public moneys.

I believe the people of this country want this bridge and I may say from my experience—and it has not been simply the experience of one term in Congress, because I served here before coming to Congress for a period of five years as a subordinate in the Senate—I met hundreds and thousands of visitors to the Nation's capital and I never met one that did not want to go to Arlington. I never met one that was not disappointed in the method of approach which they were compelled to use in order to get to Arlington. I think a bridge from the District of Columbia direct to Arlington is the only suitable, adequate, dignified method of approaching the great shrine and cemetery of Arlington.

I am in favor of this bill because I believe it carries out the purpose of the American people to make Washington a beautiful city. I do not want to see Washington fall back to a small-town type. It will, if some of the views expressed here to-day are carried into law. For my part, I will vote for any appropriation that is expressive of a national meaning in order to have something erected here that represents what the people think or what the people through great sacrifice have done. [Applause.]

Mr. ALLGOOD. Will the gentleman yield?

Mr. OLIVER of New York. Yes.

Mr. ALLGOOD. If the gentleman is in favor of an expenditure of this sort, from sentimental or humanitarian reasons, does not the gentleman think we would do better to put this \$14,000,000 into the building of schools or universities or something that would help to alleviate the pain and suffering of the people?

Mr. OLIVER of New York. We are not broke.

Mr. ALLGOOD. I am not saying we are broke, but this is simply cold concrete you are putting this \$15,000,000 into.

Mr. OLIVER of New York. Yes; but the gentleman should realize that although we are pleading for economy, we are not broke and this country does not have to patronize the pawnshop yet.

Mr. O'CONNELL of New York. Will the gentleman yield?

Mr. OLIVER of New York. Yes.

Mr. O'CONNELL of New York. And the States are taking pretty good care of the schools, I may say to the gentleman.

Mr. OLIVER of New York. Yes; I think they are.

Mr. BLANTON. Will the gentleman yield?

Mr. OLIVER of New York. I will yield for an easy question; not a hard one.

Mr. BLANTON. Since the distinguished gentleman from Wisconsin [Mr. Cooper] has spoken for this bill, should not the charge of irregularity against him be dismissed, because the gentleman has proven himself very regular to-day, and I hope they will let him attend the conference on the 27th.

Mr. OLIVER of New York. I should think that would be a fine thing, but I do not see what it has to do with this bill.



[Laughter and applause.] I would be glad to have the gentleman from Wisconsin attend our conference for a little while if he behaves. [Laughter.] I favor this bill because it will memorialize the fact that the road between the heart of the North and the heart of the South is straight, beautiful, and short. The bill will connect the Lincoln Memorial with the home of General Lee. This bill will provide a monument to the fact that their followers for all generations will meet in friendship and affection and loyalty to our beloved country, America.

The CHAIRMAN. The time of the gentleman from New York has expired. The Clerk will read the bill for amendment. The Clerk read as follows:

*Be it enacted, etc.,* That the commission created by section 23 of the act approved March 4, 1913 (37 Stat. p. 885), is hereby authorized and directed to proceed at once with the construction of a memorial bridge across the Potomac River from the vicinity of the Lincoln Memorial in the city of Washington to an appropriate point in the State of Virginia, including appropriate approaches, roads, streets, boulevards, avenues, and walks leading thereto on both sides of said river, together with the landscape features appertaining thereto, all in accordance with the design, surveys, and estimates of cost transmitted by said commission to Congress under date of April 22, 1924: *Provided*, That said commission may make such changes in design and location of said bridge without increasing the total cost of the project as in its discretion may be found to be necessary or advisable.

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

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

The Clerk read as follows:

Amendment offered by Mr. McSWAIN: Page 2, line 8, after the word "advisable," strike out the period, insert a comma and the following: "*Provided further*, That the commission shall first acquire, by purchase or condemnation, the island of Analostan for the United States of America and connect same with Columbia Island and develop both of said islands as a part of the public-park property."

Mr. ELLIOTT. Mr. Chairman, I make a point of order against the amendment on the ground that it is not germane to the bill. It is not necessary in the construction of this bridge or any other part of this project to purchase this island.

The CHAIRMAN. Does the gentleman from South Carolina desire to be heard on the point of order?

Mr. McSWAIN. Mr. Chairman, you will observe that the bill undertakes to direct the commission to lay out appropriate approaches, roads, streets, boulevards, avenues, and walks leading thereto on both sides of said river, together with the landscape features appertaining thereto; and in order that the Chair may understand the question of germaneness, which is not merely one of logic but one of fact, as it appears to me, the Chair must understand the topography; and if the Chair will refer to the map which is found after page 51 of the report of the commission, the Chair will observe that Columbia Island, on which the bridge will rest at one end, is at the present time practically connected physically with Analostan Island. It is proposed, by dredging, it is said, to deepen a sluiceway between this Columbia Island and Analostan Island, but that is to destroy at great expense the existing topography. I submit, Mr. Chairman, that 50 per cent of the opposition to this bill grows out of the feeling in the hearts of the Members of this House that some near-by property owners are going to make a lot of money out of this project.

I submit that the first thing to do would be to get Analostan Island and connect it up with the parkway system and advertise it as one of the beauty spots of this country. If it is not done now, we can imagine that Analostan Island will in the future, in order to perfect our park system, demand five or ten times as much as the property is worth to-day. Somebody will develop it as an amusement park, or, in other words, it will be a Coney Island, with all sorts of Ferris wheels, chute the chutes, all repugnant to the use to perpetuate the memory of these dead heroes. I submit that this ought to be considered as a proposition germane to the spirit and sentiment that is advocated in this bill.

Mr. WATKINS. If the gentleman will yield, section 5 of this bill deals with the condemnation and otherwise procurement of land.

Mr. McSWAIN. I thank the gentleman. While it does not already limit the germaneness as to section 1 it is germane to the bill because section 5 contemplates the possibility of having to acquire additional land by purchase or condemnation. It is within the general scope of the bill set forth in that section, the provision for the acquisition of additional

real estate by contract, voluntary purchase, or condemnation, in order to carry out the broad scope of this proposition. I believe that this feature of the possibility of private speculators sitting by and our spending money to enrich them ought to be eliminated, and with that elimination the House will walk up almost to a man in favor of it. Adopt the Cramton amendment and this amendment and the House can agree on this expenditure of public money.

Mr. MOORE of Virginia. Mr. Chairman, I desire to suggest to the Chair that the amendment offered may not be germane to section 5, because the amendment is outside of that section. So far as the other portions of the bill are concerned the amendment is not germane because it goes into a matter of a character which indicates that the amendment defeats itself. It is a real estate transaction. It does not seem to me, unless we are to extend the scope of the bill far beyond anybody's conception, the germaneness of the amendment can be upheld.

The CHAIRMAN. The Chair would like to ask the gentleman from South Carolina if he is willing to answer an inquiry, whether the amendment carries out any of the plans submitted by the commission; whether this project is included in the plans prepared and submitted by the commission which has heretofore submitted a report to Congress?

Mr. McSWAIN. No; I think not, in all candor.

Mr. ELLIOTT. Mr. Chairman, I want to call attention to one fact, that Analostan Island is a new project. There is a river running between Columbia Island and Analostan Island, and to connect Columbia Island to Analostan Island it would be necessary to build another bridge. I can not see where this is germane any more than it would be to condemn land in the State of Virginia because the bridge is going to be constructed to some lands over there which might benefit it.

Mr. TILSON. Mr. Chairman, as I heard the amendment read it seems to be the purpose of the amendment to acquire certain property for park purposes with the direction that it be developed as a part of the public-park system of Washington. A reading of the bill does not disclose any provision relating to public parks. It seems to me that it would be straining the rule of germaneness to bring in by amendment a public-park proposition and place it on this bill which deals solely with the subject of a memorial bridge.

The CHAIRMAN. The Chair is ready to rule. The language of the amendment itself, it seems to the Chair, sustains the argument just made by the gentleman from Connecticut [Mr. TILSON]. It does not appear from the language itself that the proposed acquisition of Analostan Island is a necessary part of the building of this bridge or approaches to it. In fact, the amendment reads that the commission shall first acquire, by purchase or condemnation, the island of Analostan for the United States of America, in connection with Columbia Island, and develop both of those islands as a part of the public-park property. In other words, the main purpose of the amendment is to develop two islands as a part of the public-park property of the District of Columbia.

Following the suggestion of the author of the amendment, the Chair has inspected the map, page 7, of the Arlington Memorial Bridge Commission, and finds clearly that Analostan Island is separate and apart from Columbia Island, and nowhere touches any of the approaches or parts of the Memorial Bridge.

The Chair also calls attention to the language in section 2 of the bill:

SEC. 2. That the execution of the project herein and hereby authorized shall be carried out under the general supervision of the Arlington Memorial Bridge Commission, in the immediate charge of the executive officer of the said commission, and that said construction shall be entered upon as speedily as practicable in accordance with the plans submitted by the said commission and shall be prosecuted to completion by contracts or otherwise—

and so forth.

Mr. LOZIER. Mr. Chairman, if the Chair will permit, the chairman asked the gentleman from South Carolina [Mr. McSWAIN] whether this project with reference to Analostan Island was within the contemplation of the commission. I call the Chair's attention to the language in the report on page 42, which shows clearly that the commission did consider this island in connection with this project, although it is not embodied in the bill.

The CHAIRMAN. The commission does say in this report, on page 42:

In this connection the acquisition of Analostan Island by the United States Government would not only prevent its possible and even probable use for purposes which would render its objectionable in its close

proximity to the dignified treatment herein described, but would also be highly desirable on account of its natural beauty and suitability for park purposes.

Those may be very desirable and commendable suggestions, but they are not contemplated within the legislation now before the committee. The Chair is of opinion that not only is the amendment not germane to the section to which it is offered, but it is not germane to any portion of the bill, and the Chair sustains the point of order.

Mr. O'CONNOR of Louisiana. Mr. Chairman, I move to strike out the last word. I shall vote for this bill. I have a reverence for the great names in American history, for the great events, the great chapters, the great epochs of our history. I suppose I reverence the names of Lincoln and Lee as greatly as any other American. I feel that no misuse of our great names will be made in the near future in order to accomplish selfish and extravagant and so-called utilitarian views. But I do know, however, Mr. Chairman and gentlemen of the committee, that the city of Washington is filled with monuments commemorating the valor, wisdom, and glory of patriots and statesmen who are no more, and that these monuments were built largely out of the funds of the Nation. I do know that one of the greatest monuments in all the world, and we are all proud of it, has been erected by the Nation to commemorate the glory of the Father of his Country, and that one of the most beautiful and attractive of all temples of fame has been constructed to commemorate the wisdom, the virtue, and the patriotism of Lincoln. Now we are going to build a further memorial in the name of our illustrious dead. And I say well done. But I can not forego the temptation to invite your attention to the fact, in the interest of future consistency, that there are other names in American history almost as illustrious as those of Washington and Lincoln that are apparently practically ignored at the present. I can not resist the temptation to invite your attention to the fact that there are great battle fields in the United States of America that, in view of the neglect shown them, are evidently considered a disgrace instead of an honor to American history. I know that some of the Members will be tempted to smile at my reference to the Battle of New Orleans and the Plains of Chalmette; but if there be a greater event in the history of this country than the Battle of New Orleans I would like some Member to invite my attention to it, and if there be a more illustrious name in the martial annals of America than that of Andrew Jackson I ask somebody to point to that name. The Plains of Chalmette as they stand to-day are a disgrace to the martial history of this country, and I am tempted at times to believe that there is a willful side-stepping of the full significance of the Battle of New Orleans.

I can not blind my eyes to the fact that even now there is a suggestion on foot for apparently utilitarian purposes to remove the statue of Andrew Jackson from Lafayette Square in front of the White House. Why? Is that name one or something we wish to forget? Is it disgraceful to American history? Down alongside the Plains of Chalmette is a so-called national cemetery, where men equally as brave as those that perished on other battle fields are lying, and the present condition of that cemetery is a stigma upon the fame of this country.

But I did not intend to speak about the Plains of Chalmette, because Brother TILSON and others think I should reserve that for the 8th of January. I desire for a moment to touch on the humanitarian chapter placed in this RECORD to-day by the gentleman from Alabama [Mr. ALLGOOD]. Why should we be thinking so solemnly and expressing ourselves in such tear-stained tones about concrete bridges, however sentimental some of the reflections might be, while flesh and blood are palpitating with agony and dying eyes are fastened upon the wretched surroundings of dilapidated hospitals furnished its sailors and employees by the richest Nation on earth?

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

Mr. BLANTON. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended for five minutes.

The CHAIRMAN. Is there objection?

Mr. MOORE of Virginia. Mr. Chairman, I shall not object now, but I shall object to any similar requests in the future.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. O'CONNOR of Louisiana. Down in New Orleans, in the second congressional district, which my colleague [Mr. SPEARING] has the honor to represent, is a so-called marine hospital. The buildings are dilapidated, they are going to pieces. The sick sailors of our country are crowded into the halls. Secretary of the Treasury Mellon says in a report to a Senate

committee that the hospital should be razed to the ground and new structures erected on the present site of the inadequate and dilapidated wooden buildings, but he says further, substantially:

I inclose herewith a communication from General Lord, of the Bureau of the Budget, who says that the expenditure of \$3,000,000 would not be in harmony with the economy plans of the President.

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

Mr. O'CONNOR of Louisiana. Not now. Three million dollars for a hospital to take the place of the dilapidated wood structures that are a disgrace to the American civilization of which we all boast! Too much money for a hospital! Think of it! The Secretary of the Treasury, Andrew H. Mellon, a member of the Cabinet, believes a new and modern hospital should be erected and operated to serve the wants and relieve the misery of those that served this Nation upon the seven seas, but the overlord of a bureau which threatens to overshadow its creator blue-penciled the humane and patriotic recommendation.

Give the Caesar crowns and arches; let his brow the laurel twine; build ornamental bridges in the name of heroes and our honored dead; but forget not your countrymen who are breathing their last in hospitals that are menaces to their diseased bodies and shattered minds, instead of a place of hope if not a sanctuary for their last sad moments. The Secretary of the Treasury bows in humble submission, and so does the Senate. Dollars are saved to be spent in beautification. Art, architecture triumphs, but justice to our sailors and soldiers is prostrated and scorned. Another illuminating instance of how concrete rises superior to the claims of flesh and blood. Through an appropriate bill, which was referred to the proper committee, a light vessel was sought for the entrance to the Mississippi River. The Secretary of Commerce, Mr. Hoover, a member of the Cabinet, reported that in view of the fog banks—

that accumulate in the Gulf of Mexico off the Passes and which constitute a peril to navigation it was essential to establish a light vessel to protect life and property. But—but, I inclose you herewith a communication from General Lord, the Bureau of the Budget, who says that the expenditure of \$300,000 is not compatible with the economic plans of the President.

Oh, yes; it is all right in the name of sentiment and fine historic names to spend \$14,500,000 further to beautify the greatest Capital in all the world with an ornamental and stupendously attractive bridge that may or may not be necessary, but it is incompatible from an economic policy to take proper care of dying soldiers and sailors who have fought the good fight, and about to take or bid an everlasting farewell to the country they served so well. Let them perish in disease-breeding, dilapidated hospitals—"they are paupers whom nobody owns."

It is incompatible to spend \$300,000 on a light vessel that may protect the lives of many, many of your countrymen who do honorable service on the seas and through storm and stress struggle to bring their good ship into a port and haven of refuge. Oh, yes; it is timely to build great magnificent bridges and triumphal arches and mausoleums and temples of fame and in behalf of a sentiment that may or may not be either lasting or of any great permanent value, for, as Gray says in his immortal Elegy:

Can storied urn, or animated bust,  
Back to its mansion call the fleeting breath?  
Can honour's voice provoke the silent dust,  
Or flattery soothe the dull cold ear of death?

Apparently the Capital can have wonderful bridges and arches and magnificent tombs, even if they are not necessary either to the fame of the dead or the comfort of the living, but the Budget can not take care of those who are serving this generation by affording them proper hospital service and proper light vessels. [Applause.] Give us the bridge for the memories of the past, and the great names that are associated with it by the proponents of this measure. But build the marine hospital for those who are soul sick and weary as a result of a service that makes the sailor the drift of the world and the tangle of the seas. Establish the light vessel, not so ornamental or costly as the memorial bridge, but far more precious to the storm-tossed mariner than all the architectural triumphs and ornamental wonders that gem and adorn all the capitals of the earth.

Mr. ELLIOTT. Mr. Chairman, I move that all debate on this section and all amendments do now close.

The motion was agreed to.



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

The CHAIRMAN. The committee has just decided that debate on this section and all amendments shall now close.

The Clerk read as follows:

SEC. 2. That the execution of the project herein and hereby authorized shall be carried out under the general supervision of the Arlington Memorial Bridge Commission in the immediate charge of the executive officer of the said commission, and that said construction shall be entered upon as speedily as practicable in accordance with the plans submitted by the said commission and shall be prosecuted to completion by contracts or otherwise, as may be most economical and advantageous to the Government and approved and ordered by the said commission in a total sum not to exceed \$14,750,000, which sum is authorized to be appropriated from any moneys available or that may become available in the Treasury of the United States.

Mr. JOHNSON of South Dakota. Mr. Chairman—

The CHAIRMAN. The gentleman from South Dakota.

Mr. JOHNSON of South Dakota. Mr. Chairman, I move to strike out the last word. I want to ask unanimous consent to proceed out of order for one minute to make an announcement with reference to the presentation of claims by Members of Congress to the Veterans' Bureau, giving some information to the House.

The CHAIRMAN. The gentleman from South Dakota asks unanimous consent to proceed for one minute for the purpose stated. Is there objection? [After a pause.] The Chair hears none.

Mr. JOHNSON of South Dakota. Mr. Chairman, every Member of the House recognizes the fact that a great percentage of his time is taken up in presenting claims of disabled soldiers to the Veterans' Bureau. Approximately two years ago the Senate made an arrangement with the Veterans' Bureau to have a claims man from the bureau in the Senate Office Building to handle these matters, thereby saving the time of Senators in going back and forth between the office building and the bureau.

The Committee on World War Veterans' Legislation, of which I have the honor to be chairman, has recently taken up this matter with the Director of the Veterans' Bureau and made an arrangement that the director will maintain in the House Office Building a service of the kind which I mentioned. It will be in room 436 of the House Office Building until the expiration of this term of Congress, at which time it may be necessary to move to some other room. The work will be under the direction and control of Mr. J. O. C. Roberts, a skilled lawyer in the Veterans' Bureau, who has been helping both the House and Senate Committees in general legislative matters, and a practical claims man of experience will be in the office at all times during office hours. A messenger service will be maintained between Mr. Roberts in the House Office Building and the Veterans' Bureau and be available for all Members of Congress and their secretaries in transacting such business. [Applause.]

