SENATE
FRIDAY, FEBRUARY 20, 1925

(Federal Legislative Day, February 17, 1925)

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

The PRESIDENT pro tempore. 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 a bill (H. R. 11507) to authorize the President in certain cases to modify visé fees, in which it requested the concurrence of the Senate.

ENGROSSED BILLS 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 President pro tempore:

H. R. 7637. An act to compensate the Chippewa Indians of Minnesota for timber and interest in connection with the settlement for the use of the diplomatic and consular establishments of the United States in Tokyo, Japan;

H. R. 7014. An act to authorize an appropriation for the care, maintenance, and improvement of the burial grounds containing the remains of Zachary Taylor, former President of the United States, and of the memorial shaft erected to his memory and for other purposes;

H. R. 10143. An act to exempt from cancellation certain desert-land entries in Riverside County, Calif.;

H. R. 10548. An act authorizing the Chief of Engineers of the United States Army to accept a certain tract of land from Mrs. Anna Archbold donated to the United States for park purposes;

H. R. 10411. An act granting desert-land entries an extension of time for making final proof;

H. R. 10412. An act 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;

H. R. 10550. An act authorizing the Secretary of the Interior to continue land to public park for the purpose 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;

H. R. 10556. An act to extend the time for commencing and completing the construction of a dam across the Red River of the North;

H. R. 11090. An act to revive and resuscitate the act entitled "An act authorizing the construction, maintenance, and operation of a private drawbridge over and across Lock No. 4 of the canal and locks, Willamette Falls, Clackamas County, Oreg.," approved May 31, 1921;

H. R. 11214. An act 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;

H. R. 11095. An act granting 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.;

H. R. 11143. An act to amend the national defense act;

H. R. 11190. An act to amend the act entitled "An act to consolidate national forest lands";

H. R. 11169. An act 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;

H. R. 11165. An act to authorize the exchange of certain purchased lands in the Red Mountain National Park for Government lands in the park; and


H. R. 7770. An act for the relief of Fred J. La May;

H. R. 11350. An act for the relief of John J. Dobberth;


H. R. 8267. An act for the purchase of land adjoining Fort Bliss, Tex.;

H. R. 8298. An act for the relief of Byron S. Adams;

H. R. 8333. An act to restore homestead rights in certain cases;

H. R. 8366. An act to add certain lands to the Whitman National Forest;

H. R. 9160. An act 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;

H. R. 9465. An act granting to the State of Oregon certain lands to be used by it for the purpose of maintaining and operating thereon a fish hatchery;

H. R. 9657. An act to authorize the Secretary of Commerce to transfer to the city of Port Huron, Mich., a portion of the Fort Gratiot Lighthouse Reservation, Mich.;

H. R. 9658. An act granting public lands to the city of Red Bluff, Calif., for a public park;

H. R. 9750. An act to authorize the Secretary of State to establish the site and erect buildings thereon for the use of the diplomatic and consular establishments of the United States in Tokyo, Japan;

H. R. 9724. An act to authorize an appropriation for the care, maintenance, and improvement of the burial grounds containing the remains of Zachary Taylor, former President of the United States, and of the memorial shaft erected to his memory and for other purposes.

H. R. 8410. An act to change the name of Third Place NE. to Abbey Place;

H. R. 8414. An act authorizing the Chief of Engineers of the United States Army to accept a certain tract of land from Mrs. Anna Archbold donated to the United States for park purposes.
The President pro tempore. The clerk will call the roll. The reading clerk called the roll, and the following Senators answered to their names:

- Ashurst, Ernest, Ky.
- Bailey, Albert, Calif.
- Bayard, Francis, Del.
- Beam, Ephraim, Iowa.
- Bingham, George, Idaho.
- Borchardt, Frank, N. Y.
- Brookhart, Edward, Tex.
- Bruch, Thomas, Mass.
- Burger, Arthur, Ind.
- Butler, Daniel, S. Dak.
- Cameron, Hiram, Tenn.
- Capper, Dominick, Kan.
- Cappon, Elbert, Ala.
- Carswell, J. A., S. C.
- Cashin, Michael, N. Y.
- Chairmain, Robert, S. Dakota.
- Childs, William, Ariz.
- Copeland, Leonard, Ohio.
- Cornell, Samuel, N. Y.
- Darragh, Henry, Ohio.
- Davis, Sherwood, Mont.
- Dial, Joseph, Mass.
- Donnell, John, Maine.
- Edgar, Trumbull, Wis.
- Edge, John, S. Dak.
- Ferguson, William, S. Dak.
- Freeman, John, Neb.
- Gage, Henry, Ohio.
- Garrett, E. C., Tenn.
- Gloyd, William, Ky.
- Goodling, Paul, Pa.
- Heflin, Howard, Ala.
- Heflin, Pat, Ala.
- Heflin, Robert, Ala.
- Heflin, Watson, Ala.
- Henderson, Lampson, Va.
- Hickam, William, Ohio.
- Hixon, Harold, N. Mex.
- Hodges, Carl, S. Dak.
- Hoeflich, Henry, Ill.
- Hoots, John, Va.
- Howe, A. B., Va.
- Howe, E. A., N. Y.
- Howe, Charles, Mass.
- Howes, John, Calif.
- Huddleston, William, Tenn.
- Ingersoll, William, Ind.
- Kellogg, William, Minn.
- Kerr, James, N. Y.
- Keyes, Reubin, Ark.
- Kilgore, William, Tenn.
- Keppel, Joseph, Texas.
- Kent, Edward, Kan.
- Langer, William, Minn.
- Leach, Samuel, Ariz.
- Lea, William, Ohio.
- Leffert, Albert, N. Y.
- Lindley, W. F., N. Y.
- Lister, John, Iowa.
- Long, Tom, Ohio.
- Logue, John, Ind.
- Logue, William, Ind.
- Louderback, Frank, Texas.
- Lowery, J. O., Iowa.
- McGavock, Miller, Tenn.
- McKellar, Fred, Tenn.
- McKinley, Charles, Ohio.
- McKnight, Robert, Ga.
- McKoy, John, N. C.
- McKown, John, S. C.
- McKuen, Robert, N. D.
- McKown, John, S. C.
- McKinney, John, Ala.
- McKnight, Robert, Ga.
- McKuen, Robert, N. D.
- McKown, John, S. C.
- McKinney, John, Ala.
- McKnight, Robert, Ga.
- McKuen, Robert, N. D.
- McKown, John, S. C.
- McKinney, John, Ala.
- McKnight, Robert, Ga.
- McKuen, Robert, N. D.
- McKown, John, S. C.
- McKinney, John, Ala.
- McKnight, Robert, Ga.
- McKuen, Robert, N. D.
- McKown, John, S. C.
- McKinney, John, Ala.
- McKnight, Robert, Ga.
- McKuen, Robert, N. D.
- McKown, John, S. C.
- McKinney, John, Ala.
- McKnight, Robert, Ga.
- McKuen, Robert, N. D.
- McKown, John, S. C.
- McKinney, John, Ala.
- McKnight, Robert, Ga.
- McKuen, Robert, N. D.
- McKown, John, S. C.
- McKinney, John, Ala.
- McKnight, Robert, Ga.
- McKuen, Robert, N. D.
- McKown, John, S. C.
- McKinney, John, Ala.
- McKnight, Robert, Ga.
- McKuen, Robert, N. D.
- McKown, John, S. C.
- McKinney, John, Ala.
- McKnight, Robert, Ga.
- McKuen, Robert, N. D.
- McKown, John, S. C.
- McKinney, John, Ala.
- McKnight, Robert, Ga.
- McKuen, Robert, N. D.
- McKown, John, S. C.
- McKinney, John, Ala.
- McKnight, Robert, Ga.
- McKuen, Robert, N. D.
- McKown, John, S. C.
- McKinney, John, Ala.
- McKnight, Robert, Ga.
- McKuen, Robert, N. D.
- McKown, John, S. C.
- McKinney, John, Ala.
- McKnight, Robert, Ga.
- McKuen, Robert, N. D.
- McKown, John, S. C.
- McKinney, John, Ala.
- McKnight, Robert, Ga.
- McKuen, Robert, N. D.
- McKown, John, S. C.
- McKinney, John, Ala.
- McKnight, Robert, Ga.
- McKuen, Robert, N. D.
- McKown, John, S. C.
- McKinney, John, Ala.
- McKnight, Robert, Ga.
- McKuen, Robert, N. D.
- McKown, John, S. C.
- McKinney, John, Ala.
- McKnight, Robert, Ga.
- McKuen, Robert, N. D.
- McKown, John, S. C.
- McKinney, John, Ala.
- McKnight, Robert, Ga.
- McKuen, Robert, N. D.
- McKown, John, S. C.
- McKinney, John, Ala.
- McKnight, Robert, Ga.
- McKuen, Robert, N. D.
- McKown, John, S. C.
- McKinney, John, Ala.
- McKnight, Robert, Ga.
- McKuen, Robert, N. D.
- McKown, John, S. C.
- McKinney, John, Ala.
- McKnight, Robert, Ga.
- McKuen, Robert, N. D.
- McKown, John, S. C.
- McKinney, John, Ala.
- McKnight, Robert, Ga.
- McKuen, Robert, N. D.
- McKown, John, S. C.
- McKinney, John, Ala.
- McKnight, Robert, Ga.
- McKuen, Robert, N. D.
- McKown, John, S. C.
- McKinney, John, Ala.
- McKnight, Robert, Ga.
- McKuen, Robert, N. D.
- McKown, John, S. C.
- McKinney, John, Ala.
- McKnight, Robert, Ga.
- McKuen, Robert, N. D.
- McKown, John, S. C.
- McKinney, John, Ala.
- McKnight, Robert, Ga.
- McKuen, Robert, N. D.
The American party was as follows: Senator William B. McKinley, of Illinois, president of the American group; Representative Theodore E. Burton, of Ohio, speaking from the chairman's seat; Senator Frederick E. Smith, of Pennsylvania; Senator Edward W. Carter, of New York; and Senator Charles Curtis, of Kansas.

The delegates represented the United States, Austria, Belgium, Bulgaria, the Mappins, the Balkans, Brazil, Canada, China, Colombia, Denmark, Egypt, France, Great Britain, Hungary, Dutch-India, Ireland, Italy, Latvia, Lithuania, Norway, Holland, Poland, Romania, Jugoslavia, Sweden, Switzerland, and Czecho-Slovakia. Most of the delegations included a number of the best-known men of their respective countries.

The American party was as follows: Senator William B. McKinley, of Illinois, president of the American group; Representative Theodore E. Burton, of Ohio, speaking from the chairman's seat; Senator Frederick E. Smith, of Pennsylvania; Senator Edward W. Carter, of New York; and Senator Charles Curtis, of Kansas.

The delegates were introduced to the conference by the reception given at the Kursaal, by the words of conciliation expressed by Senator Merlin, two days later, and by former Chancellor Wirth, of Germany. The American party was as follows: Senator William B. McKinley, of Illinois, president of the American group; Representative Theodore E. Burton, of Ohio, speaking from the chairman's seat; Senator Frederick E. Smith, of Pennsylvania; Senator Edward W. Carter, of New York; and Senator Charles Curtis, of Kansas.

The delegates were introduced to the conference by the reception given at the Kursaal, by the words of conciliation expressed by Senator Merlin, two days later, and by former Chancellor Wirth, of Germany. The American party was as follows: Senator William B. McKinley, of Illinois, president of the American group; Representative Theodore E. Burton, of Ohio, speaking from the chairman's seat; Senator Frederick E. Smith, of Pennsylvania; Senator Edward W. Carter, of New York; and Senator Charles Curtis, of Kansas.

The delegates were introduced to the conference by the reception given at the Kursaal, by the words of conciliation expressed by Senator Merlin, two days later, and by former Chancellor Wirth, of Germany. The American party was as follows: Senator William B. McKinley, of Illinois, president of the American group; Representative Theodore E. Burton, of Ohio, speaking from the chairman's seat; Senator Frederick E. Smith, of Pennsylvania; Senator Edward W. Carter, of New York; and Senator Charles Curtis, of Kansas.

The delegates were introduced to the conference by the reception given at the Kursaal, by the words of conciliation expressed by Senator Merlin, two days later, and by former Chancellor Wirth, of Germany. The American party was as follows: Senator William B. McKinley, of Illinois, president of the American group; Representative Theodore E. Burton, of Ohio, speaking from the chairman's seat; Senator Frederick E. Smith, of Pennsylvania; Senator Edward W. Carter, of New York; and Senator Charles Curtis, of Kansas.

The delegates were introduced to the conference by the reception given at the Kursaal, by the words of conciliation expressed by Senator Merlin, two days later, and by former Chancellor Wirth, of Germany. The American party was as follows: Senator William B. McKinley, of Illinois, president of the American group; Representative Theodore E. Burton, of Ohio, speaking from the chairman's seat; Senator Frederick E. Smith, of Pennsylvania; Senator Edward W. Carter, of New York; and Senator Charles Curtis, of Kansas.