Mr. LANHAM. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. LANHAM: Page 2, line 19, after the figures "\$14,750," insert "40 per cent of"; and at the end of line 21 strike out the period and insert the following: "and 60 per cent out of any money in the Treasury of the United States to the credit of the District of Columbia which is not otherwise appropriated."

Mr. ZIHLMAN and Mr. TINCHER. Mr. Chairman, I make the point of order.

The CHAIRMAN. The gentleman from Kansas makes the point of order, and also the gentleman from Maryland.

Mr. ZIHLMAN. That it is not germane to this legislation.

The CHAIRMAN. The Chair will hear from the gentleman from Kansas.

Mr. TINCHER. Mr. Chairman, as I understand the bill, it provides for the building of a memorial bridge on property owned by the Government on what is known as the Mall, the Government owning the property the same as the property in the Capital on which are built the Lincoln Memorial and the Washington Monument. If an amendment to take funds belonging to the District of Columbia and use them in the construction of a Government building or bridge or monument would be germane to the bill, then it would be entirely proper to offer an amendment providing that Kansas or Nebraska or other States might have money taken out of their treasury and used for this purpose. I do not think the amendment is germane in any way to the bill which is before us.

The CHAIRMAN. Does the gentleman from Maryland desire to be heard?

Mr. ZIHLMAN. I desire to call the attention of the Chair to the far-reaching purport of this amendment. This is a bill to authorize the construction of a memorial bridge across the Potomac River on property which, as the gentleman from Kansas [Mr. TINCHER] has explained, belongs to the Federal Government. It is proposed by this amendment to reach into the funds of the taxpayers of the District of Columbia and assess them for a part of the construction cost of this bridge.

It is true that under the organic act and in conformity with law Congress has the power and exercises that power in appropriating for improvements of a municipal nature in the District of Columbia. But this legislation goes much further than that. It provides for the levying of an assessment upon the citizens of the District of Columbia for the construction of property upon a Government reservation, which is entirely inconsistent with the purposes of the bill and is not germane either to the title or the subject matter of the bill.

Mr. BLACK of Texas. Mr. Chairman, I desire to address the Chair on the question of germaneness.

The CHAIRMAN. The Chair will hear the gentleman.

Mr. BLACK of Texas. This bill seeks to appropriate something more than \$14,000,000 out of the Treasury of the United States to build a memorial bridge, so called, and it is to be constructed within the District of Columbia. In Hinds' Precedents, volume 5, page 486, is cited this case:

To a bill providing generally for a union station in the District of Columbia an amendment levying a special tax in the District to defray the cost of the station was held to be germane.

Now, to that bill the gentleman from Illinois [Mr. Cannon] offered this amendment:

That in order to meet the extraordinary expenses entailed by the provisions of this act, the rate of taxation on the assessed real and personal property in the District of Columbia for each of the next five years is hereby increased 25 per cent.

A point of order was made on that amendment on the ground that it was not a germane amendment, and the Chair in ruling upon it held that it was a germane amendment and permitted the House to vote upon it.

Now, I can not see any reason why, if that amendment was in order upon a bill to construct a union station in the District of Columbia, an amendment would not be in order on a bill to construct a memorial bridge to provide that 40 per cent of the cost shall be paid out of the Treasury of the United States and 60 per cent out of the revenues of the District of Columbia.

I think the amendment of my colleague [Mr. LANHAM] is clearly in order.

The CHAIRMAN. The Chair is ready to rule. The Chair is of opinion that the decision cited by the gentleman from Texas [Mr. BLACK] is as nearly in point as are most of the precedents that we have in the deliberations of this committee or of the House. In that case the chairman of the committee, Mr. Olmstead, of Pennsylvania, said with reference to that bill:

This is a bill to provide for a union railroad station in the District of Columbia, and for other purposes. It is reported from the Committee on the District of Columbia. It provides for the establishment of a park in the District of Columbia and for the opening of streets, and imposes considerable expense upon the District of Columbia.

It also imposes some expense upon the Treasury of the United States. If, as has been suggested, an amendment were offered increasing the tariff upon imports to meet such charges, the objection would at once be made that under the rules such a measure must be referred to a different committee—the Ways and Means. In other words, the rules of the House would make an amendment touching the tariff not germane to such a bill as this.

But with the District of Columbia the case is different. If the amendment of the gentleman from Illinois were offered as a separate measure, it would go under the rules to the same committee which has reported this bill. The District Committee has jurisdiction of revenues as well as expenditures, and could without infringing any rule include in one bill the purposes of the bill and also of the amendment. While not entirely clear from doubt, the Chair is of the opinion that the amendment providing revenue to meet the expenditures entailed by the provisions of the bill itself upon the District of Columbia is germane to the bill, and therefore overrules the point of order.

The effect of that ruling was, as stated by the gentleman from Texas [Mr. BLACK], that the provision increasing the rate of taxation on the assessed real and personal property in the District of Columbia in each of the next five fiscal years

by 25 per cent was held in order upon the bill providing for the erection of a Union Station in the District of Columbia, and for other purposes. In the present case the purpose of the bill is to provide for the construction of a memorial bridge across the Potomac River from a point near the Lincoln Memorial in the city of Washington to an appropriate point in the State of Virginia, and for other purposes.

The residents of the District of Columbia and the taxpayers of the District of Columbia will doubtless to some extent be benefited by the construction of this bridge. The bridge will add to the beautification and improvement of the District. The abutting property owners will receive some benefit from the improvement. Without going further into the discussion, and, of course, without expressing any opinion on the merits, the Chair is constrained to believe that this amendment is in order; and the Chair will make the further observation that the Committee on Public Buildings and Grounds, from which this bill comes, has jurisdiction of building operations in the District of Columbia.

Mr. MOORE of Virginia. But it has no authority to appropriate.

The CHAIRMAN. This is not an appropriation but an authorization of an appropriation to be made, certain portions out of the District revenues and certain portions out of the Treasury of the United States. The Chair does not understand that the amendment offered by the gentleman from Texas seeks to appropriate. It simply directs the method by which the appropriation may be made under the authorization of the bill.

Mr. ZIHLMAN. The Committee on Public Buildings and Grounds have no power over the question of tax rates in the District of Columbia.

The CHAIRMAN. The District Committee was the one involved in the case which the Chair referred to a moment ago.

Mr. CRAMTON. And there is nothing in the pending amendment with reference to the tax rate in the District of Columbia, although it may affect the tax rate.

The CHAIRMAN. The Chair overrules the point of order.

Mr. LANHAM. Mr. Chairman and gentlemen of the committee, the purpose of this amendment is, of course, readily understood. In the current law applying to appropriations for the District of Columbia 40 per cent comes out of the public funds and 60 per cent comes out of the District revenues. This amendment simply seeks to carry into effect the current policy with reference to this bridge construction in the District of Columbia. This bridge is to be entirely within the District of Columbia. I personally can see no reason why it should be excluded from the ordinary rule applying to building of this character. I do not care to take up the time of the committee. I think the provisions of the amendment are clearly understood.

Mr. TINCHER. Mr. Chairman, I understand that the committee has reported favorably a bill to construct a memorial bridge across the Potomac River on what is known as the Mall, which is Government property, as a Government proposition.

I shall not enter into a discussion of whether you are going to build the bridge or not, but I have been here long enough to know that there is always more or less misunderstanding between the House of Representatives and the people of the District of Columbia. I hope the House will always be right in its controversies with the residents of the District of Columbia.

Personally, if the residents of the District of Columbia should appeal to me as a Member of Congress to vote to permit them, the residents of the District of Columbia, to contribute and help—different from the other people of the Nation—to build additions to the Lincoln Memorial, the Washington Monument, or any other Government monument or memorial in the District of Columbia on Government ground I would vote against it. If we are going to build this bridge, we ought to build it as a national memorial bridge. [Applause.]

The people of the District of Columbia pay their income tax the same as the people of Virginia, Kansas, or any other subdivision of the United States, and there is no excuse on earth for even permitting them, much less inviting or commanding them, to pay 60 per cent of the cost of a memorial bridge leading to the sacred ground in Arlington Cemetery.

I can understand how some residents of the District of Columbia form the idea they do concerning the Congress. Just think what this would amount to. I suppose the amendment is offered for the purpose of defeating the bill, because surely no man in Congress would seriously vote in favor of permitting the District of Columbia to contribute 60 per cent toward the building of a national memorial to stand for all time on Government property, and if he would, then that same

gentleman would, I suppose, at the next session of Congress, if we were building a little addition to the National Capitol, be entirely justified in asking the residents of the District of Columbia to stand 60 per cent of the cost of making that addition. Why not make this thing retroactive and collect from them 60 per cent of the cost of the Grant Memorial, the Washington Monument, and the Lincoln Memorial, which are in direct line with the Arlington Cemetery and the Mall, where this bridge is to be?

Let us vote the bill up or down, and why make "monkeys" of ourselves and justify the people of the District of Columbia in thinking that we are willing to just play with them all the time? [Applause.]

Mr. ELLIOTT. Mr. Chairman, I hope this amendment will not prevail. The sole object of this amendment is to place the majority of the cost of this construction on the District of Columbia, while we are trying to build a national structure. I hope the amendment will not prevail, and I move that all debate on this amendment do now close.

Mr. BLANTON. I have a perfecting amendment to the Lanham amendment.

Mr. ELLIOTT. Then I move that all debate close in five minutes.

The CHAIRMAN. The gentleman from Indiana moves that all debate on this amendment and all amendments thereto, and on the section?

Mr. ELLIOTT. Yes.

Mr. CRAMTON. The gentleman knows that I have an amendment at the Clerk's desk and I would like five minutes on that.

Mr. ELLIOTT. Then I will move that all debate on the whole section close in 10 minutes. That will give the gentleman from Michigan [Mr. CRAMTON] and the gentleman from Texas [Mr. BLANTON] the time they desire.

The CHAIRMAN. The gentleman from Indiana moves that all debate on this section and all amendments thereto close in 10 minutes.

The motion was agreed to.

Mr. BLANTON. Mr. Chairman, I offer a perfecting amendment.

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

The Clerk read as follows:

Amendment offered by Mr. BLANTON to the Lanham amendment: At the end of the Lanham amendment insert a colon and add the following proviso, to wit: "Provided, That no money authorized herein shall be expended and no construction be commenced until the State of Virginia shall reimburse the United States Government in an amount aggregating one-half of the sum that is to be expended."

Mr. BLANTON. Mr. Chairman, this bridge is to serve not only as a memorial bridge over the Potomac River, but it is to serve the people of the District of Columbia first and secondly the people of the State of Virginia.

You take, for instance, our old friend who used to preside over the Rules Committee, and who was the czar of this House during the last 10 days of the Sixty-seventh Congress. I see him out in the cloakroom now. The very minute you construct this bridge you double and treble the value of his already valuable property over there in Virginia. He is interested as a citizen of Virginia in having this bridge built and he should contribute his share. He will come over that \$14,750,000 bridge every day into Washington and go over it back home. There are hundreds of other citizens of Virginia who will come back and forth over it and who have their children in the Washington schools here and they will use that bridge every day.

Mr. DEMPSEY. Will the gentleman yield?

Mr. BLANTON. Certainly.

Mr. DEMPSEY. This bridge does not go anywhere near the property owned by the gentleman to whom the gentleman from Texas has referred.

Mr. BLANTON. The gentleman can not make us believe that, because we know where the gentleman lives. I have been by there frequently and I know just exactly where the gentleman lives.

Mr. DEMPSEY. So have I, and it is not anywhere near this bridge.

Mr. BLANTON. And neither is the Capitol, and neither is the Washington Monument, and neither is the Lincoln Memorial right at it, but the Lincoln Memorial is about 200 or 300 yards from it. Why, we all know that the gentleman I refer to lives on the main road to Alexandria. Will the gentleman deny that? When you go down that road you can cross either the old bridge or the new one, according to the



dictates of your own fancy. You will not have to go over the old bridge. I opine if I lived over there I would go over the new bridge when it was built, and I can stand on that old bridge and shoot an arrow over to where you are going to build the new one.

I will tell you what I used to do when my constituents would come here. I used to take them on that old bridge and I would say to them in going over to Alexandria and over to Washington's old home, Mount Vernon, "Now, it is proposed to construct a bridge across this river over yonder," and I would point out where it was going to be. Then I would call attention to where the new Key Bridge is located, which when first estimated upon by the War Department they told us would cost \$1,000,000, and before we got through with it cost \$2,350,000. And I would ask them whether they thought this new bridge was necessary. And each and every one of them said it was not, and to think of building it was ridiculous.

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

Mr. BLANTON. Mr. Chairman, I ask unanimous consent to proceed for one more minute.

Mr. MOORE of Virginia. Mr. Chairman, I object.

Mr. BLANTON. The generalissimo of this bill objects.

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

The amendment to the amendment was rejected.

The CHAIRMAN. The question recurs upon the amendment offered by the gentleman from Texas [Mr. LANHAM].

The question was taken; and on a division (demanded by Mr. BLACK of Texas) there were—ayes 41, noes 124.

So the amendment was rejected.

Mr. CRAMTON. Mr. Chairman, I offer an amendment which I send to the Clerk's desk.

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

The Clerk read as follows:

Amendment offered by Mr. CRAMTON: At the end of section 2, insert the following: "Provided, That such appropriations as may be made under the authority of this act for the execution of said project shall be chargeable to the Treasury of the United States and the revenues of the District of Columbia in such manner as shall then be determined by Congress to be equitable; *Provided further*, The opening, widening, extending or improvement of any streets of the District of Columbia in connection with this project shall be subject to assessments for benefits in accordance with the laws governing similar work under the Commissioners of the District of Columbia."

Mr. BLANTON. Mr. Chairman, I make a point of order against the amendment that this amendment, in the first place, is not germane to the purposes of the bill; that the bill itself comes from a committee that has nothing to do with the streets and alleys of the District of Columbia and has nothing to do with the fiscal relation existing between the District of Columbia and the United States; and has nothing to do with the taxing propositions of the District of Columbia; in other words, this comes from the Committee on Public Buildings and Grounds. The committee that would have jurisdiction over such an amendment as is proposed by the gentleman from Michigan [Mr. CRAMTON] is the Committee on the District of Columbia whose jurisdiction has been fixed by the rules of the House. This amendment deals solely and exclusively with the jurisdiction of that committee and is wholly out of order.

Mr. CRAMTON. Does the Chair desire to hear from me at all?

The CHAIRMAN. The Chair is ready to rule. In the opinion of the Chair this amendment falls within the argument made awhile ago upon the amendment offered by the gentleman from Texas [Mr. LANHAM], and in the view of the Chair is even less obnoxious to the rule of germaneness than it might be argued that the so-called Lanham amendment was, and the Chair, therefore, overrules the point of order.

Mr. CRAMTON. Mr. Chairman—

Mr. MONTAGUE. Will the gentleman permit me to ask him a question?

Mr. CRAMTON. I have only five minutes and I can not yield.

Mr. MONTAGUE. I simply wanted to ask if the gentleman's amendment was divisible. There seem to be two propositions involved.

Mr. CRAMTON. That is a parliamentary question.

This bill provides: First, for a memorial bridge; second, it provides for the improvement of "appropriate approaches, roads, streets, boulevards, avenues, and walks leading thereto," including, for instance, the improvement of B Street from the Capitol to the bridge, a distance of 2 miles nearly, and also

Twenty-fourth Street. I do not know where that improvement runs to.

I have no desire to have the people of the District asked to pay any part of this project so far as it is a monumental memorial, but in so far as it is purely local in the improvement of boulevards and streets, or otherwise, I insist the District ought to pay. [Applause.] And this amendment, if you please, is not born of antagonism to the bill. Colonel Sherrill, the executive officer of the commission, and Mr. Charles Glover, called upon me this morning to ask my support of the bill. I told them the obstacles to it in my judgment. Colonel Sherrill expressed a willingness to have such language put in as I am suggesting. I asked him if he would accept such an amendment, and he said he would and Mr. Glover was likewise agreeable to it. I consulted with Mr. Marcellus Shields as to its drafting and then submitted it to those gentlemen who have accepted the amendment as to its terms, and my friend the gentleman from Indiana [Mr. ELLIOTT] has no objection to its terms. They all recognize its fairness and its propriety. The only objection is that word comes from one Member of the United States Senate that the House must not adopt any amendment to this bill or it might endanger it over there.

Two weeks left in this session and still we can not cross a "t" or dot an "i" in a bill carrying \$14,000,000 to be taken out of the Federal Treasury, which is partly for the improvement of boulevards and streets that are no proper charge on your constituents or mine.

Furthermore, there is nothing in the bill which assesses the abutting property owner for benefits. That provision is included in my amendment. You will understand that those most familiar with the bridge project make no objection to its terms, their only objection being based on fear of delay in the Senate. I hope it may be adopted.

The amendment simply provides that when the time comes, when Congress shall actually appropriate the money, Congress will then decide what part shall be equitably charged to the District in the light of information Congress then has. I hope the House will accept the amendment.

Mr. LINTHICUM. Mr. Chairman, I ask for a division on the question.

The CHAIRMAN. In the opinion of the Chair the amendment is divisible under paragraph 6, rule 15. The question is on the first part of the amendment, the first proviso, without objection will be reported for the information of the committee.

The Clerk read as follows:

At the end of section 2 insert: "Provided, That such appropriations as may be made under the authority of this act by the execution of said project shall be chargeable to the United States and the revenue of the District of Columbia in such manner as shall then be determined by Congress to be equitable."

The CHAIRMAN. The question is on agreeing to that portion of the amendment just read.

The question was taken; and on a division (demanded by Mr. CRAMTON) there were—91 ayes and 79 noes.

Mr. TINCHER. Mr. Chairman, I ask for tellers.

Mr. CRAMTON. I make the point that the demand for tellers comes too late, the Chair having announced the result.

Mr. TINCHER. I withdraw the request.

So the first part of the amendment was agreed to.

The CHAIRMAN. The question recurs on the second part of the amendment, which the Clerk will report.

The Clerk read as follows:

*Provided further*, That the opening, widening, extending, or improving of any street in the District of Columbia in connection with this project shall be subject to assessment for benefits in accordance with the laws governing similar work under the Commissioners of the District of Columbia.