The delegates were introduced to the conference by the reception given at the Kursaal, by the words of conciliation expressed by Senator Merlin, two days later, and by former Chancellor Wirth, of Germany. The American party was as follows: Senator William B. McKinley, of Illinois, president of the American group; Representative Theodore E. Burton, of Ohio, speaking from the chairman's seat; Senator Frederick E. Smith, of Pennsylvania; Senator Edward W. Carter, of New York; and Senator Charles Curtis, of Kansas.

The delegates were introduced to the conference by the reception given at the Kursaal, by the words of conciliation expressed by Senator Merlin, two days later, and by former Chancellor Wirth, of Germany. The American party was as follows: Senator William B. McKinley, of Illinois, president of the American group; Representative Theodore E. Burton, of Ohio, speaking from the chairman's seat; Senator Frederick E. Smith, of Pennsylvania; Senator Edward W. Carter, of New York; and Senator Charles Curtis, of Kansas.

The delegates were introduced to the conference by the reception given at the Kursaal, by the words of conciliation expressed by Senator Merlin, two days later, and by former Chancellor Wirth, of Germany. The American party was as follows: Senator William B. McKinley, of Illinois, president of the American group; Representative Theodore E. Burton, of Ohio, speaking from the chairman's seat; Senator Frederick E. Smith, of Pennsylvania; Senator Edward W. Carter, of New York; and Senator Charles Curtis, of Kansas.

The delegates were introduced to the conference by the reception given at the Kursaal, by the words of conciliation expressed by Senator Merlin, two days later, and by former Chancellor Wirth, of Germany. The American party was as follows: Senator William B. McKinley, of Illinois, president of the American group; Representative Theodore E. Burton, of Ohio, speaking from the chairman's seat; Senator Frederick E. Smith, of Pennsylvania; Senator Edward W. Carter, of New York; and Senator Charles Curtis, of Kansas.

The delegates were introduced to the conference by the reception given at the Kursaal, by the words of conciliation expressed by Senator Merlin, two days later, and by former Chancellor Wirth, of Germany. The American party was as follows: Senator William B. McKinley, of Illinois, president of the American group; Representative Theodore E. Burton, of Ohio, speaking from the chairman's seat; Senator Frederick E. Smith, of Pennsylvania; Senator Edward W. Carter, of New York; and Senator Charles Curtis, of Kansas.

The delegates were introduced to the conference by the reception given at the Kursaal, by the words of conciliation expressed by Senator Merlin, two days later, and by former Chancellor Wirth, of Germany. The American party was as follows: Senator William B. McKinley, of Illinois, president of the American group; Representative Theodore E. Burton, of Ohio, speaking from the chairman's seat; Senator Frederick E. Smith, of Pennsylvania; Senator Edward W. Carter, of New York; and Senator Charles Curtis, of Kansas.

The delegates were introduced to the conference by the reception given at the Kursaal, by the words of conciliation expressed by Senator Merlin, two days later, and by former Chancellor Wirth, of Germany. The American party was as follows: Senator William B. McKinley, of Illinois, president of the American group; Representative Theodore E. Burton, of Ohio, speaking from the chairman's seat; Senator Frederick E. Smith, of Pennsylvania; Senator Edward W. Carter, of New York; and Senator Charles Curtis, of Kansas.

The delegates were introduced to the conference by the reception given at the Kursaal, by the words of conciliation expressed by Senator Merlin, two days later, and by former Chancellor Wirth, of Germany. The American party was as follows: Senator William B. McKinley, of Illinois, president of the American group; Representative Theodore E. Burton, of Ohio, speaking from the chairman's seat; Senator Frederick E. Smith, of Pennsylvania; Senator Edward W. Carter, of New York; and Senator Charles Curtis, of Kansas.
The highest virtue and excellence dwell only in the country of one's birth, and at the same time ignores the fact that the normal development of nations as well as individual men rests upon diversity. Peoples of every land and of every race have superior qualities.

Still further these gatherings create cherished friendships between those who met together from lands remote. These are not merely the source of most pleasing personal influence but also promote the good of the world and of the countries represented here.

There are two features to be especially emphasized in forecasting the future for 1924.

The first is the growing importance of legislative bodies, the people's representatives, whether they be mere lawmaking bodies or, as in the larger number of countries, furnish prime ministers and cabinets with executive functions.

This growth has been very marked during the life of this organization, and especially in the last 20 years. This Interparliamentary Union speaks for the prerogatives, the opportunities, and the responsibilities of the chosen representatives of the people. Now and then there will be reactions in favor of executive or central authority, and this, alike with every legislative body, will be powerful and impotent in proportion as it manifests or fails to manifest broad vision and an adequate grasp of the problems which are now pressing upon the world with almost bewildering rapidity. It is for us to become a parliament of parliaments.

The second feature in the vastly more encouraging outlook for peace and international cooperation to-day. The world has been suffering from the reports from the house of peace and the destruction or waste of hundreds of billions in property values, together with the demoralization and dislocation resulting therefrom; but more serious than all these are the spiritual legacies in manifestations of hatred and revengeful sentiments.

A distinguished historian in surveying events succeeding the downfall of Napoleon said that the return to normal conditions in Europe occurred about four years after 1815. More than four years have already elapsed since the armistice of November 11, 1918, but in this sixth year a calmer disposition affords assurance of a settlement of the harassing problem of reparations and of all those questions which have been hanging over Europe. We may hope that these settlements will furnish a restoration of national credit and industrial life and secure those objects so necessary for prosperity and happiness.

The softening influences of time cannot be disregarded, our Secretary of State and our President, in suggesting the Dawes Commission, blazed the way for these adjustments. The agreements recommended must be accepted by diplomats and ratified by parliaments. I am making a bold statement, but I verily believe that if anyone should in this situation block the way to peace it would be better that the rocks and hills should fall upon him rather than that he should have to face the indignation of the world, which would be aroused by his opposition. It should not be forgotten that in dealings between nations the central fact must be a willingness to make reasonable concessions. No nation can expect the adoption of all its claims, but, on the other hand, no nation can expect in international agreements, mutual concessions are necessary conditions for success.

It has been requested that I offer some suggestions upon the attitude of the United States toward the European situation. I understand that the impressions which I am to express may be described as pacifist in tone.

The Russian men at St. Petersburg, after the meeting of the union in that city in 1896, was so impressed by its action that he reported the proceedings to his government and prevailed upon the foreign minister, Mazarieff, to submit a memorandum to the Czar. The first Hague conference of 1899 was in no small degree the result of this memorandum. The draft of the Brussels conference of this body made in 1895, served as a basis for the discussions at The Hague. This request was acted upon by President Roosevelt and led to the meeting of the committee of the conferences, which met at the Hague and made other steps toward the establishment of this conference.

The second conference at the Hague in 1907 was in no small degree the result of the action of the conference of the first Hague conference. The draft of the Brussels conference of this body made in 1895, served as a basis for the discussions at The Hague. This request was acted upon by President Roosevelt and led to the meeting of the committee of the conferences, which met at the Hague and made other steps toward the establishment of this conference.

There was a dramatic scene at the gathering in London in 1906. A great event present, with no official action, but as a matter of fact, arrived at a number of the members of the group most unwilling to lend their name to the conference. In the absence of the chairman, a committee was appointed to examine the question and report to the delegates. The report of the committee was adopted, and the conference appointed a committee of six to report upon the question.
Let us engage in our tasks with an earnest desire to render efficient aid in striking at the root of causes for friction, in harmonizing con­flicting interests, in engendering the Spirit of compromise and pacification of different races and traditions which may live side by side in harmony. Let us join in every effort to codify international law and enlarge its provisions; also to devise and promote means for the judicial settlement of all international controversies. Thus in every way we shall perform our part in securing a settled world, which shall look back upon war as an anomalism and cherish peace and universal accord as the true aim of all nations.

INTERNATIONAL DOCUMENTS


Dear Mr. President: In accordance with article 8 of the regulations of the bureau of the union, I beg to inform you that the Twenty-second Interparliamentary Conference, which sat at Bern and Geneva from August 22 to 28, 1924, passed the following resolutions:

RESOLUTIONS I AND II—AMENDMENTS TO ARTICLES 2 AND 15 OF THE STATUTES AND RESOLUTIONS FOR INTERPARLIAMENTARY CONFERENCES

Rapporteur: M. Henri La Fontaine, president of the Belgian group, in the name of the organization of the union. I beg to submit a report on the resolutions of the union, which I have the honor of offering to you.

NEW TEXT OF ARTICLE 8

The Interparliamentary Union is composed of national groups. Only groups constituted within parliaments of states, dominions, or cantons not represented in any other parliament can join the Interparliamentary Union.

No parliament may have more than one national group. Each shall select a bureau whose power to direct its operations and to correspond with the corresponding bureau of the union (IV), and it shall draw up its own rules of organization and administration. It has to send to the interparliamentary bureau, before the end of March of each year, a report upon its proceedings and a list of its members.

NEW TEXT OF ARTICLE 13

Only members of the union present in person have the right to vote.

The number of votes to which each group is entitled is determined according to the following rules:

(a) Each group has a minimum of 5 votes.

(b) In addition to these, groups belonging to countries with less than 1,000,000 inhabitants are entitled to 1 extra vote; those belonging to countries with 1,000,000 to 3,000,000, 2 extra votes; those belonging to countries with 3,000,000 to 6,000,000, 3 extra votes; those belonging to countries with 6,000,000 to 9,000,000, 4 extra votes; those belonging to countries with 9,000,000 to 12,000,000, 5 extra votes; those belonging to countries with 12,000,000 to 18,000,000, 6 extra votes; those belonging to countries with 16,000,000 to 20,000,000, 7 extra votes; those belonging to countries with 20,000,000 to 25,000,000, 8 extra votes; those belonging to countries with 25,000,000 to 30,000,000, 9 extra votes; those belonging to countries with 30,000,000 to 45,000,000, 10 extra votes; those belonging to countries with 45,000,000 to 50,000,000, 11 extra votes; those belonging to countries with 50,000,000 to 60,000,000, 12 extra votes; those belonging to countries with 60,000,000 to 72,000,000, 15 extra votes; those belonging to countries with 72,000,000 to 81,000,000, 15 extra votes; those belonging to countries with 81,000,000 to 90,000,000, 17 extra votes; those belonging to countries with 90,000,000 to 100,000,000, 18 extra votes; those belonging to countries with 100,000,000 to 150,000,000, 19 extra votes; those belonging to countries with 150,000,000 to 200,000,000, 20 extra votes; those belonging to countries with 200,000,000 to 250,000,000, 21 extra votes; those belonging to countries with 250,000,000 to 300,000,000, 22 extra votes; those belonging to countries with 300,000,000 to 550,000,000, 23 extra votes.

The number of votes allotted to groups belonging to the parliament of a colony shall be calculated on the basis of a reduced figure corresponding to the number of circumscriptions which would be represented if the average number of inhabitants represented by each deputy in the mother country to which the colony belongs.

(c) Finally, groups with a membership of at least 50 per cent of the members of the lower house of parliament shall be entitled to

of the New World, the United States included, definitely agreed that in case of controversy between any of them which can not be settled by the ordinary methods of diplomacy, in engaging such controversies, by referring them to arbitration or any other method which they considered calculated to prevent war and good will seems to insure an era of peace in the Western Hemisphere. Our aim in dealing with the Latin American countries has been to prevent conflict among them as to promote cooperation and good will. The so-called Monroe doctrine by no means a policy of aggression. We do not ask for any special privileges in the Latin American countries. We believe in the "open door" there as elsewhere.

While no measuring membership in the League of Nations, we look with satisfaction upon any accomplishment which may be the result of its deliberations and have ourselves taken part in humanitarian movements initiated by the league, contributing by private benefaction for their promotion. We have at all times been ready to set out the part of a friend, and suggestions, not always made public, have been made by us for mediation. We are ready to aid with material resources and in such ways as will promote the pacification of Europe. Our President has declared his intention to invite another conference similar to that of 1921-22, and no doubt including a larger number of nations, whenever there is a settled Europe. He has expressed his wish in favor of the formation of the Interparliamentary Union, of which I am secretary, for the purpose of solving by parliamentary action the problems of our times. I may say that the overwhelming opinion of our people is in its favor.

May I be permitted to state an opinion as to some fundamental facts which create the problem of Europe? These facts are those of geography and ethnology.

The geographical configuration of Europe is exceptional. With the exception of the great plains of Russia, the larger part of this continent is divided into areas separated by mountain chains and natural barriers, or made up of jutting peninsulas, as illustrated by Greece, Italy, the Iberian Peninsula, Denmark, and Scandinavia. Besides, there is the United Kingdom, separated from the mainland.

Passing from facts of geography to those of ethnology, Europe was seen, from the discoveries of the first part of the history of mankind, that those immigrants came with marked diversities of motive; some for orderly settlement, others actuated by the pressure of a greater food supply, others still for plunder and rapacity. The stronger and more enterprising tribes drove the weaker into the less-favored localities. The result of all these factors may be described by the words "segregation, repulsion, rivalry."

Within this vast domain there is now and always has been an infinite variety of race, language, religion, and cultural advancement. Circumstances which make for war and antagonism exist here as nowhere else in the world. Thus, conflicts in earlier centuries were almost constant.