The CHAIRMAN. The question is on the latter part of the amendment.

The question was taken, and the second part of the amendment was agreed to.

Mr. NEWTON of Minnesota. Mr. Chairman, I offer the following amendment:

The Clerk read as follows:

At the end of the amendment just adopted, insert: "Provided, That if the bridge is constructed otherwise than by contract, there shall be kept accurate and itemized accounts of all costs, including labor, materials, rental, repairs, insurance, depreciation of plant and equipment, and all other items and engineering cost properly chargeable to the construction of said bridge."

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

The question was taken; and on a division (demanded by Mr. NEWTON of Minnesota) there were—111 ayes and 35 noes. So the amendment was agreed to.

The Clerk read as follows:

Sec. 3. That the said executive officer of the said Arlington Memorial Bridge Commission is hereby authorized, with the approval of the said commission, to employ the services of such engineers, architects, sculptors, artists, and other personnel as shall be determined to be necessary without reference to civil service requirements and at rates of pay authorized by said commission: *Provided*, That such officers of the United States Corps of Engineers as may be considered necessary by said commission may be detailed by the President on this work for such periods as the commission may require.

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

The Clerk read as follows:

Page 2, line 22, strike out section 3, and in lieu thereof insert:

"Sec. 3. Said commission may request the President to detail on this work, for such period as may be required, officers of the United States Corps of Engineers."

Mr. McKEOWN. Mr. Chairman, I just want to say that we have got the finest engineers in the Corps of Engineers that there are in the world. There is no necessity of going to the expense of hiring engineers to build this memorial bridge. For that reason this amendment ought to be adopted. I have been opposed to the bill, but I want as good a bill as can be written.

It will save a lot of money to let these engineers of the Army do this work. We have as good as there are in the world; and if we have not, we ought to have, because we spend money enough for them.

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

The question was taken; and on a division (demanded by Mr. McKEOWN) there were—ayes 50, noes 75.

So the amendment was rejected.

The Clerk read as follows:

Sec. 4. That the said Arlington Memorial Bridge Commission is hereby authorized to occupy such Government-owned lands as may be necessary for the bridge project authorized herein, and on completion of the project to transfer to the park system under the Chief of Engineers, United States Army, all or such portions of such lands as the said commission may, in its discretion, decide to be necessary.

Mr. SCHAFER. Mr. Chairman, I move to strike out the last word. I regret that I am unable to follow my distinguished colleague from Wisconsin [Mr. COOPER] in supporting this measure, although I believe him to be the ablest Representative in this body. [Applause.] We heard and read much about economy in the last campaign. The distinguished gentleman of the steering committee [Mr. TINSCHER], in his recent speech here, practically stated that the whole crux of this bill was a memorial proposition. Why did not those high in the administration think about a memorial proposition to the living veterans of the Civil War and of the Spanish-American War when legislation to increase their pension was vetoed? Why did they not think of the efficient, overworked, underpaid postal employees when their salary increase bill was vetoed, following out the so-called plan of economy? When the appropriations for the national military homes to feed and take care of the Nation's disabled soldiers, who are dying day by day, came before this House the great majority of the Republicans followed a policy of economy, and I believe they have followed it as expressed from the White House, when they voted to continue feeding disabled veterans dying of pulmonary tuberculosis at 52 cents per capita per day and non-hospital disabled soldiers at 27 cents per day. I shall vote against this bridge bill, providing an expenditure of almost \$15,000,000, and in so doing believe my constituents will approve of my vote. Why do not these gentlemen who boast of supporting the Chief Executive in the farming communities go to the Chief Executive and ask that the trips on the *Mayflower* and the White House breakfasts be brought into action again, just as when the postal salary bill was defeated, in order to bring farm relief legislation before the Congress? It appears that we have neither time nor opportunity to bring farm relief legislation before this Congress, but we can bring out a bill such as this, absolutely not a necessity, expending \$15,000,000 of the people's money. Why do not you get busy and bring in farm relief legislation? If we are going to have such economy as has been practiced when it came to taking care of the disabled soldiers and the postal employees, and when the President did not ride in a special car to Chicago, why does not the President ask Congress to stop that flow out of the Treasury

of over \$300,000 per year which maintains the *Mayflower* and ride on the *Southland* and the *Northland* whenever he wants to cruise. I hope the bill will be defeated.

The Clerk read as follows:

Sec. 5. That the said Arlington Memorial Bridge Commission is hereby authorized to procure by purchase in the open market, or otherwise, as may be most advisable, or by condemnation, such privately owned lands as may be necessary for approaches on the Virginia shore and to allow B Street NW., Washington, District of Columbia, to be opened up from the Capitol to the Potomac River in accordance with the said plans of the said commission: *Provided*, That any condemnation carried out under this act shall be in accordance with the provisions of the act of Congress, approved August 30, 1890, providing for a site for the enlargement of the Government Printing Office.

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

The Clerk read as follows:

Page 3, line 23, after the word "commission" strike out the colon, insert a comma and the following: "and said commission is hereby authorized and directed first to acquire by purchase or condemnation Analostan Island and to beautify and develop the same in connection with such approaches, boulevards, avenues, walks, and adornments as are compatible with the plans of the commission."

Mr. MOORE of Virginia. Mr. Chairman, I make the point of order.

Mr. McSWAIN. Mr. Chairman, I suppose the gentleman from Virginia makes the point of order upon the ground of germaneness, but I think that I can meet that now with absolute satisfaction to even the gentleman from Virginia. The Chair will observe the amendment is now directed to section 5, which gives to the commission authority to acquire by purchase or condemnation lands either in Virginia or in the District. This island is in the District of Columbia, because all of us know, and I am going to ask the gentleman from Virginia to corroborate that proposition, that the District goes to the southern shore of the Potomac River, so that Analostan Island is in the District of Columbia. This bill undertakes to give the commission the power to condemn it, and the commission in the bill as written can acquire this island. What I propose to do is to direct them to acquire it before they ever do a thing toward the construction of the bridge, because if they delay until the bridge is in process of construction and then decide to acquire it, they will have to pay two or three times as much for it as they would have to do now before they break ground for the bridge. In the interest of economy, in conformity with the plan of the commission, I think it is necessary that this be done at this time. This is not now like the other amendments. This is to build streets and roads, boulevards, just as they are directed already to do with reference to Columbia Island and the approaches to the bridge.

Mr. MOORE of Virginia. Mr. Chairman, as the chairman pointed out a while ago, the report of the commission does not make any reference at all to Analostan Island. There is some discussion by Colonel Sherrill that possibly has reference to it, but I do not think that the report of the commission touches the possible acquisition of Analostan Island. It would be just as germane to this bill to propose that any land on the south side of the Potomac River or the island might be acquired before the bridge is built.

Mr. McSWAIN. The rule is that where generalities are included by the bill, specific amendments are in order.

The CHAIRMAN. The Chair is ready to rule. The Chair calls attention to the wording of the amendment:

The said commission is hereby authorized and directed first to acquire by purchase or condemnation Analostan Island, and to beautify and develop the same in connection with such approaches, boulevards, avenues, walks, and adornments as are compatible with the plans of the commission.

The Chair is not concerned with the workability or the practicability of the amendment, but in form and in substance the Chair is of the opinion it is germane since it confines the work of the commission in the purchase and condemnation of this land to works that are compatible with the plans of the commission.

Mr. MONTAGUE. I just wish to make the inquiry, How could this island in any way be within the purview of the bridge bill as the condemnation relates to approaches alone?

The CHAIRMAN. The Chair does not know. The Chair overrules the point of order. The question is on the amendment offered by the gentleman from South Carolina.

The question was taken, and the Chair announced the noes appeared to have it.



On a division (demanded by Mr. McSWAIN) there were—ayes 37, noes 113.

So the amendment was rejected.

Mr. ELLIOTT. Mr. Chairman, I move that all debate on this section and all amendments thereto close in 10 minutes. [Cries of "Vote!"]

The CHAIRMAN. The gentleman from Indiana moves that all debate on this section and all amendments thereto close in 10 minutes.

The motion was agreed to.

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

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

That the National Capital Park Commission is hereby authorized and directed to acquire by purchase, condemnation, or otherwise, as sites for public buildings and other purposes, squares 256, 257, 258, 259, 260, 292, 294, 295, 349, 350, 380, 381, 382, 461, 575, 576, reservations A, B, C, D, 12, and lots 1, 2, 3, 4, 5, 6, 7, 8, 53, 10, 11, and part of 12, 51, 14, 15, and 16, in reservation 10, in the city of Washington, D. C., and the sum of \$15,000,000, or so much thereof as may be necessary to carry out the provisions of this act, is hereby authorized to be appropriated.

That should the commission find it impossible to purchase the land described herein at prices deemed reasonable by the commission, condemnation proceedings may be instituted for the purpose of securing any or all of the land hereby authorized to be acquired, such proceedings to be in accordance with the provisions of the act of Congress approved August 30, 1890, providing a site for the enlargement of the Government Printing Office. (U. S. Stat. L. vol. 26, ch. 837.)

Mr. ELLIOTT. Mr. Chairman, I make a point of order on that. That is to condemn all the property in town.

Mr. BLANTON. Will the gentleman from Massachusetts yield?

Mr. ELLIOTT. I make the point of order the amendment is not in order because it is not germane to the bill.

The CHAIRMAN. Does the gentleman from Massachusetts care to discuss the point of order?

Mr. UNDERHILL. Yes, Mr. Chairman; I would like to discuss the point of order. Mr. Chairman, this amendment provides for the approaches to the bridge. It is fundamentally a part of this bill, for it goes to foundations of the bill. It takes in such areas or lots of land which are not now owned by the Government extending from the Capitol down to the approaches of this bridge. It might well be called an extension of the approaches to the bridge. It will wipe out all of the Chinese joints and all of the houses of unmentionable character and all of the disgraceful, tumbled-down buildings between the Capitol and the Lincoln Memorial. Unless you adopt this amendment, the bridge itself might as well never be built as a work of art or a thing of beauty, for where one person will cross the bridge or see the bridge, there will be hundreds who will pass down Pennsylvania Avenue and see the frightful eyesores which disgrace the Nation's Capital. Consequently, as the bridge is to a large extent an artistic proposition, as it is supposed to be a thing of beauty, the approaches and surroundings must necessarily come within the purview of the bill in order to make a complete whole. I submit, sir, that this would not only be the first step in starting any work of art or beauty or necessity in the city of Washington, but would be a credit to the Nation and remove a sordid slum from the city which should be the most beautiful in the world.

Mr. BLANTON. Mr. Chairman, I would like to be heard for a moment.

The CHAIRMAN. The Chair is ready to rule. [Cries of "Vote!"]

The CHAIRMAN. The Chair is ready to rule. The bill before the House provides for the work to be done under the supervision and direction of the Arlington Memorial Bridge Commission and in connection with the memorial bridge across the Potomac. The amendment authorizes the National Capital Park Commission, an altogether different body, to acquire land for park purposes and boulevard purposes in the District of Columbia. In the opinion of the Chair the amendment is clearly not germane, and the Chair sustains the point of order.

Mr. McKEOWN rose.

The CHAIRMAN. The Chair will recognize the gentleman from Oklahoma.

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

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Oklahoma.

The Clerk read as follows:

Amendment offered by Mr. McKEOWN: Page 3, line 23, after the word "commission" insert "Provided, That a board of appraisers

consisting of five members be appointed by the President, of whom not more than three shall reside in the District of Columbia, who shall appraise such property before the same shall be purchased."

Mr. McKEOWN. Mr. Chairman and gentlemen of the committee, this amendment gives the commission the right under the bill to purchase the property. They ought to have the right. I provide a board of appraisers to be appointed by the President, not more than three of whom shall reside in the District of Columbia. That is fair for everybody in the country. You appoint five men to purchase the property, so that it can be purchased at a fair price, and in order to avoid condemnation proceedings.

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

The question was taken, and the amendment was rejected.

The CHAIRMAN. The gentleman from Michigan [Mr. Hudson] offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. Hudson: Page 4, line 2, after the word "office," strike out the period and insert: "Provided further, That no commission or department of Government shall procure by purchase or condemnation any land or lands for the purpose of erecting Federal buildings thereon until all space suitable for such buildings on Pennsylvania Avenue between Fifteenth Street and the Peace Monument has been acquired and used for such purposes."

Mr. ELLIOTT. Mr. Chairman, I make a point of order against the amendment.

The CHAIRMAN. The gentleman from Indiana makes a point of order against the amendment. It is clear that the amendment is not germane. The point of order is sustained. The Clerk will read.

The Clerk read as follows:

SEC. 6. That the project herein authorized may be prosecuted by direct appropriations or by continuing contracts, or by both direct appropriations and continuing contracts: *Provided*, That the expenditures in any year shall not exceed the amounts for the corresponding year as shown in the 10-year program of expenditures and construction contained in the report of the said commission.

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

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

The Clerk read as follows:

Amendment offered by Mr. ALLGOOD: Page 4, after line 9, insert: "Provided, That the commission shall let contract for building memorial bridge to lowest bidder."

Mr. ALLGOOD. Mr. Chairman, I am against this bill in toto. I am a member of the Committee on Irrigation and Reclamation of Arid Lands. We have had a bill before our committee for months and months, seeking an appropriation to dam up the Colorado River so as to safeguard the lives and the property of thousands of farmers in agricultural sections in California. We also have bills before that committee asking for relief for farmers in irrigated sections. Farmers who have not been able to make ends meet, farmers who have worked day in and day out throughout the year with their families and can not meet their interest payments to this great Government of ours. They are burdened with taxes; they are burdened with living costs. And yet we have not been able to get favorable reports in that committee for these appropriations for the relief of these farmers.

During the first session of this Congress, we who represent the cotton farmers had bright hopes of some relief from trust prices on fertilizers. There was at that time before Congress the best offer a private citizen ever made to this Government for the production of fertilizer at Muscle Shoals. The Ford offer was rejected and nothing has been done with this property at this session, and I know the cotton farmers are paying higher prices for fertilizers than last year.

The spirit of monopoly and greed is still abroad in the land and those who formed the habit of profiteering during the war times are loathe to give it up during peace times. They are still asking us to pay to the limit for the necessities of life and pay till it hurts, but above all, pay. In the main, the people whom I represent produce the raw products, which products when placed on the markets bring lower prices than manufactured and finished articles. Their dollars are few and hard to make and any extra burdens placed upon them are heavy to bear. An increase of \$5 or \$10 a ton on fertilizer means more to them than a \$5,000 or \$10,000 increase means to a millionaire. In face of these facts no relief has been given.

You are coming here to-day and asking for a \$15,000,000 appropriation to be used in building a cold, sordid, concrete bridge,

without feeling or life, and you are asking the taxpayers of this country to go down in their pockets and pay for this measure, which is a local and not a national measure. It means nothing whatsoever to the people in my State or to any other State, except Virginia and the District of Columbia. It is not needed, because there are already three bridges spanning the Potomac leading into Virginia from Washington. You have tried to weave some sentiment around it by naming it the Lincoln-Lee Memorial Bridge and by saying it will help blot out sectionalism. This idea is a sham and a pretense under which you are trying to get \$15,000,000 of the people's money out of the Federal Treasury. It is just another instance where the people of the Nation are being taxed so that some idealists who are living may build a monument to their memory instead of to the memory of Lincoln and Lee. These heroes have written their names indelibly upon the pages of the world's history and need nothing more to perpetuate their memories. Fifteen million dollars is more money than is collected from all the taxpayers of my State annually, and I am absolutely surprised that the great Republican Party and its President, who claims to stand for economy, is asking for this expenditure. With less than \$15,000,000 a year Alabama runs all her public schools, normal schools, and colleges, and in addition pays for the maintenance of her courts, State and county officials, also pays the Confederate soldiers and their widows their pensions, and hundreds of other items of expense. Oh, what a contrast. Oh, what an extravagance to spend \$15,000,000 on one bridge. You talk about Government economy, and yet this Government is paying hundreds of thousands of dollars of rent on public buildings here in the District in which valuable records are contained, and these buildings are not fireproof, and their loss by fire would mean a loss of millions of dollars of records to the people of this Nation, and yet \$15,000,000 would construct ample buildings for the departments here, at the same time save hundreds of thousands of dollars in rent to the Government.

The same condition to a certain extent exists throughout the country. Many towns and cities need post-office buildings, and yet we are not able to secure a bill with merit enough in it that can be passed by this Congress for this purpose. There are also thousands of soldiers of the World War who are diseased from the effects of exposure and have been denied compensation; and if you are going to let sentiment control you in voting money out of the Treasury, then why not spend it where it will alleviate the suffering and hardships of the living who lost their health in carrying out the dictates of Congress to follow the flag? With the continued and excessive reckless expenditure of money the day will some time come in the history of our country, which day will be brought about by the reaction of the people back home against public waste, when men will be elected to Congress who will be guided by business principles instead of letting sentiment control.

Gentlemen, it is time to put the brakes on. It is time for this Congress to stop increasing salaries, creating new jobs, and making extravagant appropriations. A measure like this is not fair; it is not just; and if this question were left to a referendum of the people of this Nation, they would vote it down. [Applause.]

We have recently spent billions of dollars in warfare. We are forced to spend millions more on account of past wars, and yet you are coming here and asking the people of this Nation to pay additional burdens as a premium to commemorate the deeds of a destructive war. I believe in patriotism, but in the name of justice, of righteousness, of Christianity, let us be considerate of those who are living as well as those who are dead. I have heard so much about President Coolidge's economy and read so much about it in the papers, but have actually seen so little of it practiced by his leaders here that I am satisfied you are using the word "economy" as a smoke screen. This Congress has voted for tremendous appropriations; we have seen one measure after another calling for additional moneys, raises, and increases passed here. I voted against them and will continue to vote against similar measures, and yet I am constructive and not destructive.