The discovery of entering portions of the world, there was a fierce conflict for the acquisition of remote islands and continents. Still later, with the beginning of the Industrial era, more than 100 years ago, another rivalry arose, even more fierce, for commerce, for the exploitation of the resources which are demanded by commerce. How different is the situation in the United States, where 48 States are united in social and commercial ties, with the easiest access among them and with common aims, and a full respect for the rights of unity and cooperation. It may be said that, as in America, modern means of transportation have placed mountains and crossed rivers, annihilating barriers; but this development did not occur in Europe until boundaries had been set and types of nationality had been fixed.

I can not close without a brief reference to the example of Switzerland, the country which has welcomed us within its borders. Here there is a population made up of three races, speaking different languages, divided into religious beliefs, separated by mountains and natural barriers into a large number of distinct areas. Here for centuries there have been peace and all the helpful features which make for unity and cooperation. This was not obtained, however, without constant striving against the foe without and the enemy within. When, more than 40 years ago, with the adventurous spirit of a mountain region, and the natural love of freedom, these plains, held in their struggle for liberty and union. There is here to-day a splendid example of popular government, of efficiency and harmony.—(end)
`1 extra vote; those with a membership of at least 60 per cent, to 2 extra votes; those with a membership of at least 75 per cent, to 3 extra votes; those with a membership of at least 90 per cent, to 4 extra votes.

The conference is to inform the various groups of the number of votes to which they are entitled when it summons the conference. If necessary, the members of each group taking part in the conference shall nominate those amongst them who are to exercise the right of voting. These nominations shall be made according to a system of proportional representation. No one member may record more than 5 votes.

Voting shall take place by show of hands. Every member present at a sitting has the right to demand voting by roll call. The result of such voting shall be inserted in the minutes.

In the election of officers the vote shall be by secret ballot, if not less than 20 members so demand.

II. REGULATIONS FOR INTERPARLIAMENTARY CONFERENCES

ART. 1. The interparliamentary conference shall meet in ordinary session once a year, unless the council decide otherwise. The place and date of the conference shall be fixed by the council, if possible at the preceding conference. Convocations to a regular session shall be sent out to the groups at least three months before the date fixed for the opening of the conference.

Art. 2. The conference shall be summoned to an extraordinary sitting by decision of the council, or if at least six groups so request. In the latter case, the council shall summon the conference within 40 days after the decision of such a request by the secretaries general.

Art. 3. The interparliamentary group of the country in which the conference is to meet shall, by arrangement with the secretary general, be responsible for the material organization of the meeting. The president or judge which is to be nominated in certain cases for the union and the different groups to assume part of the expenses incurred by a session.

Members taking part in a session shall pay a personal subscription, the amount to be fixed by the council. The subscription shall be payable at the same time as a member enters his name for participation in a given conference.

Art. 4. The duration of each session shall be fixed by the interparliamentary group or country in agreement with the group which is to receive the conference. Ordinary sessions shall last at least five days.

Questions placed on the agenda shall, except in urgent cases, be submitted to the permanent or temporary committees, to enable their immediate discussion at the plenary sitting any time after the opening of a session.

Art. 5. Unless exceptional circumstances should arise, the secretary general shall see that the work of the various committees is finished in time to permit of their reports being sent to the groups one month before each session. The committees shall nominate one or several rapporteurs for each question placed on the agenda.

Art. 6. The session shall be opened by the president of the council or, in case of his absence, by a provisional president chosen for that purpose by the interparliamentary group of the country in which the conference is held.

The conference chooses its own president, its vice presidents, and its tellers. (Statutes, art. 8.)

The number of vice presidents shall be equal to that of the groups represented.

Art. 7. The debates at the conference shall be public. They shall only be private if the conference so decide by a two-thirds majority, and only if questions relating to individual persons are to be discussed.

Art. 8. Each session shall open with a general discussion on the basis of the report submitted by the secretary general in the name of the council. Part of this report shall bear upon the general political situation of the world. Unless it be otherwise decided by the conference by a two-thirds majority and without preliminary discussion, the said discussion shall not last for more than three sittings.

Art. 9. The president shall open, suspend, and adjourn the sessions and direct the work of the conference; he shall see that the regulations are correctly observed, that the speakers obey the sitting order, put the questions to the vote, and make known the results of divisions.

The president shall be assisted by the members of the bureau in the work of the conference, the instructions to the committees which the conference may decide to form, the decisions as to the communications to be made, the fixing of the agenda of each sitting, and the order in which the different questions shall be considered.

Art. 10. No member may speak without the consent of the president.

No member of the conference shall speak more than twice on the same question. The time allotted to each speaker may be limited by a decision of two-thirds majority without preliminary discussion. The rapporteurs who introduce the questions with which they have been intrusted shall not, however, be subject to the above restrictions; they shall be entitled to take part in the debate whenever they deem it necessary. Other members shall speak in the order in which the applications to speak are made.

The president may call a speaker to order when the latter does not keep to the subject under discussion, and may, if necessary, withdraw the permission to speak.

Should a point of order be raised, the president shall give the proposer the right to speak, and shall at once put the motion to the vote.

Art. 11. The secretary general shall be responsible for the organization of the secretariat of the conference and for the secretariats of the committees.

The secretary general may be assisted or represented during the sittings of the conference by one or several delegates. The secretary general or his delegates may at any time, by request of the president, submit to the conference supplementary reports on any question which the meeting has under consideration. They may be asked by the president to make oral communications on any question before the conference.

Art. 12. The secretariat shall receive, print, and circulate all documents, reports, or resolutions; it shall print and circulate the minutes of the proceedings, the documents of the conference in the archives of the union, publish the report of each session, and in general carry out all the duties which the conference may think fit to entrust to it.

Art. 13. The agenda of a conference shall be fixed by the council. (Art. 9, Statutes.)

Draft resolutions, motions, and motions relating to questions on the agenda must be communicated in good time and in writing to the president, and copies shall be distributed as rapidly as possible to the members present at the conference.

Such resolutions or motions which do not figure on the agenda shall only be discussed and voted upon if the conference takes them into consideration and authorizes their discussion by a majority vote of two-thirds when the opinion of the interparliamentary council and brief explanations from the proposers have been heard. (Statutes, art. 9.)

Art. 14. The decisions of the conference are reached by a majority vote of the members present entitled to vote.

The case of election of officers, if no single candidate obtain a majority of votes a ballot shall be taken between the two candidates who have obtained the most votes.

The result of a vote by secret ballot shall be ascertained by the tellers appointed by the conference.

Art. 15. Voting shall take place by show of hands or, if a member present so request, by roll call. The election of officers shall be by secret ballot if not less than 20 members so demand. (Statutes, art. 10.)

Each group shall communicate to the secretary general at least one month in advance the names of those of its members who shall exercise the vote as well as their substitutes, if any.

At the beginning of each conference the secretary general shall report to each member who is to exercise the vote a card bearing his name, the name of his group, and the number of votes which he may exercise or which he is entitled.

Art. 16. The summary minutes of each sitting shall be at the disposal of members half an hour before the following sitting. Any member may, in the course of that sitting, raise objections to the said minutes. Such objections shall, upon be taken into consideration and a decision reached. Should no such objections be raised, the minutes shall be considered as approved. Should the conference sit in secret committees, it may decide that no minutes shall be kept.

A stenographic report of the sessions shall be published later, unless exceptional circumstances, of which the council shall be judge, intervene.

Art. 17. At the close of each session the president shall enumerate the principal resolutions adopted, which it will be the duty of the groups to present to their respective governments and parliaments (Statutes, art. 5) in the shape of bills, motions, questions, or under any other form suitable to the circumstances.

Art. 18. In every case not provided for in the present regulations the customary rules in deliberative assemblies shall be applied. In case of disagreement the regulations of the popular house of the country in which the conference is being held shall be consulted.

III. FINANCIAL SITUATION OF THE UNION

Rapporteur: Baron Theodore Adelward, president of the Interparliamentary council.

The Twenty-second Interparliamentary Conference, seeing that the highly satisfactory development and the increasing activity of the union and more ample financial means that those now at its disposal, asks the national groups to make every effort to obtain an increase in the grants stipulated by the present scale of contributions.

It considers that an increase of 50 per cent should be regarded as an essential matter.
The conference further realizes that considerable difficulties have arisen from delay in the payment of grants, and therefore urges upon the groups the importance of a regular payment, if possible, at the beginning of each financial year, of the amounts due.

IV. PARLIAMENTARY CONTROL OF FOREIGN POLICY

Rapporteur: Prof. Walter Schücking, member of the Reichstag, president of the German group.

I

The Twenty-second Interparliamentary Conference considers that the best guarantee for an international policy of peace and cooperation among the nations will be found in the application of the principle of the widest possible publicity.

In order to achieve such publicity the conference declares itself in favor of the following measures:

(a) In the constitutions of all nations, in accordance with the terms of article 18 of the covenant of the League of Nations, stipulations forbidding the conclusion of secret treaties or agreements or the insertion of additional secret clauses of any kind whatsoever to treaties.

(b) Communication to parliament of every treaty or agreement concluded with other nations, even in cases where the assent of parliament to the ratification is not provided for in the constitution or does not form part of the constitutional traditions of the country.

(c) The institution of a committee on foreign affairs in countries where such committees do not already exist; these committees to have the right at any time to request the responsible minister to furnish particulars as to the negotiations in progress, the information to be as complete as possible, and accompanied by appropriate documents. It is recommended that in these committees the various shades of opinion within each parliament should be proportionately represented.

(d) While recognizing the expediency of special or confidential communications made by the government to parliament or to the parliamentary committee concerned, the publication, at least once a year, of a full report on the general administration of foreign affairs.

(e) The adoption of a system of "secret funds," since all state expenditure should be subject to public control under the supervision of parliament.

(f) The distribution to all the members of the foreign affairs committee in every country of documents relating to the deliberations and decisions of the assembly and the council of the League of Nations.

(g) The preliminary presentation and discussion, in the foreign affairs committee, of the instructions given by the government to its delegation to the League of Nations.

II

The Twenty-second Interparliamentary Conference indorses the stipulation inserted in the draft treaty of mutual assistance voted at the fourteenth session of the League of Nations, by the terms of which war of aggression is described as an international crime, and recommends that proposals be submitted by the national groups to their respective parliaments for amendments to the constitution: such proposals-

(a) To forbid resort to war, except in the case of obligations contracted under article 16 of the covenant of the League of Nations.

(b) To make arbitration or other amicable or judicial means obligatory, for the solution of disputes with other nations, in cases where an amicable settlement has not been reached by direct negotiation.

The conference lays particular stress on the importance of securing the adherence of all nations to the optional clause of article 66 of the statute of the Court of International Justice.

III

Seeing that the interdependence of peoples and nations is becoming an increasingly marked feature of our times, the Twenty-second Interparliamentary Conference asks the national groups to lay before parliament a proposal for substituting, in the case of the South American Republics, the title of "Ministry of international relations" to that of "Ministry of foreign affairs."

IV

The conference also the council to set up a committee to consider the possibility of creating a bulletin for international information concerning problems of present-day political and social life, whether in relation to the international or the national life of each country.

V. COLONIAL MANDATES AND THE LEAGUE OF NATIONS

Rapporteur: M. Marin Montet, deputy (France).

The Interparliamentary Conference, after hearing the report made by M. Marin Montet in the name of the committee on ethnic and colonial questions, and seeing that the system of colonial mandates can only be crowned with full success through loyal and disinterested cooperation between the mandates, on the basis of the resolutions passed by the assembly:

(a) The assembly of the League of Nations should have the right at any time to modify the terms of each mandate. It should be empowered, if necessary, to revoke a mandate assigned to a power and to interest it in another.

(b) The competency of the Permanent Mandates Commission should be in accordance with its mission of supervision and control, the above recommendations being taken into account. The commission should have the right to apply directly either to the assembly or to the mandatory powers.

(c) The council of the League of Nations should exercise the prerogatives granted to it by the covenant with regard to colonial mandates, on the basis of the resolutions passed by the assembly.

(d) The Permanent Mandates Commission should be empowered to make or to institute inquiries on the spot. Such inquiries should not be intrusted to nationals of a mandatory power.

(e) The difference between mandates B and C should be abolished, territories under C mandates being administered under the same system as those under B mandates.

(f) The intellectual and political education of the natives should be carried on with a view to an ever-increasing autonomy leading to complete independence, in accordance with the principle of the covenant, which states the temporary nature of mandates.

(g) The fiscal organization of a mandated territory should possess the same autonomy as that of an independent state. It should not, in any respect be assimilated to that of the mandatory power. Railways and other public enterprises in a mandated territory are the property of that territory and should be worked for its benefit and not for the benefit of the mandatory power.

(h) Since the natives of mandated territory are not the subjects of the mandatory power, they should be endowed with a nationality of their own.

(i) Right of petition to the League of Nations should be unrestricted. All petitions should be addressed simultaneously to the Permanent Mandates Commission and to the local representative of the mandatory power.

(j) Domestic slavery should not be recognized. Fugitive slaves can be captured and delivered up to their masters either by force or by judicial or administrative measures.

Compulsory labor is only admissible when it arises from a judgment delivered in accordance with the law by a competent tribunal.