I voted for the soldiers' bonus, because I felt that it was a debt that we owed them, and I wanted to see justice meted out to them. I voted for the postal salary bill, because I believed the people of this Nation receive the best service from the postal employees of any servants in the Nation. In my opinion we get the best returns on our money from the Postal Service than from any governmental agency. You see the hue and cry raised in the newspapers by the passage of the postal salary increase bill, which raises \$60,000,000 of revenue, and yet this Congress has appropriated the appalling sum of \$650,000,000 for the Army and Navy, as against \$250,000,000 for the Army and Navy, 1916, which is an increase of \$400,000,000, and the press

does not take out its vengeance on Congress and the manipulators who secured these enormous appropriations without a roll call of this House. This increase of \$400,000,000 a year would build 10,000 miles of concrete roads in this country, which, in addition to increasing property values and giving comfort and pleasure to our people, would do much to help solve our freight and traffic problems. The Republicans threw away \$50,000 on an oil investigation and \$600,000 on a coal investigation and \$30,000,000 on remodeling some airplane carriers, which have been in the course of construction ever since 1916 and are now obsolete, and testimony has been produced to show that they have not speed enough to keep up with the fleet when it is in action. I voted to cut our standing Army half in two, but my vote was lost. The records in the civil-service count show that instead of the President reducing the Federal employees, there has actually been an increase of 11,000 persons on the pay roll in 1924, making a vast army of 555,000 Government employees at this time, and yet the Republicans have sold the country on its economy measures. The Republicans are simply keeping up their old methods of handing out the pie when they are in office, so that they can garner in the votes at election time. Republican economy! Republican economy! I say there is no such animal in captivity. This Republican economy reminds me of a lady who goes to a bargain sale to buy a pair of shoes for \$1.98 that formerly sold for \$5, and while in the store she lets the clerk talk her into buying \$25 worth of merchandise which she had not thought of purchasing when she entered the store and for which she had little need. I favor giving relief to the taxpayers instead of heaping additional burdens on them. [Applause.]

Mr. ELLIOTT. Mr. Chairman and gentlemen of the committee, I hope this amendment will not be adopted. Under the terms of the bill the commission has the power to let these cases out by contract, and all that this amendment means is that they have got to let the contract to the lowest bidder, as I understand it, and that without any regard to his responsibility.

I move that the debate on this section and all amendments thereto be now closed.

The CHAIRMAN. The gentleman from Indiana moves that all debate on this section and all amendments thereto be now closed. The question is on agreeing to that motion.

The motion was agreed to.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Alabama [Mr. ALLEGOOD].

Mr. WATKINS. Mr. Chairman, I ask that the amendment be again read.

The CHAIRMAN. Without objection, the amendment will again be read.

The amendment was again read.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Alabama.

The question was taken; and on a division (demanded by Mr. ALLEGOOD) there were—ayes 33, noes 110.

So the amendment was rejected.

Mr. DOWELL. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD on economy in the expenditure of public funds.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent to extend his remarks in the RECORD on the subject of economy in the expenditure of public funds. Is there objection?

There was no objection.

Mr. DOWELL. Mr. Chairman and gentlemen of the House, I am in hearty accord with the views expressed many times on this floor that the Government must reduce its expenditures to the very minimum.

There has been no time in our history when economy was more essential than at the present time. The burdens of taxation brought about by the enormous expenditures of the war are bearing heavily upon the taxpayers of the country. Every dollar saved by limited appropriations is a dollar lifted from the taxpayer.

In the past few years much has been done in the reduction of these expenditures. Under the Budget system Congress has been able to reduce the Government expenditures annually from nearly six billion and one-half in 1920 to less than three billion and a half in 1924.

President Coolidge has emphasized, as no other President of the United States has ever emphasized, the necessity for rigid economy in public expenditures.

The World War has brought to the American people a realization of its awful cost in human lives and in dollars to the taxpayers. May we hope that our Government may lead in a great movement for further world disarmament and for a



permanent world peace, that there may never come again this awful scourge of war?

Last year Congress, by reason of this program of economy, was enabled to reduce the cost of government to the taxpayers by at least 25 per cent. It is believed and expected that Congress will be enabled to make a further reduction in taxation before the end of this year to the great relief of the heavily burdened taxpayers of the country. Everything possible should be done by Congress to aid in lifting this burden.

In a short time there will be before the House an amendment to the legislative appropriation bill in the form of a rider placed there by the Senate, increasing the salaries of the Vice President, Cabinet officers, Members of the Senate, and Members of the House. This is not in accord with the President's program of economy for relief of the taxpayers. I am opposed to this amendment and shall vote against it, and I earnestly hope the House will reject the amendment.

This is no time to consider the increase of salaries of Members of Congress.

The Clerk concluded the reading of the bill.

Mr. ELLIOTT. Mr. Chairman, I move that the committee do now rise and report the bill back to the House with the amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. CHINDBLOM, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration the bill (S. 3173) to provide for the construction of a memorial bridge across the Potomac River from a point near the Lincoln Memorial in the city of Washington to an appropriate point in the State of Virginia, and for other purposes, had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. ELLIOTT. Mr. Speaker, I move the previous question on the bill and amendments to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment?

Mr. ELLIOTT. Mr. Speaker, I demand a separate vote on each of the amendments.

Mr. NEWTON of Minnesota. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. NEWTON of Minnesota. The substance of the amendment that was proposed by me I am informed was adopted by the committee before the bill was reported to the House, but was not included in the report of the committee by an oversight.

The SPEAKER. The Chair does not see that that makes any difference.

Mr. NEWTON of Minnesota. It would seem to have some effect upon the standing of the bill before the House.

The SPEAKER. The Clerk will report the first amendment.

The Clerk read as follows:

At the end of section 2, on page 2, insert: "Provided, That such appropriations as may be made under the authority of this act for the execution of said project shall be chargeable to the Treasury of the United States and the revenues of the District of Columbia in such manner as shall then be determined by Congress to be equitable: *Provided further*, The opening, widening, extending, or improvement of any streets of the District of Columbia in connection with this project shall be subject to assessments for benefits in accordance with the laws governing similar work under the Commissioners of the District of Columbia."

Mr. LINTHICUM. Mr. Speaker, I ask for a division of the amendment.

Mr. CRAMTON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CRAMTON. That is the amendment which I offered in committee.

The SPEAKER. The Chair is so informed. The Chair does not see how the amendment can be divided.

Mr. LINTHICUM. The chairman of the committee decided it could be divided, and I think it can be divided in the House.

Mr. CHINDBLOM. If the Speaker pleases, it was divided in the committee, but it occurs to me it is now submitted as one amendment.

Mr. BLACK of Texas. Mr. Speaker, I make the point of order that it is an entire amendment and that the House can not adopt it in part and reject it in part.

Mr. BLANTON. It is not divisible in the House.

The SPEAKER. The Chair is uncertain as to the right to have this amendment divided. There appear to be two

substantive amendments quite different in character and in purpose, and the Chair is informed that they were voted upon separately in the committee, so the Chair is disposed to think the House has the right to divide the amendment. The Clerk will report the first part of the amendment.

The Clerk read as follows:

At the end of section 2, insert the following: "Provided, That such appropriations as may be made under the authority of this act for the execution of said project shall be chargeable to the Treasury of the United States and the revenues of the District of Columbia in such manner as shall then be determined by Congress to be equitable."

The question was taken; and on a division (demanded by Mr. ELLIOTT) there were—ayes 103, noes 89.

So the amendment was agreed to.

The SPEAKER. The Clerk will report the other part of the amendment.

The Clerk read as follows:

At the end of the amendment just adopted insert: "Provided further, The opening, widening, extending or improvement of any streets of the District of Columbia in connection with the project shall be subject to assessments for benefits in accordance with the laws governing similar work under the Commissioners of the District of Columbia."

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

The amendment was agreed to.

The SPEAKER. The Clerk will report the next amendment.

The Clerk read as follows:

At the end of the amendment just adopted insert: "Provided, That if the bridge is constructed otherwise than by contract there shall be kept accurate and itemized account of all costs, including labor, materials, rentals, repairs, insurance, depreciation of plant and equipment, and all other items and engineering costs properly chargeable to the construction of said bridge."

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

The amendment was agreed to.

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

Mr. McKEOWN. Mr. Speaker, I desire to offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. McKEOWN. Yes, sir; I am opposed to the bill.

The SPEAKER. The gentleman from Oklahoma offers a motion to recommit, which the Clerk will report.

The Clerk read as follows:

Mr. McKEOWN moves to recommit the bill to the Committee on Public Buildings and Grounds with instruction to immediately report the same back with an amendment as follows: Strike out section 3 and insert in lieu thereof the following:

"That the said executive officer of the said Arlington Bridge Commission is hereby authorized, with the approval of the said commission, to employ such sculptors as shall be necessary, and such of the officers of the United States Corps of Engineers as may be necessary may be detailed by the President on this work for such period as the commission may require."

Mr. ELLIOTT. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

The motion to recommit was rejected.

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

The question was taken; and on a division (demanded by Mr. BLANTON) there were—ayes 149, noes 68.

Mr. BLANTON. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 204, nays 125, answered "present" 2, not voting 100, as follows:

[Roll No. 73]

YEAS—204

Abernethy	Boylan	Connally, Tex.	Doughton
Ackerman	Brand, Ga.	Connelly	Drewry
Aldrich	Britten	Cooper, Ohio	Dyer
Allen	Brown, Wis.	Cooper, Wis.	Eagan
Almon	Brumm	Corning	Elliot
Andrew	Burdick	Cramton	Evans, Mont.
Bacharach	Burness	Crisp	Fairchild
Bacon	Burton	Crosser	Fairfield
Bankhead	Rusby	Cullen	Faust
Barkley	Campbell	Dallinger	Fenn
Beedy	Casey	Darrow	Fisher
Beers	Celler	Davey	Fleetwood
Begg	Chindblom	Deal	Frothingham
Bixler	Clancy	Dempsey	Fuller
Black, N. Y.	Cleary	Dickinson, Mo.	Gallivan
Bland	Cole, Ohio	Dickstein	Gambrill
Bloom	Colton		

Gardner, Ind.	LaGuardia	Morin	Stengle
Garrett, Tenn.	Lampert	Morris	Strong, Pa.
Garrett, Tex.	Lazaro	Nelson, Me.	Swoope
Gasque	Lea, Calif.	Newton, Minn.	Taylor, W. Va.
Gibson	Leach	O'Connell, N. Y.	Temple
Gifford	Leatherwood	O'Connell, R. I.	Thatcher
Gilbert	Leavitt	O'Connor, La.	Thompson
Green	Lee, Ga.	O'Connor, N. Y.	Tilson
Greenwood	Lehlbach	Oldfield	Timberlake
Griest	Lineberger	Oliver, N. Y.	Tincher
Guyer	Linthicum	Paige	Tinkham
Hadley	Longworth	Peery	Tucker
Harrison	Luce	Prall	Tydings
Hawes	McDuffie	Purnell	Underhill
Hawley	McFadden	Ragon	Upshaw
Hayden	McKenzie	Raker	Valle
Hersey	McLaughlin, Nebr.	Ransley	Voigt
Hickey	McLeod	Reece	Walnwright
Hill, Md.	McReynolds	Reed, N. Y.	Wason
Holaday	MacLafferty	Reid, Ill.	Watkins
Hudson	Magee, N. Y.	Sanders, Ind.	Watres
Hull, Iowa	Magee, Pa.	Sanders, N. Y.	Watson
Hull, Tenn.	Mapes	Schneider	Weller
Hull, Morton D.	Martin	Scott	Wertz
Hull, William E.	Mead	Shreve	White, Me.
Jacobstein	Merritt	Sinclair	Williams, Ill.
James	Michaelson	Sinnott	Wilson, Ind.
Johnson, S. Dak.	Miller, Ill.	Sites	Wingo
Kearns	Miller, Wash.	Smith	Winslow
Keller	Minahan	Snell	Winter
Kent	Montague	Snyder	Woodrum
Ketcham	Mooney	Spearing	Wright
King	Moore, Va.	Stalker	Yates
Kopp	Moore, Ind.	Stedman	Zihlman

## NAYS—125

Allgood	Fulmer	Major, Ill.	Speaks
Arnold	Funk	Major, Mo.	Sproul, Ill.
Ayres	Garber	Manlove	Steagall
Barbour	Hammer	Mansfield	Stephens
Beck	Hardy	Michener	Stevenson
Bell	Hastings	Milligan	Strong, Kans.
Black, Tex.	Hill, Ala.	Moore, Ga.	Summers, Wash.
Blanton	Hill, Wash.	Morehead	Swank
Boies	Hoch	Morgan	Swing
Bowling	Howard, Nebr.	Murphy	Taber
Box	Howard, Okla.	O'Sullivan	Taylor, Colo.
Boyce	Huddleston	Oliver, Ala.	Taylor, Tenn.
Brand, Ohio	Hudspeth	Park, Ga.	Thomas, Ky.
Briggs	Jeffers	Parks, Ark.	Thomas, Okla.
Browning	Johnson, Ky.	Perkins	Tillman
Bulwinkle	Johnson, Tex.	Quin	Underwood
Canfield	Johnson, Wash.	Ramseyer	Vestal
Cannon	Jones	Rankin	Vincent, Mich.
Carter	Kincheloe	Rayburn	Vinson, Ga.
Christopherson	Kvale	Reed, Ark.	Vinson, Ky.
Clague	Lanham	Richards	Weaver
Cole, Iowa	Lankford	Robinson, Iowa	Wefald
Collier	Larsen, Ga.	Robison, Ky.	Welsh
Collins	Lowrey	Romjue	White, Kans.
Cook	Lozier	Ruby	Williams, Mich.
Dickinson, Iowa	Lyon	Sanders, Tex.	Williams, Tex.
Dowell	McClintic	Sandlin	Williamson
Drane	McKeown	Schafer	Wilson, La.
Driver	McLaughlin, Mich.	Sears, Fla.	Wilson, Miss.
Evans, Iowa	McSwain	Sherwood	
Foster	McSweeney	Simmons	
French	MacGregor	Smithwick	

## ANSWERED "PRESENT"—2

Byrns, Tenn. Knutson

## NOT VOTING—100

Anderson	Frear	Larson, Minn.	Roach
Anthony	Fredericks	Lilly	Rogers, Mass.
Aswell	Free	Lindsay	Rogers, N. H.
Berger	Freeman	Logan	Rosenbloom
Browne, N. J.	Fulbright	McNulty	Rouse
Buchanan	Garner, Tex.	Madden	Salath
Buckley	Geran	Miller	Salmon
Butler	Glatfelter	Moore, Ill.	Schall
Byrnes, S. C.	Goldsborough	Moore, Ohio	Sears, Nebr.
Cable	Graham	Morrow	Seger
Carew	Griffin	Nelson, Wis.	Shallenberger
Clark, Fla.	Hall	Newton, Mo.	Sproul, Kans.
Clarke, N. Y.	Haugen	Nolan	Sullivan
Connolly, Pa.	Hooker	O'Brien	Summers, Tex.
Croll	Humphreys	Parker	Sweet
Crowther	Johnson, W. Va.	Patterson	Tague
Cummings	Jost	Peavey	Treadway
Curry	Kelly	Perlman	Vare
Davis, Minn.	Kendall	Phillips	Ward, N. Y.
Davis, Tenn.	Kerr	Porter	Ward, N. C.
Dominick	Kiess	Pou	Wolf
Doyle	Kindred	Quayle	Wood
Edmonds	Kunz	Rainey	Woodruff
Favrot	Kurtz	Rathbone	Wurzbach
Fitzgerald	Langley	Reed, W. Va.	Wyant

So the bill was passed.

The following pairs were announced:

On this vote:

Mr. Anthony (for) with Mr. Buchanan (against).  
 Mr. Hooker (for) with Mr. Byrns of Tennessee (against).  
 Mr. Patterson (for) with Mr. Peavey (against).  
 Mr. Kiess (for) with Mr. Butler (against).

Until further notice:

Mr. Wyant with Mr. Garner of Texas.  
 Mr. Davis of Minnesota with Mr. Lilly.  
 Mr. Freeman with Mr. Tague.  
 Mr. Vare with Mr. Davis of Tennessee.  
 Mr. Madden with Mr. Carew.

Mr. Newton of Missouri with Mr. Lindsay.  
 Mr. Mills with Mr. Pou.  
 Mr. Seger with Mr. Salmon.  
 Mr. Kurtz with Mr. Ward of North Carolina.  
 Mr. Crowther with Mr. Doyle.  
 Mr. Wurzbach with Mr. Geran.  
 Mr. Frear with Mr. Griffin.  
 Mr. Kelly with Mr. Logan.  
 Mrs. Nolan with Mr. Quayle.  
 Mr. Sears of Nebraska with Mr. Sullivan.  
 Mr. Perlman with Mr. Rainey.  
 Mr. Hall with Mr. Morrow.  
 Mr. Curry with Mr. Humphreys.  
 Mr. Woodruff with Mr. Glatfelter.  
 Mr. Parker with Mr. Clark of Florida.  
 Mr. Roach with Mr. Wolf.  
 Mr. Edmonds with Mr. Berger.

Mr. BYRNS of Tennessee. Mr. Speaker, I am paired with the gentleman from Virginia, Mr. HOOKER. I wish to withdraw my vote of "no" and answer "present."

Mr. GERAN. Mr. Speaker, I desire to vote.

The SPEAKER. Was the gentleman in the Hall and listening when his name should have been called?

Mr. GERAN. No; I was in the cloakroom.

The SPEAKER. The gentleman does not qualify.

The result of the vote was announced as above recorded.

On motion of Mr. ELLIOTT, a motion to reconsider the vote whereby the bill was passed was laid on the table.

## MILESTONES IN THE WAR AGAINST THE NARCOTIC PERIL

Mr. LINEBERGER. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record on the narcotic problem. There was recently held a great international conference in Geneva, Switzerland, at which the United States was ably represented by a Member of this House. I wish also to include therein certain printed data from the International Narcotic Education Association bearing on this subject.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

The matter referred to is as follows:

## MILESTONES IN THE WAR AGAINST THE NARCOTIC PERIL

(By Capt. Richmond P. Hobson)

The readers and friends of the International Narcotic Education Association of Los Angeles and all those interested in stemming the rising tide of narcotic drug addiction will be interested to learn of two important milestones that emphasize the primary importance of education in this vital reform.

At their annual convention in New York City in December the Association of Life Insurance Presidents adopted the following resolutions:

"Recognizing the serious and growing menace of narcotic drug addiction to the integrity of society and the public health; and believing that the remedy is through education rather than penal or punitive laws;

"Resolved, That this association recommends to all life insurance companies that they support every wise movement or agency which will bring home to the people of this country, and particularly to the young, the dreadful results of narcotic drug addiction."

This resolution prepares the way for the active cooperation of the insurance world.

Press dispatches report that the delegates to the Geneva conference on narcotic drugs, now in session under the direction of the League of Nations, while differing widely on other matters, adopted a resolution for recourse to education in solving the narcotic problem. This confirms the wisdom of the methods advocated by the International Narcotic Education Association and opens the way for carrying out a general program for all lands.

This issue of the journal devotes most of its space to our document on the Peril of Narcotic Drugs, prepared for the use of teachers and parents. To this document we invite the close attention of readers and request their constructive criticism and suggestions.

The object of the document is to supply teachers and parents with suitable materials and through them to bring about quickly the instruction of the children and the youth concerning the peril of narcotic drugs. The spread of addiction among our youth has become alarming. Investigation and analysis lead to the conclusion that in most cases the victims are "caught" because of their ignorance of the peril and its tragic consequences. Instructing them is not only a matter of the utmost importance but one of great urgency.

We therefore appeal to every reader to help us. The quickest and most effective method is for Congress to print the document as a public document and distribute it under the frank of Senators and Members through superintendents and principals, to teachers and pupils, the pupils taking their copies to their parents and guardians. To this end a concurrent resolution is pending in both Houses, Senate Concurrent Resolution 10, House Concurrent Resolution 34. Let each reader write to his or to any other Senators and Congressmen,



requesting sympathetic interest in the resolution and cooperation for its passage, requesting copies of same. Would each reader also secure the adoption of appropriate resolutions by organizations of which he is a member whether religious or civic.

Would each reader further cooperate by speaking to his friends, neighbors, and leading citizens enlisting similar cooperation on their part especially to enlist the interest of members of the press and pulpit.

Anyone is authorized to print the document at will. The International Narcotic Education Association will supply information upon request as to the cost of documents and how to get them in any quantity. Even for small numbers, the cost should not exceed a few cents each.

The document:

The first half of the document consists of materials prepared by the International Narcotic Education Association and submitted to its committee of review. The second half is a list of lessons and suggestions for the various grades based on the materials of the first half.

Regarding the first half, Dr. Howard A. Kelly of Johns Hopkins, writes as follows:

"I am returning the article on 'The Peril of Narcotic Drugs.' It has been carefully read, and I am sure it will admirably serve the purpose for which it is intended.

"Sincerely yours,

"HOWARD A. KELLY."

Dr. Harvey W. Wiley, editor of Good Housekeeping, Washington, writes as follows:

"I acknowledge receipt of your communication of the 20th instant. I have read over very carefully the statement prepared by Captain Hobson, entitled 'The Peril of Narcotic Drugs.' In reading it over very carefully I do not see any change that I would make in it. The field seems to be covered very thoroughly. Instead of returning this copy to you, therefore, I will simply say that in its present form it meets with my entire approval.

"Very truly yours,

"H. W. WILEY."

Luther Burbank, of Santa Rosa, Calif., writes as follows:

"Yours of October 20 with copy of 'The Peril of Narcotic Drugs' received and read at my earliest moment, but time is priceless with me, as a good part of the year I receive 2,000 letters per week. The whole matter from beginning to end has my approval, but it is a little prolix for general readers' use, and I would suggest if it was balled down to one-fourth its dimensions it would have much more abundant readers, though all of it is excellent for readers who know something of the facts.

"Respectfully yours,

"LUTHER BURBANK."

Dr. Carleton Simon, deputy police commissioner of New York, and Dr. Haven Emerson, College of Physicians and Surgeons of New York, made marginal notes with constructive suggestions. These were adopted wherever they agreed, and in most cases where suggested by one and not noticed by the other.

The chief of the unit of the Treasury Department having control of the narcotics division likewise has made constructive suggestions, and these have been incorporated except on the question of the trend of addiction—he thinks addiction is not on the increase—we are sure it is.

The second half of the document was prepared by expert educators in Teachers' College, Columbia University, who have specialized on health education. They were limited strictly to the materials supplied in the first half of the document. Everyone will agree with the methods and suggestions recommended by these experts.

#### THE PERIL OF NARCOTIC DRUGS

[A pamphlet for the use of teachers and parents]

#### PHILOSOPHY—HISTORY

The human race is consuming every year many thousands of tons of poisonous narcotic drugs, not 1 per cent of which is necessary for strictly medicinal purposes. Nearly all of this great quantity is consumed by addicts who number in the world scores of millions—who are abject slaves—who consider getting their drug supply as the supreme consideration, in many cases as a matter of life and death.

The production and distribution of these drugs constitute a profitable traffic of vast proportions extending to all corners of the earth. In the Orient, the chief home of the sleep poppy whose seed capsules produce opium, the governments, for the revenue profits, encourage and often subsidize production and control distribution. In the Occident, where chemical science is turned to concentrating the poison of opium into morphine and turning this into a still more powerful poison narcotic, heroin, laws and regulations loosely enacted for repression drive most of the addiction traffic to cover where it flourishes in the dark in spite of the agents of the law.

The motive and urge that constantly drive the traffic on are the enormous profits, the jobber and retailer between them often realizing more than a thousand per cent profit. Add to this the lure for the armies of impoverished addicts of getting the drug for themselves through recruiting and supplying new addicts.

The profits are so great because the poor addict, under the awful depression and torture of withdrawal symptoms, feels he must have the drug no matter what the cost or the consequences, whether he has to spend his last dollar, whether he has to steal to get the money, whether he has to rob or even commit murder.

The bulk of this vast horde are "hooked" into addiction because of their ignorance, never dreaming what the consequences are to be when they take the first "shot" or first "sniff."

The sleep poppy, the source of opium, is a native plant in Asia and southeastern Europe. Frequent notices of its use for poisoning are found in ancient and medieval records. Opium smoking was devised by the Dutch in Java in the eighteenth century, first mixed with tobacco, then used alone. From Java, it was taken to Formosa, and thence to the mainland of China.

Portuguese traders first developed the importation of opium into China.

They were succeeded by the East India Co. with a monopoly of the traffic of India. The amount shipped from India into China rose as high as 10,000,000 pounds in the year 1858. In 1906 the production in China itself was estimated at 44,000,000 pounds, importations from India that year being over 7,000,000 pounds. At that date estimates place the number of addicts in China at 27 per cent of the adult male population.

In 1803, a French chemist discovered how to produce morphine from opium, and a half century later an Austrian chemist discovered how to produce cocaine from coca leaves.

These concentrated drugs used generally in medicine, 10 times as powerful as opium, swiftly produced addiction in all lands, at first as a by-product of medical practice, later through exploitation as well.

In 1898 a German chemist discovered how to produce heroin from morphine, between three and four times as powerful as morphine. With the spread of heroin, the narcotic menace has developed into a pressing world peril.

In 1729 the Chinese Government issued an edict prohibiting opium smoking in China. The effect was good but proved of little permanent avail. In 1790 the Chinese Government again issued an edict prohibiting opium smoking and in 1800 prohibiting the importation of opium into China. This led up to the opium wars waged on China which compelled its submission to the importation of the opium.

The dawning of hope for real reform came when America in 1905 enacted a law prohibiting opium traffic in the Philippine Islands and sent a committee to the governments of the Orient. This action was followed by China in 1906 with an edict prohibiting the use of opium and the culture of the poppy. Upon the initiative of the United States, the first international opium conference was held in Shanghai in 1909, followed by a second and third conference at The Hague in 1912 and 1913. Recently conferences of the opium commission of the League of Nations and its committees have been held at Geneva.

These conferences while of great value, particularly in bringing out the fact that narcotic drug addiction is a problem to all nations and to the human race, have illustrated how slow and how difficult it is to secure adequate international cooperation and how, even where these have been secured, though of elementary nature, the greatest difficulties have been encountered on account of smuggling. Universal experience has shown that laws and treaties are difficult to secure and more difficult to enforce.

#### TOXICOLOGY—BIOLOGY

The principal narcotics that have defied legal control and are now scourging humanity—namely, opium, morphine, cocaine, heroin—belong to the general class of organic or hydrocarbon poisons. They concentrate their attack upon the nervous system, producing in toxic doses, delirium, coma, convulsions.

These are all alkaloidal poisons, most of which in nature are generated by plants.

Opium is the coagulated sap of the capsules of the sleep or white poppy, grown chiefly in India, China, Turkey, and Persia. Morphine constitutes the principal poisoning element in opium, about 8 to 15 per cent. Heroin was made formerly only from morphine by treating it with acetic acid and hydrochloric acid. It is reported now, as stated, that chemists have learned how to make it synthetically from coal-tar products. Cocaine is made usually from the leaves of the coca plant grown chiefly in South America, but is now made also synthetically from coal-tar products.

Chemically, these poisons are built up around the deadly pyridin base containing five atoms of hydrogen, five atoms of carbon, and one atom of nitrogen, joined together in a nucleus like a closed ring. The complex structure in this opium group contains three rings, the phenanthrene structure united to the nitrogen nucleus, with oxygen introduced.

In morphine, the formula,  $C_{17}H_{19}NO_5$ , contains 17 atoms of carbon, 19 of hydrogen, and 1 of nitrogen, 3 of oxygen. The formula of cocaine is  $C_{17}H_{21}NO_4$ . In the case of heroin, acetic and hydrochloric acid introduce additional complexity, giving more powerful poisoning properties, producing morphine-diacylate, having the formula  $C_{21}H_{25}NO_7$ .

Protoplasm, the living material from which all living parts are built, is composed of proteins, water and a little salt. Its life processes require a regular supply of food and oxygen and regular elimination of waste products. Some poisons attack the protoplasm itself; some interfere with its necessary life processes; some do both.

The highly organized alkaloidal poisons combine readily with proteins, and easily penetrate the wall or sheathing that protects the living cells. Consequently, we would expect the result to be not only violent derangement in the usual activities and life processes, but permanent injury to the structure.

Since the nervous system is the most highly organized part of the whole human organism, it is not surprising that these complex alkaloidal poisons should show their chief effect upon the nervous system and should attack man more than the lower animals. Since, of the nervous system, the upper brain is the most delicate, it is not surprising that this part should be quickly attacked and deeply injured, although it is from damage to the functions of the lower brain that death occurs with a fatal dose.

#### PHYSIOLOGY

Narcotics are soluble in fat, so they penetrate the fatty sheathing that protects the brain from most harmful substances in the blood current, and in this way the poison comes quickly in contact with the delicate, highly organized gray matter.

One of the earlier physiological effects is to stop the action of the parts that cause the sensation of pain, and this is what gives narcotics their chief legitimate value in the practice of medicine, but even in the effect of deadening the sense of pain, the action of the drug is that of a poison. The medicinal is contracting.

In the same way these poisons attack the delicate, carefully protected organs of reproduction, impairing the sexual powers of the male, causing the female addict to become sterile, and undermining the germ plasm by virtue of which the species renews its life from generation to generation.

Tyrodé (Harvard) in his Pharmacology, sums up the symptoms of morphine addiction as follows: "Depravity of the mind; general debility; loss of weight and appetite; loss of sexual powers; sleeplessness; eczema; contracted pupils; diarrhea, alternating with constipation; and finally death from malnutrition."

The case is different with cocaine and heroin. The victims of these powerful drugs, unless they have repeated treatment, live but a short time, at best. The degeneration of the upper brain is so swift that the elements of character crumble in a few months. Complete demoralization follows and often the life of crime joins with physical ills and the spur of torture of the drug to hasten the end.

One-eighth of a grain of morphine or one twenty-fifth of a grain of heroin is sufficient to cause the drug effect. In a few days the system will develop sufficient capacity to neutralize this quantity. Then the drug effect will be felt only after getting beyond the point of neutralization, when it will be necessary to have a quarter of a grain, later a half grain, and soon a grain and more to produce the desired effect. Though 1 to 2 grains of morphine is a fatal dose ordinarily to a person unaccustomed to the drug, 10 grains of morphine daily is common, many taking 20 grains, some 50. There are records of more than 100 grains taken daily.

When the drug begins to subside, as it does in a few hours, the equilibrium is upset as though by an irritating poison. The distressing effect is general; no part of the body escapes. A condition of torture sets in. The muscles seem to become knotty. Cramps ensue in the abdomen and viscera, attended frequently by vomiting and involuntary discharge of the bowels. Pains often succeed each other as though a sword were being thrust through the body. In advanced cases this suffering (called withdrawal symptoms) is considered the most acute torture ever endured by man and continues for days. In some cases death will ensue if the addict is far advanced and the dose or "shots" are suddenly stopped. The drug of addiction will quickly relieve this torture. Naturally the addict comes to consider getting his supply of the drug as a matter of life and death.

#### PSYCHOLOGY

Morphine, cocaine, heroin are white powders, all soluble in water, all bitter to the taste. Morphine is usually put up in the form of tablets. Cocaine and heroin are called "snow," and in various localities by other names.

Heroin predominates now, especially in the eastern portion of the United States, so that "snow," "snow parties," etc., refer usually to heroin.

When luring girls into addiction the peddler often calls heroin "headache powder." With peddlers at large, using as they often do boys and girls to aid them, the safe precaution for a youth of either sex to take is to repulse instantly any suggestion to "take a shot," which means to take a hypodermic of morphine, to take "a sniff" or "a blow" of "snow," and to avoid all forms of white powder.

It is the custom to give away heroin free to the youth till he or she is "hooked." When children are away from home it is a safe practice to accept nothing as a gift to eat, drink, or whiff, not even from a supposed friend. When you decline the first offer the boy or girl aiding the peddler will taunt you or challenge you and say "try anything once," "you will get a kick out of it," "watch me," "come to our 'snow party' and watch the other fellows do it." Alas! Once is once too often. The poison is so swift that the poor youth will seek the next party for relief, and the next. A "snow party" a day for a week will probably drag a youth into the bondage of addiction worse than death from which experience teaches there is no sure escape.

The narcotic poison penetrating the upper brain naturally inflicts the deepest and swiftest injury upon the parts that are the tenderest, the most complex and unstable, which are developed latest in human evolutionary progress and distinguish the man from the brute. This part of the brain may be considered as the temple of the spirit, the seat of altruistic motives, of character, of those high, God-like traits upon which an advanced and enduring civilization are built.

The transformation in character is swift in the young, and swifter with cocaine and heroin than with the other narcotics. In an incredibly short time, a youth of either sex "hooked" with the "snow gang" loses the results of good heredity and of careful home training.

Self-respect, honor, obedience, ambition, truthfulness melt away. Virtue and morality disintegrate. The question of securing the drug supply becomes absolutely dominant. To get this supply the addict will not only advocate public policies against the public welfare but will lie, steal, rob, and if necessary, commit murder. Thus we can understand how intimately addiction is connected causatively with crime.

In addition to the general antisocial traits of all addicts, the heroin addict has two special characteristics. First, for a period after taking the drug he experiences an "exaltation of the ego," looks upon himself as a hero. Bent upon getting money to buy his drug, he will dare anything, thinks he can accomplish anything. The daylight holdups, robberies, and murders committed by these young criminal heroin addicts eclipse in daring all the exploits of Jesse James and his gang. This can be said also of cocaine addicts.

Secondly, the heroin addict has a mania to bring everybody else into addiction. It may be said in general that all addicts have a desire for company and wish others to share with them the problem of securing the drug supply, but in the case of the heroin addict, it is an absolute mania for recruiting. He thinks, dreams, plots to bring all whom he contacts into addiction. All addiction tends to spread. Heroin addiction can be likened to a contagion.

Another general characteristic of addiction psychology is secretive-ness. Where the drug supply is easily accessible so that withdrawal symptoms do not occur, addicts sometimes remain for months or years undetected by their own families and most intimate friends.

#### SOCIOLOGY

The family is the foundation of society. In the family, society not only prepares its citizenship in the most essential attributes of character, but renews its very life through the welding of two lines of germ plasm. Without considering the economics of the home and the want and tragedy that come in with narcotics, we must look upon narcotics as making a deadly assault upon the germ plasm itself. In the earlier stages addiction weakens the germ plasm and tends toward the production of abnormal offspring.

In the later stages of addiction, the male addict loses sexual power and the female addict becomes sterile, thus the line of germ plasm ends.

It is usually morphine given in illness by a careless physician or taken in patent medicines that brings addiction, with its train of sorrows, to parents in established homes. However, these make but a small percentage of the new addicts. Heroin, on the other hand, usually catches the boy and the girl between 16 and 20, or even younger, like the young bird before it has learned to fly, and the new homes are never built. These victims constitute the bulk of new recruits that are swelling the ranks of addiction.

The average standard of character of the citizen determines the stage of civilization. The spread of morphine addiction tends to bring social disorders and gradual decay. The spread of heroin besides lowering the standard of citizenship of necessity hastens social death by stopping the reproduction of homes.

It is with the Nation as with the individuals and the families that compose the Nation. The unchecked advance of addiction must entail national degradation, ending in national death.

In scientific circles because of their ghastly plight and almost hopeless outlook for permanent relief addicts are called the "living dead." The spread of addiction in any land must be regarded as the approach of the "living death" to that people. Left to run its course, the approach will be slow or swift according to the drug. Slow with opium, faster with morphine, galloping with heroin.

Suppose it were announced that there were more than a million lepers among our people? Think what a shock the announcement



would produce. Yet drug addiction is far more incurable than leprosy, far more tragic to its victims, and is spreading like a moral and physical scourge.

In the latest hearings—those conducted by the Committee on Ways and Means, having under consideration the Porter antheroin bill, just enacted—Dr. Amos O. Squire, chief physician of Sing Sing Prison, said: "That drug addiction is on the increase there is no doubt in my mind. To illustrate, since 1918, comparing it with the year ending June, 1922, shows an increase of 900 per cent in the number of drug addicts admitted to Sing Sing Prison. There has been a radical increase since 1919."

Before the same committee John W. H. Crim, Assistant Attorney General of the United States, speaking of narcotic addiction, said: "It is unquestionably increasing. About 40 per cent of the prisoners we are sending to the penitentiaries at Atlanta, Leavenworth, and McNeil Island this term of court are addicts."

Dr. Alexander Lambert, in a hearing before the Committee on Foreign Affairs, Sixty-seventh Congress, said: "Cocaine brings an insanity, an acute insanity with it, but cocaine and heroin both inflate personality. Heroin cuts off the sense of responsibility in the moral sense much quicker than morphine. The heroin addicts will more quickly commit crime, with no sense of regret or responsibility for it. The herd instinct is obliterated by heroin, and the herd instincts are the ones which control the moral sense in the sense of responsibility to others. Heroin is the worst evil of them all."