Compulsory work in the form of statute labor is only admissible as a means of discharging unpaid taxes and for public enterprises (roads, irrigation, canals, etc.). Statute labor can only be ordered for the benefit of a private enterprise in cases, of "force majeure" and only subject to strict regulations.

The natural resources of a mandated territory can only be offered as security by the mandatory power for the benefit of that territory and after the assent of the assembly, the covenant of the League of Nations has been obtained. Under no circumstances shall the land of a mandated territory be mortgaged by the mandatory power.

The reforming of mandates with the object of increasing the forces of the mandatory power is in contradiction with the explicit text of article 22, paragraph 5, of the covenant. Natives can only be enrolled to the extent required for the maintenance of order and for the defense of the territory.

The development of the mandates is in accordance with the spirit of the covenant and should therefore be applied without any exception whatsoever, even to nations which are not yet members of the League of Nations.

The mandatory powers should be guided by that principle in the application of article 122 of the treaty of Versailles.

(m) The reports furnished by the mandatory powers should be based on the following data of a comprehensive nature, and as the case may be:

(1) The extension of the principle of the "open door" for all nations is in accordance with the spirit of the covenant and should therefore be applied without any exception whatsoever, even to nations which are not yet members of the League of Nations.

(2) The extension of the principle should be extended to all colonies without distinction, except in colonies where trade with the
natives is subject to a special régime under the control of the government of the mother country, for the preservation of weak and scanty populations.

(b) Traffic in arms and munitions in all the colonies should be under the control of the League of Nations, in accordance with article 21 of the Covenant.

(c) Traffic in drugs and liquor in all the colonies should be under the control of an international body. The guiding principle of such a control should be that whenever the climate, the races and other factors generally recognized by science, tendency to the danger to the population, their importation should be forbidden.

(d) Slavery should not be recognized, either de facto or de jure.

VI. THE PROBLEM OF REPARATIONS

Reports by Baron Szezezay (Hungary) and the Right Hon. Lord Rathcreedan (Great Britain) in the name of the committee for economic and financial questions.

The Twenty-second Interparliamentary Conference registers the fact that the resolution voted by the conference of Copenhagen, on August 17, 1923, indicated the methods which have since been followed by the States for the solution of the problem of reparations.

The conference expresses its satisfaction at the agreement concluded at London, by which the above problems are transferred from the political to the economic field.

Considering that the solidarity of the world should be the fundamental principle of the proposals put forward by the union, the conference expresses the wish that the London decisions be carried out in the same spirit of good will in which they were drawn up, and that the methods recommended by the Copenhagen resolution be applied not only to the study and the solution of the problem of reparations in general but also to the study of other international questions of an economic and financial nature.

VII. THE ECONOMIC SOLIDARITY OF THE WORLD AND INTERNATIONAL TRAFFIC

Rapporteur: Baron Josef Szezezay, former minister of commerce (Hungary).

The Twenty-second Interparliamentary Conference considers the re-establishment of the economic solidarity of the nations to be of the highest importance. It believes that one of the surest means of obtaining this is to encourage the development of economic relations between the different countries by the suppression of all hindrances now existing.

The measures which appear to be the most called for are:

(a) The conclusion of commercial treaties and of conventions for the regulations of means of transport ensuring equal treatment for all concerned, and the suppression of the restrictions which still impede international relations.

(b) A thorough revision of the present customs regulations in order, on the one hand, to insure the unhindered transit of goods, the creation of free ports, and the simplification of obsolete customs restrictions, and, on the other hand, to introduce or develop to the greatest possible extent the traffic for the perfecting of goods as a means of encouraging industry, while at the same time doing away with the certificate of origin demanded up till now.

(c) The establishment of a uniform system of railway, sea, and river transport tariffs, a uniform currency being fixed.

Pending the day when it will be possible to establish uniform classification for all goods, the nations should at least endeavor to establish such a classification for the transport agencies of the different countries, at any rate with regard to the principal products. They should also endeavor to give to traffic as a whole a uniform legal basis for the conclusion of international conventions.

(d) The total abolition of the passport as being a police measure hindering the relations between countries, or at the very least the abolition of the visa.

The Twenty-second Interparliamentary Conference begs its national governments to give special influence in this direction both in parliament and with their governments, in the interest of the rapid re-establishment of normal economic conditions. It further urges them to work for the immediate acceptance and application of the resolutions and propositions submitted to the International conferences convoked by the League of Nations for the study of customs questions, the regulation of traffic, and the question of passports.

VIII. PROBLEMS OF SOCIAL POLICY: EMIGRATION AND IMMIGRATION

Rapporteur: M. Fernand Merlia, senator (France), member of the executive committee.

The Twenty-second Interparliamentary Council, after hearing the reports of M. Fernand Merlia on the problems of emigration and immigration, decides to institute a permanent committee on social questions, and requests the said committee to continue the study of these problems and to present its conclusions at a subsequent conference.
come to be essentially means of attack. "Defense" consists in forestalling an attack by a counteroffensive or in reprisals.

2. "Security" for a State is consequently only to be obtained by:

First. Elimination of the means of aggression of other States as well as one's own.

Second. The development of a policy of peace and cooperation between all States ("moral disarmament").

3. This being so, a unique opportunity is created for insisting upon the urgent need for universal disarmament.

4. The security of a country, being proportionate to the military and other preparations of other States, will remain identical if the reduction affects the armaments of all the states whose military and other armaments might constitute a threat to the country in question simultaneously and to the same extent as its own armaments are affected.

5. Reduction of the armaments of all states is, moreover, a fundamental condition for the proper working of the covenant of the League of Nations. Such a reduction would remove the temptation to a country to set at defiance the stipulations of the covenant.

6. Decisions relating to the reduction of armaments rest with each individual state; even in the case of members of the League of Nations (art. 8 of the covenant).

There is, however, a definite moral obligation incumbent on all countries belonging to the League of Nations, by virtue of the covenant and of the agreements of 1919 and 1922 (Tarti V, Introduction, of the treaty of Versailles).

7. The whole military organization of a country is the expression of two factors, the one being what that country believes to be essential for its "security," the other what it considers possible to spend for "peace forces," from the point of view of its national economy and of its finance.

The combination of these two factors finds its mathematical expression in the average sum assigned to military, naval, and aerial expenditures during a series of years.

8. It therefore follows that the budgets should form the basis of the fundamental undertakings for a reduction of armaments.

Incidentally, the principle of the "sufficiency" of the state is thus always safeguarded, because the fundamental basis of the reduction is fixed by the state itself, while it may be allowed a great latitude with regard to the details of the organization of its military means (military strength, naval power, etc.).

9. The budgetary basis for the reduction of armaments can, however, be supplemented in respect of other factors of military organization, particularly those embodying the idea of aggression, thus:

Porce forces; number of large-caliber cannon; number of naval units; number of submarines; number of aerial units.