On account of secretiveness no one knows just how many heroin addicts there are in the country. We know it is an army. Serious estimates for the total number of addicts as reported in the 1918-19 survey of the Treasury Department range from 200,000 to 4,000,000. Dr. Carleton Simon, special deputy police commissioner of New York City, has estimated that while only 58 ounces of heroin were lawfully prescribed by the medical profession in the city of New York in the last 12 months 76,000 ounces were consumed. Remember that 2,000 young addicts can be created with 1 ounce. The mind that concentrates upon the heroin problem must stand appalled.

#### TREATMENT

While a real beginning has been made in international relations looking toward the control of the production and international distribution of narcotic drugs, experience has shown how difficult it will be to secure and enforce adequate measures. High hopes have been created by the activities of the opium commission of the League of Nations, but an investigation of the particulars has shown how many obstacles—some almost insuperable—have been encountered, especially where vested commercial and financial interests are involved. Even if an adequate agreement were reached as to the production of opium by the members of the League of Nations, some of the most important producers of opium are not in this league. Even if it were possible to control the production of opium from the poppy, its production or the production of its narcotic alkaloids by synthetic process can scarcely be controlled even by the most drastic international and domestic laws.

Our Treasury Department estimates that more than 90 per cent of all the drugs used in addiction are now smuggled, in spite of all that our Federal Government and State governments are doing. All measures found practicable should be taken to secure standard laws by National, State, and local Governments, and cooperation of agents in their enforcement. Yet vast profits are at stake; the drugs are powerful and concentrated; airplanes or even carrier pigeons are effective as carriers. Consequently the law at best is not an adequate effective treatment of the problem.

Much confusion exists in the manner of treatment of addicts. The methods are various and the results are varied. The consensus of expert authorities, however, shows that the percentage of addicts who remain permanently cured is exceedingly small—so very small that while salvage is an important humanitarian matter, it can not be considered in any sense as a primary means of treatment.

Prevention is society's recourse. Education alone can be regarded as adequate treatment. Quick information conveyed to society everywhere as to the peril that exists will arouse a motive for self-preservation, from which will flow the best that can be done in laws and in salvage. Regular instruction, uniformly, wisely, automatically carried out in homes and in schools will cause the young hereafter to have a consciousness of the danger upon the approach of a peddler, and this education repeated through the generations will clothe society with a mantle of protection, producing a race consciousness of this new peril of environment leading ultimately to immunity. The words of the legislative committee appointed by the New York State Legislature sum up the case as to narcotic drug addiction: "The cause is ignorance, the consequences misery, the remedy education."

#### CONCLUSION

From the foregoing we have the following conclusions: Narcotic drug addiction is a serious universal problem which has become acute in America through the spread of heroin addiction. There are probably five times as many narcotic drug addicts in the world as there ever were slaves at any one time, and the bondage is far more abject and far more dangerous.

America is being assailed by opium with Asia as a base, by cocaine with South America as a base, by heroin and synthetic drugs with Europe as a base. An unscrupulous traffic within joins the traffic from without. This deadly drug warfare, that from three sides and from the inside is striking at our citizens, our homes, our institutions, the very germ plasm of our people, is more destructive and biologically more dangerous to our future than would be united military warfare against us from these three continents.

Without knowledge of this peril, people, especially the youth, fall easy victims to organized exploitation. Delay will be costly to the Nation in life and character and the stability of our institutions. To the task of carrying out promptly an adequate educational program all good men and good women who love their country and love humanity, and all constructive organizations—private, semipublic, and governmental—should rally. Upon the result hangs the destiny of America and in large measure the destiny of the world.

#### INSTRUCTION FOR TEACHERS AND PARENTS REGARDING EDUCATION OF CHILDREN WITH REFERENCE TO NARCOTIC DRUGS

##### LESSON I

##### HABITS

Two psychological principles have been observed in preparation of the following statements, and it is recommended to teachers and parents that these be generally observed in education with reference to narcotic drugs:

(1) The tendency in education with reference to any grave danger is to appeal to fear. The appeal to fear may be temporarily effective, but fear is not constructive unless it is supplemented by the determination to control the danger. A spirit of courageous control is to be preferred to a spirit of fear.

(2) Curiosity should not be whetted to stimulate dangerous experimentation with drugs. Whenever the situation calls for it, curiosity should be satisfied by complete knowledge, for full and complete knowledge will surely forestall incautious experiment.

Education with reference to narcotic drugs should conform to the best accepted practices of the general educational program in the schools. Accordingly the aim of the teacher will be to lead the child to form certain desirable habits and attitudes and to acquire the knowledge which will enable him to act ethically and intelligently. The child must know what right is; he must wish to do right; he must be able to do right.

The desirable habits which parents and teachers should help children to form with reference to narcotic drugs are as follows:

##### ELEMENTARY SCHOOLS

(1) The child should never take anything to eat, drink, or sniff from strangers, new acquaintances unknown to parents, or acquaintances whom the child knows only slightly.

(2) He should choose for his friends only the children of whom his mother or some one in authority approves and who measure up to the ideals of true, healthy, and straightforward character.

(3) He should learn to meet bravely every situation involving unavoidable pain. (This will tend to prevent use of pain-deadening drugs for headache, etc.)

(4) He should find his keenest enjoyment in outdoor sports, such as skating, swimming, riding, etc., rather than from indoor amusements.

(5) He should avoid all habit-forming drinks, such as tea, coffee; soft drinks containing caffeine, such as coca cola; and alcoholic drinks.

(6) He should avoid the use of tobacco in any form.

##### HIGH SCHOOLS

In addition to all the preceding habits the high-school pupils should have the following ones:

(1) He should habitually rely upon a healthful régime of living in order to keep well, instead of upon use of patent medicines or drugs.

(2) He should avoid all use of drugs except upon the prescription of a reliable physician. Headache powders or tablets in particular may be dangerous. He should learn not to give "soothing syrups" or other drugs to babies or children.

(3) He should avoid all hypodermic injections except when given by reliable physician or nurse.

(4) He does what he can to fight the drug evil whenever an opportunity occurs.

(5) He should feel responsible for the safety of younger children, and should help them to obey the preceding rules and protect them from candy, powder, tablets, or any drink that may be offered by a stranger.

##### LESSON II

##### IDEALS, STANDARDS, AND ATTITUDES

The success of education with regard to narcotic drugs depends to a large extent upon the formation of certain character traits and upon the effectiveness of certain ideals or attitudes in influencing be-

havior. The beginning of these character traits should be made in babyhood. Some of the most important are as follows:

- (1) Suspicion of any kind of secret or underhand amusement.
- (2) Belief that to refuse to do a thing that everyone else in the group is doing because it is an underhand or harmful thing to do is brave, not cowardly.
- (3) A feeling of horror and fear of drug addiction.
- (4) A tendency to feel afraid of strangers who offer things to eat, drink, or sniff.
- (5) A belief that the effect of an act on future happiness and usefulness is more important than a temporary immediate enjoyment.
- (6) A tendency to weigh the consequences of any unfamiliar act before engaging in it.
- (7) An unwillingness to "try anything once," such as eating, drinking, or sniffing unknown substance or using the hypodermic needle. "Once" may be too often.
- (8) Confidence in the parents and a habit of freely discussing with them all of the day's happenings. As the result of such an attitude the child or youth would be likely to tell his parents of his first experiences with drug vendors or suspicious characters. This might lead to the early discovery of "snow parties." After the drug has been used and the drug habit formed the addict becomes very secretive, and it is difficult to discover the existence of the menace.
- (9) Feeling of responsibility for supporting legislation regarding control of narcotic drugs and keeping informed regarding expert opinion of what the most effective type of legislation is.
- (10) The ideal of self-control, of being able to control one's own actions for the best good of family, friends, and community, as well as personal well-being. If this ideal has become consciously worth while to the boy and girl, they will seek to avoid anything such as the drug habit, which makes self-control impossible.
- (11) The ideals of good citizenship, good workmanship, and good sportsmanship. These ideals require that the boy and girl do everything possible to keep themselves physically, mentally, and morally fit; that they observe all habits which keep them in good condition and avoid all habits and indulgences which impair their ability and usefulness.
- (12) The ideal of reliability. The boy or girl who can be depended upon is respected and admired. The use of narcotic drugs undermines all qualities of trustworthiness. Boys and girls who pride themselves on being dependable, trustworthy, and reliable will not knowingly use narcotic drugs.

#### LESSON III

##### IDEALS AND KNOWLEDGE

The important habits and ideals related to the prevention of the illegitimate use of narcotic drugs have been briefly outlined. It will have become evident that although they are the backbone of prevention, they must be supplemented by knowledge.

A considerable body of knowledge has been presented in preceding pages. Some suggestions follow regarding the use of this information with school children, and the different approaches that are possible.

##### ELEMENTARY GRADES

In the elementary grades it is not necessary that the child should have much detailed knowledge regarding narcotic drugs. The major emphasis should be placed on the habits and attitudes listed in preceding paragraphs. The information which is given will be more effective if given in its natural relationship to the problems with which the elementary child deals, than if given as isolated lessons about narcotic drugs. Effective use may be made of the following situations:

1. In safety education, the child considers the problems of avoiding dangers of various kinds; he learns to recognize and avoid common poisonous plants; to avoid dangerous animals; to refrain from putting any unknown pills, berries, food, or drink into the mouth. The avoidance of the dangers of narcotic drugs has an obvious place here.
2. In nature study, the child learns that certain plants have poisonous leaves, berries, or flowers, or that poisonous products may be made from them. He may also discover that some plants have medicinal value. The medicinal value and also the harmful poisonous results of the use of the poppy derivatives may be mentioned. In nature study the pupil also acquires an understanding of the necessary conditions for growth—proper food, light, air, moisture, temperature, etc. He may learn in this connection that certain poisons hinder growth, and that narcotic drugs are such poisons.
3. In study of food, the child learns what are good foods and drinks for human beings, and that only those substances and no others should ever be taken into the mouth, except when given by parents, nurse, or physician.
4. Temperance education with reference to alcoholic drinks may usually be extended to include reference to narcotic drugs. The same moral reasons for abstinence apply in both cases.

##### HIGH SCHOOLS

In high schools, more extensive knowledge should be given. This is the period of danger.

1. The social sciences—history, civics, geography, and economics—form a natural setting for studying the problems of drug addiction as they affect our civilization:

(a) Its effect on our criminal problem; (b) its effect upon the home; (c) its effect upon the individual's ability to earn a living; (d) its growing menace, as indicated by the history of the production and use of narcotic drugs; (e) its world significance, the necessity for international control, and attempts at international regulation at various conferences.

China's attempt to rid herself of the opium menace and the selfish greed of the other world powers should be studied as a significant historical event. Emphasis should be placed upon the fundamental idea that narcotic drugs should be kept out of human reach by world control of the production in all countries, of raw opium and cocoa leaves so that there is no surplus beyond the supply needed for medical and scientific purposes. This should show the future citizen his responsibility in relation to the support of any legislative measures regarding drugs.

2. Biography and literature may be used to show the devastating effect of drug addiction in the lives of famous characters in history and literatures; e. g., Poe and DeQuincy.

3. In chemistry, the student may learn the composition of narcotic drugs, reach a scientific understanding of why they are poisons, and what their chemical action is. This will necessarily be simply presented in high schools, but the student will gain the scientific point of view.

4. In biology or physiology, the student may learn the effects of poisons upon the growth and life of living tissues, and upon the organism as a whole. He may learn here that the use of narcotic drugs destroys the powers of reproduction, and this will give him the scientific basis for understanding the disastrous effects of drug addiction upon the preservation of the race.

5. In psychology, the student discovers the laws of habit formation, the effect of drugs upon the nervous system, and the terrific difficulties in breaking the drug habit.

#### LESSON IV

##### EXAMPLES FOR LESSONS IN SCHOOLS

Two detailed suggestions for lessons on the drug problems:

These lessons are not to be taught word for word in all situations. They are included to give a concrete idea of certain principles of method especially.

(1) The use of a real problem as the basis of the lesson. The first lesson would be taught if there were definite rumors or evidence of drug traffic among children in the neighborhood. The second, if newspapers and magazines were printing articles concerning the prevalence and danger of drugs in the community.

(2) The presentation of story or facts in such a way as to have the convictions and conclusions come from the children—not from the teacher.

(3) Lessons dealing with the drug problem should be taught with all the earnestness and force of personality that is possible by a teacher who feels the importance of this subject.

It would be better not to teach such lessons at all than to teach them in a superficial, perfunctory way, which might simply arouse curiosity rather than fear of the drug evil, and the will to control it.

##### ENGLISH PERIOD—JUNIOR HIGH SCHOOL

TEACHER. In our study of "Julius Caesar" we noted two pairs of friends. Who were they?

PUPIL. Brutus and Cassius; Antony and Caesar.

TEACHER. Do you think of any other famous friendships in literature? Pupils mention others they know about.

TEACHER. How many have found new friends since they came to junior high school? What points should we consider in choosing our friends?

PUPIL. They should like the same things we do.

TEACHER. That is, if you like outdoor sports, you would want a friend who liked outdoor sports better than any kind of indoor amusements. Yes; I think that is a good point. Anything else?

PUPIL. You'd want a friend who stuck to you—didn't run away if you got into trouble.

PUPIL. Yes; and one who didn't get you into trouble either.

TEACHER. Then a boy who encouraged you to do something, you to do something that was wrong, or something that would harm you, wouldn't be a good friend, would he?

PUPIL. You wouldn't want a friend whom you couldn't trust, either.

TEACHER. Yes; anyone who wanted you to do something that had to be kept a secret from other people, especially from your father or mother, would not be a friend you could trust. Think of some of your friends. Do they all come up to these standards? Do they like outdoor sports, encourage you to do the things you'd be proud of, never do underhand things you'd be ashamed to tell other people about?

How many have friends that measure up to these standards you have made?



Suppose you have a friend who doesn't measure up. What are you going to do about it?

PUPIL. Try to get him to improve.

TEACHER. And if he doesn't?

PUPIL. Well, if you've done all you can, and he still does things you do not like, you'd better get another friend.

TEACHER. I read recently a story about a fine boy who chose the wrong friends. On the outskirts of a great city lived a carpenter, a man over 70 years old, hardy and strong and skillful in his work. He liked his work—the ringing blows of the hammer, sure and swift; the rough boards becoming smooth and straight under his skillful planing; the great beams reared up against the sky. His wife was industrious, saving, cleanly, thoughtful of his welfare and comfort. They had an only child, a boy whom the father loved from the moment of his first helpless crying. As soon as Donald could walk, he went with his father into the carpenter shop, made unstable mountains of cedar-scented sawdust, decorated his own curly head with the curly wood shavings, and tried to help his father by banding him nails as he needed them.

When he grew old enough he liked best of all to come to the shop and with his father's help build little houses and boats and furniture. In vacation, when he was 12 years old he helped his father build a fine new house in the neighborhood. Every morning the two would walk off together, talking and pointing out different types of houses, building materials, and roof lines, and window groupings.

"You will be an architect some day, not just a builder like me," said the father. "Perhaps you will make plans for great churches or tall office buildings of steel, many stories high, reaching up above all the others."

And the boy too dreamed plans of great buildings, and studied his lessons with these dreams in mind. He was strong, like his father, and in the senior year of high school was captain of the football team.

One day an older boy, whom he had never seen before, came into the school yard at recess time. He gathered a group of boys together. Donald came also. He heard him whisper, "To-night at the deserted house, Christopher Street, at 8 o'clock."

Donald was curious. He went at the appointed time. He went again the next night, and again and again. He couldn't stop going. He had to have the white powder—the drug—he had taken that first night just to see what it was like. In six nights he was no longer free. He was a slave to the drug. He failed in the tests. He could not respond to the football signals. The game was lost, when the team depended on him to carry the ball down the field.

But now he didn't care. He cared for nothing but to get the drug that had made him a slave. He stole money to buy it. He stole money that his mother had saved, denying herself comforts for many years.

One night he went out, and did not return. Disgraced, discouraged, he lost himself in the great city. His father tried to find him, hoping there might be some way to cure him of the terrible drug habit. Many days the poor old mother and father searched and waited and hoped. But the boy did not return.

The neighbors were full of pity for the kind old man who still went to his work as usual. But instead of the strong, ringing strokes of the hammer, the blows became weak, and sometimes he would sit with bowed head and with tears in his eyes. The eyes which would now never see the great buildings that his son, once so fine and strong, and dear to him, had helped to plan.

#### LESSON V

##### SAMPLE LESSON FOR SENIOR HIGH SCHOOL—HYGIENE PERIOD

TEACHER. Several of the students this week brought in clippings from newspapers about drug addiction. [Reads parts from clippings.] These clippings say that the drug menace is a very serious problem. What are some points you would consider in deciding how important the problem is?

PUPIL. What kinds of drugs are most dangerous?

PUPIL. Are drugs being easily made and sold?

PUPIL. Do many people take drugs?

PUPIL. Does taking a drug one or two times do any harm?

PUPIL. Can a person who has been a drug addict ever be cured?

PUPIL. What effect do the drugs have on health and character?

PUPIL. What effect does the person who takes drugs have on other people?

TEACHER. (Writes the questions suggested on the board.) These are all important points. Let us try to answer the first question. What drugs are mentioned in the clippings read?

PUPIL. Opium, morphine, cocaine, heroin.

TEACHER. When we think of the effects of opium smoking—some of the Chinese victims look scarcely human—it would seem that opium must be the most dangerous. But morphine is nearly ten times more powerful than opium. Would there be any other factor beside the concentration, making one of these more dangerous than another?

PUPIL. If one were easier to take than another.

TEACHER. Yes. Heroin is made in the form of a white powder that can be easily "sniffed." Others require a hypodermic needle. Can you see how that makes heroin especially dangerous?

PUPIL. Yes. Most people would be suspicious of the use of a needle, but the white powder would look quite harmless to anyone who didn't know what it was.

TEACHER. Exactly so. Is there any other factor which makes these drugs so dangerous?

PUPIL. They can be easily smuggled in.

TEACHER. Yes; it is estimated that \$20,000 worth of opium can be packed in one suit case, and that 2,000 addicts can be produced with 1 ounce of heroin. As John said, that makes it easy for people to smuggle it into the country and sell it to their victims. The next question—"Do many people take drugs" is more difficult to answer—why?

PUPIL. People keep it a secret—they feel it is a disgrace.

TEACHER. Yes. The actual number of drug addicts has been estimated to be from 250,000 to 2,000,000. Poison authorities at Leavenworth in 1921 reported 15.5 per cent of drug addicts and in 1922, 24 per cent. The chief physician of Sing Sing says that there was an increase in addicts of 900 per cent from 1910 to 1922. What do these figures show?

PUPIL. That it is becoming a more serious problem all the time.

TEACHER. Your next question asks "Does taking a drug one or two times do any harm?" Does being bitten by a poisonous snake once or twice do any harm? Does playing with fire once or twice ever do any harm? Taking a drug once may result in the drug habit. The more powerful the drug, the more certain its quick habit-forming effect. Heroin taken six times will make an addict—a slave to the drug. (Tells the story of Wallace Reid and his unsuccessful fight with the drug habit.)

(The teacher similarly takes up a discussion of the other questions proposed, in every case drawing conclusions and suggestions from the children, and supplying information herself as needed.)

Teacher finally asks: What are your conclusions concerning this problem of drug addiction?

Pupils make summary.

TEACHER. What can we as a class do to prevent the spread of the drug evil?

Pupils give suggestions:

If we ever get into a situation where boys or girls are about to take any of these drugs we can tell them what the consequences would be, and prevent them from taking the drug. We can help make outdoor sports more popular than indoor sports.

We can report to the police any suspicious-looking people.

We can take medicine only when the doctor gives it to us.

TEACHER. These are good suggestions. We will be prepared to be master of any situation of danger if we meet it, and all other times forget about it, get thrills from outdoor sports as John said, and "fill every unforgiving minute" by doing something profitable and interesting to ourselves and worth while to others.

#### DEPARTMENTS OF STATE, COMMERCE, AND LABOR APPROPRIATION BILL

Mr. SHREVE. Mr. Speaker, I present a conference report on the bill (H. R. 11753) making appropriations for the Departments of State, Commerce, and Labor, for printing, under the rule.

#### ENROLLED BILLS SIGNED

Mr. ROSENBLOOM, 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. 4548. An act authorizing the Secretary of Commerce to acquire, by condemnation or otherwise, a certain tract of land in the District of Columbia for the enlargement of the present site of the Bureau of Standards;

H. R. 9095. An act to incorporate the American War Mothers;

H. R. 10471. An act authorizing the Postmaster General to permit the use of precanceled stamped envelopes;

H. R. 11725. An act to legalize a pier and wharf in York River at Gloucester Banks, near Gloucester Point, Va.;

S. 2397. An act to provide for refunds to veterans of the World War of certain amounts paid by them under Federal irrigation projects;

S. 2718. An act to authorize the payment of an indemnity to the Government of Norway on account of losses sustained by the owners of the Norwegian steamship *Hassel* as the result of a collision between that steamship and the American steamship *Asable*;

S. 2835. An act to amend an act entitled "An act authorizing insurance companies or associations and fraternal beneficiary societies to file bills of interpleader," approved February 22, 1917;

S. 3793. An act to authorize the appointment of commissioners by the Court of Claims and to prescribe their powers and compensation;

S. 4152. An act to authorize the Secretary of War to grant a perpetual easement for railroad right of way over and upon a portion of the military reservation on Anastasia Island, in the State of Florida;

S. J. Res. 172. Joint resolution to authorize the appropriation of certain amounts for the Yuma irrigation project, Arizona, and for other purposes;

S. J. Res. 95. Joint resolution to authorize the American National Red Cross to continue the use of temporary buildings now erected on square No. 172, Washington, D. C.;

S. 3630. An act authorizing the Secretary of War to convey to the Federal Land Bank of Baltimore certain land in the city of San Juan, P. R.;

S. 3760. An act to amend in certain particulars the national defense act of June 3, 1916, as amended, and for other purposes;

S. 3648. An act granting to the county authorities of San Juan County, State of Washington, a right of way for county roads over certain described tracts of land on the abandoned military reservations on Lopez and Shaw Islands, and for other purposes;

S. 3895. An act to authorize the coinage of silver 50-cent pieces in commemoration of the one hundred and fiftieth anniversary of the Battle of Bennington and the independence of Vermont, in commemoration of the seventy-fifth anniversary of the admission of California into the Union, and in commemoration of the one hundredth anniversary of the founding of Fort Vancouver, State of Washington;

S. 2287. An act to permit the Secretary of War to dispose of and the Port of New York Authority to acquire the Hoboken Manufacturers' Railroad; and

S. 1918. An act to consolidate the office of public buildings and grounds under the Chief of Engineers, United States Army, and the office of superintendent of the State, War, and Navy Department Buildings.

ENROLLED BILLS AND JOINT RESOLUTION PRESENTED TO THE  
PRESIDENT FOR HIS APPROVAL

Mr. ROSENBLUM, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following bills:

H. R. 9765. An act granting to certain claimants the preference right to purchase unappropriated public lands;

H. R. 8090. An act authorizing the Secretary of the Treasury to remove the quarantine station now situated at Fort Morgan, Ala., to Sand Island, near the entrance of the port of Mobile, Ala., and to construct thereon a new quarantine station;

H. R. 4441. An act to amend section 4044 of the Revised Statutes as amended;

H. R. 103. An act for the inclusion of certain lands in the Plumas National Forest, Calif., and for other purposes;

H. R. 9494. An act to enable the Board of Supervisors of Los Angeles County to maintain public camp grounds within the Angeles National Forest;

H. R. 10287. An act authorizing preliminary examination and survey of the Caloosahatchee River, in Florida, with a view to the control of floods;

H. R. 11474. An act to fix the time for holding the terms of the United States District Court for the Eastern District of Virginia at Alexandria;

H. R. 2745. An act for the relief of J. M. Farrell;

H. R. 2656. An act to permit the correction of the general account of Robert G. Hilton, former Assistant Treasurer of the United States;

H. J. Res. 325. Joint resolution extending the time during which certain domestic animals which have crossed the boundary line into foreign countries may be returned duty free;

H. R. 9095. An act to incorporate the American War Mothers;

H. R. 4548. An act authorizing the Secretary of Commerce to acquire, by condemnation or otherwise, a certain tract of land in the District of Columbia for the enlargement of the present site of the Bureau of Standards;

H. R. 8741. An act for the relief of Flora M. Herrick;

H. R. 7911. An act to authorize the Secretary of the Treasury to sell the appraisers' stores property in Providence, R. I.;

H. R. 9308. An act to authorize the appointment of Machinist Henry F. Mulloy, United States Navy, as an ensign in the regular Navy;

H. R. 5061. An act for the relief of Russell Wilmer Johnson; and

H. R. 6581. An act authorizing the Postmaster General to provide emergency mail service in Alaska.

THE SHATTERED DREAM OF A FARMER BOY—MY MOTTO FOR STRUGGLING YOUTH EVERYWHERE, "LET NOTHING DISCOURAGE YOU; NEVER GIVE UP!"

Mr. UPSHAW. Mr. Speaker and gentlemen of the House, 40 years ago to-day occurred the accident on a Georgia farm, resulting in the physical handicap which you have witnessed these six years since I have been in Congress. The fellowship with my colleagues has been so delightful and I have been asked so frequently the natural question as to how this handicap occurred, that I have thought perhaps all my colleagues might be interested now in hearing the little story of that fall in which went down the rosy dreams that gladdened youth, the shining castles that cheered me, and the bright, sweet hopes that inspired and led me on in those beautiful halcyon days of youth.

I was a farmer boy with freckled face and red hair. I had stirring ambitions. My father, who had been a merchant in Atlanta for several years, became afraid that his boys might fall prey to the gilded temptations of city life. Because he loved his boys better than he loved money he moved us away from Atlanta—away from the devilish barrooms with all their allied temptations—and carried us over into Cobb County to grow up amid the beauties, glories, and wholesome inspirations of rural life.

My father, who had been a school-teacher for many years, had sought, in the sacred precincts of an old-fashioned Christian home, to plant vital principles of Christian character in the hearts of his children and to place the star of worthy ambition in the sky of our lives.

And so when our farm life began in good earnest he read to us by the winter fire in the evening the Southern Cultivator and Henry Grady's radiant editorials in the Atlanta Constitution. He tried to help us to see how many boys had gone forth from farm life to one of education and power and countless laurels and worthy victories.

There was still with us the memory of how he had carried his three boys to an oratorical contest at the State fair in Atlanta. My oldest brother—Herschel, a lad of 13—spoke on that memorable day on Dawson's Remedy for Sectional Hostility. My second brother—Lucius, with flaming tongue and hair redder than mine—had thundered forth the Seminole's Defiance, while the present Representative from the fifth district of Georgia—a fiery, wiry urchin of 8—brought up the rear with that immortal initiative of the American platform, The Boy Stood on the Burning Deck.

I had followed that fierce onslaught upon a defenseless people with Regulus to the Carthaginians, had purloined my oldest brother's Remedy for Sectional Hostility, and topped off the mimic contest in old Crew Street School, Atlanta, with "Sink or swim, live or die, survive or perish."

It is little wonder that with such training I began soon after landing in the country to perpetrate my linguistic and "tonguistic" offenses upon the nearest natives among my Cobb County neighbors. My first victim was an old mouse-colored mule named Hannah (not the original "Hard-Hearted Hannah, the Vamp from Savannah").

I walked between my plow handles and made speeches to that old Georgia mule that I expected to make some day in the Halls of Congress. I could actually repeat to you to-day some of the sentences that I imposed on that poor old defenseless mule, and to be honest about it, that old mule died soon after she heard my speeches. [Laughter.]

And as they had such an effect on the mule I have been wanting to try them on Congress ever since [laughter], especially that branch of Congress which, trampling the Constitution beneath its feet and defying the flag that has been made stainless by governmental process before the eyes of the watching world, is trying to dig up John Barleycorn and help him again by legal license to trample our Nation's ideals and debauch the youth of America.

But back to the subject. On the morning of the 18th of February, 1885, I was not plowing. It was raining lightly, and I was hauling wood. Having begun the year with the promise of my father that it would be my last year on the farm, at the end of which I was to start to school to prepare myself for college and for life, I remember how I sprang upon that wagon with the thought, "This task must be done to-day." But it has never been done yet by me.

Standing astride the frame the team started suddenly before I got my balance and I fell backward, striking my spine on the crosspiece in the wagon frame. A negro man working near by came and helped me off the wagon. Feeling only slight pain and not thinking my hurt serious, I walked to the house, about a half mile away, went to bed for about a week and



actually thought that I might be able to go back to work within a month.

But that day, toward which I looked so eagerly, never came. I walked about the house and yard for about a month, and finally imprudently yielded to the wish to go back to the Baptist Sunday school at Powder Springs, of which I was secretary. I had been converted and joined the church there the summer before, being baptized with my sister in old Powder Springs Creek on the third Sunday morning in August.

I had the feeling that I wanted to "sign for a full scholar," as the country citizen said about building up the cross-roads school, and felt that I must lose no time in my new life as a Christian boy. Not realizing my serious spinal trouble, I continued to attend the Sunday school on Sunday and revival meetings in the summer. Finally, in October, I broke down and went to bed, where I stayed for nearly seven years, and where I would be still without a brace I now wear around my body.

I soon became so nervous that I had to have holes cut through the floor and my bed posts placed on a foundation that rested on the ground in order to escape the jarring sensations which had begun to throw me into nervous "sinking spells," that caused me to think for a time that perhaps the end was not far off.

#### BATTLED WITH DISAPPOINTED AMBITIONS

My battle with my disappointed ambitions was terrific. The devil pounced upon my trying physical plight and tried to make shipwreck of my new-found faith in Christ. It seemed for awhile that reason was tottering on its throne, and I wondered often if my family would not wake up some morning and find me a fit subject for the State sanitarium at Milledgeville.

But one day, after a terrible spiritual battle in which it seemed that, like Edward Payson, I could "have taught Bob Ingersoll infidelity," I found myself praying: "Oh, Lord, let me die before I bring dishonor upon Thy name." My heart grew calm and peaceful. I seemed, with spiritual vision, to see my Redeemer standing before me and He was smiling upon me.

I remember that I answered: "Master, I thought You came to bind up my broken heart. How can You smile at my present discomfort?" And then with a smile of still more ineffable sweetness He seemed to say: "My child, I am smiling at you because I know I am going to bring you through."

The flame shall not hurt thee—I only design  
Thy dross to consume and thy gold to refine.

And in that moment it seemed to my soul that the everlasting gates were lifted up and the anchor of hope and steadfast faith was let down into my soul with a strength and power that have held me since then through every storm. I could not be content to stay in bed and do nothing, and I called my sister and some of my young neighborhood friends to my bedside and dictated through their fingers the sentiments of hope and purpose that were stirring my heart.

I sent these letters, poems, and sketches to the old Sunny South, then edited by that brilliant orator, John H. Seals, to Henry Grady's Atlanta Constitution—whose young people's department was presided over by his mother-in-law, the beloved Mrs. William King—and occasionally to other papers.

Generous cheering letters began to pour in upon me from all parts of the country, helping to make my narrow room a positive haven of sunshine and joy. I organized at my bedside a literary club of the bright young country boys and girls of the community, naming this club "The McBeath Literary Circle," in honor of Tom F. McBeath, then a comparatively unknown literary genius, author of "Biopsis" and "Carmenæstati," two master poems which had been an unspeakable enrichment to my heart and thought-life while I was in bed.

No tongue or pen can ever describe what it meant to me to have these boys and girls from miles around come to my bedside and give me an opportunity to help them with their debates and declamations for the fortnightly meetings of the McBeath Literary Circle.

After several years my good friends, Dr. James Greer and Mr. James Brumby (the latter suffering himself from a similar spinal affliction) came out from Marietta and put a plaster of Paris brace around me, with the aid of which I began to spend an hour or two each day sitting up and walking around the place.

Then came the burning purpose to build something permanent for these boys and girls, and we started a movement to build a literary hall and school building together. On a wire spring, ingeniously constructed by a prominent member of the "McBeath" (James Greer, a genial cousin of the Marietta dentist) that allowed my sensitive body to take

short rides about the country, I began to make speeches and encourage the organization of other literary clubs, until we finally organized the Cobb County Literary Convention, that held its annual celebrations for the inspiration of Cobb County's country boys and girls.

Getting on my wire spring, I went to Marietta, Acworth, and finally to Atlanta, and raised the money that made possible our new hall. At its dedication many prominent citizens of Marietta and Atlanta were present to rejoice with me in one of the happiest days of vision and victory which any shut-in had ever known.

#### MY LITERARY FIRSTLING

Something less than a year after this mountain peak experience in my life of sunlit trials I got together the simple wares of my literary firstling, "Echoes from a Recluse," and at the suggestion of my great-hearted friend, Henry Clay Fairman, who had become editor of The Sunny South, this title was amplified by the prefix "Earnest Willie," given me by a young lady friend, beautiful Beatrice Christian, who afterwards became my brother's wife. On my rolling chair, which had been presented to me by the readers of the "Boys and Girls" and the "Household Departments" of The Sunny South, I started out in the world to make my way, and to carry especially a message of purpose to "Young America," trying to inspire boys and girls everywhere to win the education which I had missed. I addressed schools during the day on such subjects as "Pluck and Purpose" and "the Heroism of Worthy Effort," and at night I would give, two or three times a week, a platform pay lecture-entertainment, usually a combination reading from my book. The next day on my chair I was rolled over the town and sold my book, chiefly to those who had heard me the night before. Quite often I was called on, although only a layman, to assist in evangelistic meetings, and finally, after lecturing widely over the South, disposing of about 10 editions of my book, I had laid up money enough to enter Mercer University at Macon, Ga., in January, 1898. I was offered help that would have placed me in college several years earlier, but I felt that, chiefly for the sake of giving an example to other struggling boys and girls, I preferred to earn every dollar myself. In this spirit, I have taught nearly 4,000,000 boys and girls, North, South, East, and West, to stand up and repeat the motto of my life since becoming a cripple—"Let nothing disturb you; never give up!"

Soon after entering Mercer University I wrote and published in the college magazine the following lines, which now appear as a part of the introduction to my new book, "Clarion Calls from Capitol Hill"—lines which gathered up the shreds and gleams of my shattered boyhood's dream:

#### MY VISION

I sometimes catch a fitting gleam  
Of heights I long to reach,  
I sometimes feel the swelling stream  
Of thoughts beyond my speech;  
I sometimes soar on fancy's wing,  
Or climb on golden staff  
To where the silent muses sing  
And worldly crowns are chaff.  
I sometimes tread the stellar plain  
Above earth's jarring din,  
And catch, I ween, the heavenly strain  
Of notes ne'er marred by sin;  
And at such times I cry: "A voice!  
A voice to break the spell,  
That others, with me, may rejoice  
In thoughts too deep to tell!"

I close this simple story with the humble hope and the modest suggestion that many of my colleagues whom I honor so highly, and whose fellowship I so greatly treasure, may be able to carry from this story to their own children the practical lesson that, if one Georgia boy can walk between his plow handles and dream of learning's boon and fame's fair and shining crown—if he can see his castles fall in one fateful hour, and lie for nearly seven years on a bed amid the wreckage of his hopes and plans; and never be discouraged—if he could hear the songs of hope singing ever in his heart and see the star of hope shining always in the sky of his long-shadowed life—if he could write or dictate a book while on the bed, and then get up and go out into the world and fight his way to college by the time he was 31, and then, with clean hands politically, land in Congress at last, and be elected the fourth time from a glorious constituency like the fifth district of Georgia, incorporating such a great metropolis

as Atlanta, then your boys and girls, with strong arms and strong backs, and strong purposes, and strong manhood and womanhood can do anything on earth that God wants them to do!

If I could pack it all into one thought, one phrase, that I would love to plant in the heart of every boy and girl in this land that we love so well, it would be this:

A purpose linked to God.

[Applause.]

#### THE PACIFIC COMMISSARY CO.

Mr. STRONG of Kansas. Mr. Speaker, I call up the conference report on the bill S. 2357, an act for the relief of the Pacific Commissary Co.

The conference report is as follows:

#### CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill S. 2357, an act for the relief of the Pacific Commissary Co., having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendments of the House and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$10,841.73 out of any money in the Treasury not otherwise appropriated"; and the House agree to the same.

JAMES G. STRONG,  
ARTHUR B. WILLIAMS,  
CHARLES F. X. O'BRIEN,  
*Managers on the part of the House.*

ARTHUR CAPPER,  
ROBT. N. STANFIELD,  
THOMAS F. BAYARD,  
*Managers on the part of the Senate.*

The conference report was agreed to.

#### ADJOURNMENT

Mr. ELLIOTT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 14 minutes p. m.) the House adjourned until to-morrow, Thursday, February 19, 1925, at 12 o'clock noon.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. DRIVER: Committee on Public Lands. S. 4120. An act to promote the production of sulphur upon the public domain; with amendments (Rept. No. 1508). Referred to the Committee of the Whole House on the state of the Union.

Mr. LUCE: Committee on World War Veterans' Legislation. H. R. 11633. A bill to authorize an appropriation to provide additional hospital and out-patient dispensary facilities for persons entitled to hospitalization under the World War veterans' act, 1924; with an amendment (Rept. No. 1509). Referred to the Committee of the Whole House on the state of the Union.

Mr. REED of West Virginia: Committee on the District of Columbia. H. R. 12213. A bill to enable the Rock Creek and Potomac Parkway Commission to complete the acquisition of land required for a connecting parkway between Rock Creek Park, the Zoological Park, and Potomac Park; without amendment (Rept. No. 1510). Referred to the Committee of the Whole House on the state of the Union.

Mr. JOHNSON of Washington: Committee on Immigration and Naturalization. H. R. 12246. A bill providing for the payment of extra compensation to immigrant inspectors and other immigration employees for overtime work; without amendment (Rept. No. 1512). Referred to the Committee of the Whole House on the state of the Union.

Mr. SPROUL of Illinois: Committee on the Post Office and Post Roads. S. 3162. An act authorizing the Postmaster General to make monthly payment of rental for post office premises under lease; without amendment (Rept. No. 1513). Referred to the Committee of the Whole House on the state of the Union.

Mr. COLTON: Committee on the Public Lands. S. 3494. An act to amend an act entitled "An act to establish the Utah Na-

tional Park in the State of Utah"; without amendment (Rept. No. 1514). Referred to the Committee of the Whole House on the state of the Union.

Mr. SPROUL of Illinois: Committee on the Post Office and Post Roads. S. 3967. An act to authorize the Postmaster General to rent quarters for postal purposes in certain cases without a formal written contract; and for other purposes; without amendment (Rept. No. 1515). Referred to the Committee of the Whole House on the state of the Union.

Mr. HAUGEN: Committee on Agriculture. H. R. 12348. A bill to create a Federal cooperative marketing board, to provide for the registration of cooperative marketing, clearing house, and terminal market organizations, and for other purposes; without amendment (Rept. No. 1517). Referred to the Committee of the Whole House on the state of the Union.

Mr. JOHNSON of South Dakota: Committee on World War Veterans Legislation. H. R. 12308. A bill to amend the World War veterans' act, 1924; without amendment (Rept. No. 1518). 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. THOMAS of Oklahoma: Committee on the Public Lands. H. R. 12071. A bill permitting the sale of lot 9, 16.63 acres, in section 31, township 2 south, range 17 west, in Bay County, Fla., to P. C. Black; with an amendment (Rept. No. 1511). Referred to the Committee of the Whole House on the state of the Union.

#### CHANGE OF REFERENCE

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

The bill (H. R. 12320) granting a pension to Sarah Miller; Committee on Pensions discharged, and 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 severely referred as follows:

By Mr. EDMONDS: A bill (H. R. 12339) relating to the carriage of goods by sea; to the Committee on the Merchant Marine and Fisheries.

By Mr. WATKINS: A bill (H. R. 12340) authorizing and directing the Postmaster General to grant permission to use special canceling stamps or postmarking dies in the Portland, Oreg., post office; to the Committee on the Post Office and Post Roads.

By Mr. ARNOLD: A bill (H. R. 12341) to authorize the States of Indiana and Illinois in the States of Indiana and Illinois to construct a bridge across the Wabash River at the city of Mount Carmel, Wabash County, Ill., and connecting Gibson County, Ind.; to the Committee on Interstate and Foreign Commerce.

By Mr. HUDSPETH: A bill (H. R. 12342) authorizing and directing the Postmaster General to grant permission to use special canceling stamps or postmarking dies in the El Paso, Tex., post office; to the Committee on the Post Office and Post Roads.

By Mr. LARSON of Minnesota: A bill (H. R. 12343) to create an additional judge in the district of Minnesota; to the Committee on the Judiciary.

By Mr. NEWTON of Minnesota: A bill (H. R. 12344) to extend the time for the commencement and completion of the bridge of the Valley Transfer Railway Co., a corporation, across the Mississippi River in the State of Minnesota; to the Committee on Interstate and Foreign Commerce.

By Mr. VARE: A bill (H. R. 12345) to make an appropriation for the cooperation of the United States in the Sesqui-centennial Exhibition commemorating the signing of the Declaration of Independence in the city of Philadelphia; to the Committee on Appropriations.

By Mr. JONES: A bill (H. R. 12346) declaring an emergency in respect to certain agricultural commodities, and for other purposes; to the Committee on Agriculture.

By Mr. RICHARDS: A bill (H. R. 12347) to amend an act entitled "An act to authorize the Secretary of the Interior to



grant extensions of time under oil and gas permits, and for other purposes," approved January 11, 1922; to the Committee on the Public Lands.

By Mr. HAUGEN: A bill (H. R. 12348) to create a Federal cooperative marketing board, to provide for the registration of cooperative marketing, clearing house, and terminal market organizations, and for other purposes; to the Committee on Agriculture.

By Mr. MILLER of Washington: Joint resolution (H. J. Res. 359) authorizing the Secretary of War to loan certain horses, bridles, saddles, and saddle blankets to the thirty-sixth triennial conclave committee of Knights Templar for use at the thirty-sixth triennial conclave Knights Templar of the United States, to be held at Seattle, Wash., in July, 1925; to the Committee on Military Affairs.

By Mr. VESTAL: Joint resolution (H. J. Res. 360) providing that the select committee of the House of Representatives appointed to investigate the Air Service be authorized to make their final report not later than December 15, 1925, to the Sixty-ninth Congress, and for other purposes; to the Committee on Rules.

By Mr. MacGREGOR: Resolution (H. Res. 446) to pay salary and funeral expenses of late sundry employees, respectively, of the House of Representatives; to the Committee on Accounts.

By Mr. GIBSON: Resolution (H. Res. 447) creating a special committee on the government of the District of Columbia; to the Committee on Rules.

By the SPEAKER (by request): Memorial of the Legislature of the State of Montana to Congress, calling attention to the urgency of accelerating construction work upon the Flathead irrigation project, and making further and adequate appropriations therefor; to the Committee on Appropriations.

Also (by request), memorial of the Legislature of the State of New Mexico, requesting Congress to extend the authority of the Secretary of Agriculture under Senate Joint Resolution 52 so that advances or loans may be made to farmers in the drought-stricken areas of New Mexico for planting and raising crops in New Mexico; to the Committee on Agriculture.

Also (by request), memorial of the Legislature of the State of Nebraska, asking Congress to provide by law for a survey of the Missouri River from Kansas City, Kans., to Sioux City, Iowa; to the Committee on Rivers and Harbors.

Also (by request), memorial of the Legislature of the State of Utah, asking Congress to take favorable action on S. 4060 and H. R. 11555, which provide suitable recognition for the services of Lieutenant Maughan; to the Committee on Military Affairs.

Also (by request), memorial of the Legislature of the State of Utah, petitioning Congress to make an appropriation for the investigation of Utah's potash deposits and experimentation on producing from them high-grade potassium salts; to the Committee on Appropriations.

By Mr. LEAVITT: Memorial of the Legislature of the State of Montana, calling attention to the urgency of accelerating construction work upon the Flathead irrigation project, and making further adequate appropriations therefor; to the Committee on Appropriations.

#### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANDREW: A bill (H. R. 12349) granting an increase of pension to Frances M. Gooding; to the Committee on Invalid Pensions.

By Mr. BEGG: A bill (H. R. 12350) granting an increase of pension to Sarah A. Dalrymple; to the Committee on Invalid Pensions.

By Mr. GARDNER of Indiana: A bill (H. R. 12351) granting an increase of pension to Margaret A. Kennison; to the Committee on Invalid Pensions.

By Mr. LOWREY: A bill (H. R. 12352) to provide for payment of the amount of a war-risk insurance policy to persons designated as beneficiaries of First Lieut. Lewis Wesley Kitchens, deceased; to the Committee on War Claims.

By Mr. MILLER of Washington: A bill (H. R. 12353) for the relief of the Sea-Coast Packing Co. of Seattle, Wash.; to the Committee on Claims.

By Mr. RAMSEYER: A bill (H. R. 12354) granting an increase of pension to Margaret Hendricks; to the Committee on Invalid Pensions.

By Mr. WYANT: A bill (H. R. 12355) granting an increase of pension to Marie Lenhart; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12356) granting a pension to Nora Remaley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12357) granting an increase of pension to Martha B. Wallace; to the Committee on Invalid Pensions.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

3830. By Mr. BLACK of New York: Petition of residents and citizens of Brooklyn, N. Y., opposing the compulsory Sunday observance bill (S. 3218) and any other religious legislation which may be pending; to the Committee on the District of Columbia.

3831. By Mr. COLE of Ohio: Petition of Ohio bakers for action to prevent War Baking Co. from maintaining a price level lower in the State of Ohio than in other States; to the Committee on the Judiciary.

3832. By Mr. GARBER: Petition from Roy Hoffman, brigadier general, Officers' Reserve Corps, for \$7,000,000 appropriation to give a 15-day period of training to each reserve officer once in three years and an annual 15-day period; to the Committee on Military Affairs.

3833. By Mr. GALLIVAN: Petition of Hon. Thomas W. Proctor, of Boston, member of committee for Massachusetts of the national committee to procure adequate compensation for the Federal judiciary, urging passage of House bill 9221, providing for additional compensation for Federal judges; to the Committee on the Judiciary.

3834. By Mr. GRAHAM: Petition of Philadelphia Board of Trade, Philadelphia, Pa., favoring the enactment of Senate bill 4008, proposing amendments to the act creating a Federal Trade Commission; to the Committee on Interstate and Foreign Commerce.

3835. By Mr. HAWLEY: Petition of the citizens of Oregon to the House of Representatives not to concur in the passage of the compulsory Sunday observance bill (S. 3218) nor to pass any other religious legislation which may be pending; to the Committee on the District of Columbia.

3836. By Mr. MacGREGOR: Petition of Buffalo Lodge, No. 1, International Shipmasters' Association, Buffalo, N. Y., urging the immediate erection of a lighthouse on Lansing Shoals, Lake Michigan; to the Committee on Interstate and Foreign Commerce.

3837. By Mr. MONTAGUE: Petition of 16 citizens of Richmond, Va., protesting against the passage of Senate bill 3218, the compulsory Sunday observance bill, and all other similar religious legislation; to the Committee on the District of Columbia.

3838. By Mr. NEWTON of Minnesota: Petition signed by sundry citizens of Minneapolis, Minn., in protest against the compulsory Sunday observance bill, and all other similar legislation; to the Committee on the District of Columbia.

3839. By Mr. SWING: Petition of residents of Anaheim, Calif., protesting against compulsory Sunday observance laws; to the Committee on the District of Columbia.

3840. By Mr. WEFALD: Petition of 115 citizens of Pelican Rapids, Minn., urging the House of Representatives not to concur in the passage of the compulsory Sunday observance bill (S. 3218), nor to pass any other religious legislation which may be pending; to the Committee on the District of Columbia.

3841. Also, petition of nine citizens of Mineral Center, Minn., urging the House of Representatives not to concur in the passage of the compulsory Sunday observance bill (S. 3218), nor to pass any other religious legislation that may be pending; to the Committee on the District of Columbia.

3842. Also, petition of 16 citizens of Becker County, Minn., urging the House of Representatives not to concur in the passage of the compulsory Sunday observance bill (S. 3218), and not to pass any other religious legislation which may be pending; to the Committee on the District of Columbia.

3843. Also, petition of 33 citizens of Roseau County, Minn., urging the House of Representatives not to concur in the passage of the compulsory Sunday observance bill (S. 3218), nor to pass any other religious legislation that may be pending; to the Committee on the District of Columbia.

3844. Also, petition of 63 citizens of Greenbush, Minn., urging the House of Representatives not to concur in the passage of the compulsory Sunday observance bill (S. 3218), nor to pass any other religious legislation which may be pending; to the Committee on the District of Columbia.

3845. Also, petition of 25 citizens of Norman and Red Lake Counties, Minn., urging the House of Representatives not to concur in the passage of the compulsory Sunday observance bill (S. 3218), nor to pass any other religious legislation that may be pending; to the Committee on the District of Columbia.

## SENATE

THURSDAY, February 19, 1925

(Legislative day of Tuesday, February 17, 1925)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The PRESIDENT pro tempore (Mr. CUMMINS). The Senate will receive a message from the House of Representatives.

### MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Farrell, its enrolling clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2357) for the relief of the Pacific Commissary Co.

The message also announced that the House had passed the bill (S. 3173) to provide for the construction of a memorial bridge across the Potomac River from a point near the Lincoln Memorial in the city of Washington to an appropriate point in the State of Virginia, and for other purposes, with an amendment, in which it requested the concurrence of the Senate.

### ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

The message further announced that the Speaker of the House had affixed his signature to the following enrolled bills and joint resolutions, and they were thereupon signed by the President pro tempore:

H. R. 10471. An act authorizing the Postmaster General to permit the use of precanceled stamped envelopes;

H. R. 11725. An act to legalize a pier and wharf in York River at Gloucester Banks, near Gloucester Point, Va.;

S. 2397. An act to provide for refunds to veterans of the World War of certain amounts paid by them under Federal irrigation projects;

S. 2718. An act to authorize the payment of an indemnity to the Government of Norway on account of losses sustained by the owners of the Norwegian steamship *Hassel* as the result of a collision between that steamship and the American steamship *Ausable*;

S. 2835. An act to amend an act entitled "An act authorizing insurance companies or associations and fraternal beneficiary societies to file bills of interpleader," approved February 22, 1917;

S. 3793. An act to authorize the appointment of commissioners by the Court of Claims and to prescribe their powers and compensation;

S. 4152. An act to authorize the Secretary of War to grant a perpetual easement for railroad right of way over and upon a portion of the military reservation on Anastasia Island, in the State of Florida;

S. J. Res. 172. Joint resolution to authorize the appropriation of certain amounts for the Yuma irrigation project, Arizona, and for other purposes;

S. J. Res. 95. Joint resolution to authorize the American National Red Cross to continue the use of temporary buildings now erected on square No. 172, Washington, D. C.;

S. 3630. An act authorizing the Secretary of War to convey to the Federal Land Bank of Baltimore certain land in the city of San Juan, P. R.;

S. 3760. An act to amend in certain particulars the national defense act of June 3, 1916, as amended, and for other purposes;

S. 3648. An act granting to the county authorities of San Juan County, State of Washington, a right of way for county roads over certain described tracts of land on the abandoned military reservations on Lopez and Shaw Islands, and for other purposes;

S. 3895. An act to authorize the coinage of silver 50-cent pieces in commemoration of the one hundred and fiftieth anniversary of the Battle of Bennington and the independence of Vermont, in commemoration of the seventy-fifth anniversary of the admission of California into the Union, and in commemoration of the one hundredth anniversary of the founding of Fort Vancouver, State of Washington;

S. 2287. An act to permit the Secretary of War to dispose of and the Port of New York Authority to acquire the Hoboken Manufacturers' Railroad; and

S. 1918. An act to consolidate the office of public buildings and grounds under the Chief of Engineers, United States Army, and the office of superintendent of the State, War, and Navy Department Buildings.

### PETITIONS AND MEMORIALS

The PRESIDENT pro tempore laid before the Senate the following joint memorial of the Legislature of Montana, which was referred to the Committee on Irrigation and Reclamation:

House joint memorial 1 (introduced by Dellwo) to the Congress of the United States calling attention to the urgency of accelerating construction work upon the Flathead irrigation project, and making further and adequate appropriations therefor

### IN THE HOUSE

January 8, 1925: Read first and second time and referred to committee on irrigation and water rights.

January 14, 1925: Committee recommends that bill do pass. Report adopted and referred to printing committee.

January 15, 1925: Reported correctly printed. Report adopted and referred to general orders.

January 16, 1925: Recommended favorably by committee of whole. Report adopted and referred to engrossing committee.

January 22, 1925: Reported correctly engrossed. Report adopted and referred to calendar for third reading.

January 23, 1925: Read three several times and passed. Title agreed to. Transmitted to senate for its concurrence.

### IN THE SENATE

January 26, 1925: Read first and second time and referred to committee on irrigation and water rights.

January 28, 1925: Committee recommends that bill be concurred in. Report adopted. Bill referred to general file.

January 29, 1925: Committee of the whole recommends that bill be concurred in. On motion segregated and rereferred to committee on irrigation and water rights.

February 2, 1925: Committee recommends that bill be concurred in as amended. Report adopted. Bill referred to general file.

February 3, 1925: Committee of the whole recommends that bill be concurred in. Report adopted. Bill referred to calendar for third reading.

February 4, 1925: Read third time and concurred in as amended. Title agreed to. Returned to house.

### IN THE HOUSE

February 5, 1925: Placed on general orders for concurrence in senate amendments. Committee of whole recommends bill be concurred in as amended. Report adopted. Referred to engrossing committee.

February 6, 1925: Reported correctly engrossed. Report adopted and referred to calendar for third reading. Read three several times and passed. Title agreed to. Referred to enrolling committee.

February 7, 1925: Reported correctly enrolled.

A memorial to the Congress of the United States calling attention to the urgency of accelerating construction work upon the Flathead irrigation project, and making further and adequate appropriations therefor

To the honorable Senate and House of Representatives of the United States in Congress assembled:

SECTION 1. Whereas it has been brought to the notice of the legislative body of the State of Montana that upon the Flathead project, an irrigation project being constructed and operated by the United States Indian Reclamation Service in the lower Flathead Valley, a shortage of water for irrigation purposes has existed during the past season on account of the delay in completing said project; and

Whereas it is the conviction of this body that profitable crops can not be produced upon this project without irrigation, and that there is an ample supply of water available upon the completion of said project; and

Whereas farmers and business men settled upon said project almost 15 years ago with the assurance that its works would be completed and placed in full operation without unnecessary delay. They have sacrificed from 10 to 14 years of their lives, together with capital brought in from former enterprises. They have demonstrated, with the limited supply of water at their disposal, that profitable crops can be raised if they are assured an ample supply of water for irrigation purposes; and

Whereas this development and the influx of new settlers taking place at present creates a need for water for irrigation purposes which is imperative: Therefore be it

Resolved by the Nineteenth Legislative Assembly of the State of Montana, That ordinary justice to, and a fair consideration for the right of, the farmers and business men aforesaid demand that no cur-