DRAFT PROPOSAL FOR AN INTERNATIONAL AGREEMENT RELATING TO THE REDUCTION OF ARMAMENTS

I. BASIS AND PROCEDURE

1. The signatory states undertake not to exceed during the first budgetary year beginning after December 31, 1925, their average total expenditure on military, naval, and aerial objects during three fiscal years preceding the above-mentioned period.

2. The total sum spent within the limits fixed by article 1 during the first budgetary year beginning after December 31, 1925, shall form the base for the reduction of armaments which is the object of this agreement.

3. The signatory states undertake to decrease the total sum mentioned in article 2 in the proportion of 10 per cent from the first budgetary year beginning after December 31, 1927.

The said decrease of 10 per cent will be repeated from the first budgetary year beginning after December 31, 1926, and so on every two years, the total sum mentioned in article 2 being taken as basis, until after a period of 10 years, the military, naval, and aerial budgets show a total of not more than 50 per cent of the budgetary basis stated in article 2.

4. In order to facilitate the execution of the present agreement the states undertake to enter all sums intended for military, naval, or aerial purposes in a special section of the budget based on a model drawn up by the financial committee of the League of Nations.

The said section shall also include all the credits allotted by the state for the following objects:

(a) The development of the industry of the country with a view to its mobilization in case of war.

(b) Subsidies to the shipping industry conditional on the transformation of merchant ships into warships.

(c) Subsidies to civil aviation with a view to the utilization of the aircraft in case of war.

5. The signatory states further undertake not to increase during the period of 10 years mentioned in article 3 the following elements in their military organization, as fixed for the budgetary year mentioned in article 2:

(a) Their peace forces in all military, naval, and aerial services.

(b) The number of their cannon (field and naval artillery) whose caliber exceeds — millimeters.

(c) The number of their naval units exceeding — tons.

(d) The number of their aerial units.

(e) The number of their aerial units.

II. EXCEPTIONS AND RESERVATIONS

6. Those states whose armaments were reduced by the peace treaties of 1919 and 1920 shall not be bound by the undertakings stated in articles 1 to 5.

7. Expenditures incurred in connection with military, naval, or aerial action undertaken on the initiative of the council of the League of Nations, in conformity with article 16 of the covenant, shall be considered as forming part of the total sum referred to in articles 2 and 3.

8. The signatory states recognize that exceptional circumstances for instance, a considerable increase in prices on the home market, or participation in a war—may in individual cases prevent a state from strict adherence to the stipulations of articles 2 and 3. They undertake if necessary to call the attention of the council of the League of Nations to the fact that such exceptional circumstances may prevent them from fulfilling their obligations under the present agreement. They pledge themselves to accept the decision of the council of the League of Nations to this effect in conformity with the present article.

III. CONTROL AND SANCTIONS

9. The secretariat of the League of Nations is instructed to publish annually all the information dealing with the application and execution of the present agreement in a convenient and clear form.

In order to facilitate the work, the signatory states undertake to furnish the secretariat with the necessary documents and information. In particular they undertake to communicate to the said secretariat:

(a) All draft budgets, definite budgets, and annual accounts relating to armaments, simultaneously with the transmission of those documents to the parliament or to the other controlling or inspecting bodies (accountants, etc.) of the state.

(b) Detailed information concerning the elements of their military, naval, and aerial organization, referred to in article 5.

The latter information shall be transmitted at least three months before the end of the budgetary year mentioned in article 2.

10. The signatory states recognize the right of any of the high contracting parties to draw the attention of the council of the League of Nations to any action which in the opinion of that contracting party constitutes an infringement of the undertakings of the present agreement.

11. The signatory states recognize the right of the financial committee of the League of Nations to call the attention of the council of the League of Nations to the fact that in a given state the purchasing power of the national currency has increased in such a way as to make an appreciable difference to that state's power of extending its military, naval, or aerial organization.

The council shall immediately come to a decision with regard to the validity of the appeals made to it under articles 10 and 11. (Majority vote?) It shall be empowered to submit contested cases to the International Court of Justice. (Technical assessors? Cp. statute of the Court of Justice, arts. 26 and 27.)

IV. DURATION AND RENEWAL OF THE AGREEMENT

13. The present agreement shall be valid until the end of the period of 10 years referred to in articles 3, c.

At least three years before the end of that period the council of the League of Nations shall invite the high contracting parties to draft a new agreement for a further reduction of their armaments.

COMMENTARY

1. A. The budgetary period does not coincide everywhere with the calendar year, hence the use of the formula "the first budgetary period beginning after December 31, 1925." If another budgetary period than that opening in 1926 is to be taken as basis, the years mentioned in article 3 should be altered accordingly.

2. In the case of Federal States like Switzerland, the question whether certain expenditure by the cantons will not have to be included in the treaty will have to be considered.

4. The enumeration at the end of the article is an approximate one; it can be altered and amplified.

5. The enumeration is an approximate one and will be subject to alteration. The main purpose of the stipulation is to prevent a state from concentrating its military preparations on one branch of its organization which might perhaps be a greater danger to another country.

B. The term "peace forces" will perhaps have to be defined, especially in the case of countries with a militia (Norway, Switzerland).
12. A. The council would probably have to vote by simple majority, and the states concerned—the accuser and the accused—who would be represented, in conformity with article 4 of the covenant, should not have the right to vote (cf. art. 6 of the draft treaty of mutual assistance of 1923).

If recourse is to be had to the Court of Justice, a special division would have to be instituted for this class of litigation, as it has already been provided by the statute of the court for litigation concerning boundary questions and for questions of transit and communication (arts. 26 and 27 of the said statute).

IL.

THE TREATIES

The treaties concluded at Versailles, Saint-Germain, Trianon, and Neuilly fixed a limit for the armaments of Germany, Austria, Hungary, and Bulgaria, "in order to render possible the initiation of a general limitation of the armaments of all nations."

It would be unusual to take the stipulations of the above treaties as a basis for the plans for a reduction of armaments which have to be elaborated in accordance with article 8 of the covenant of the League of Nations.

The stipulations relating to the German Army being of a special character, the limits fixed for the Austrian Army may be taken as a basis.

By the terms of the treaty of Saint-Germain the total military force of the Austrian Army may not exceed 30,000 men. This number is fixed for a state of 6,000,000 inhabitants. Taking this figure as a basis, it is possible for every million inhabitants to be represented by 1,000 men: for every million inhabitants the armament must be reduced by 4,000 tons. The above limit is fixed for an army whose soldiers are voluntarily engaged for 12 years. The treaty, moreover, contains stipulations relating to the number of officers, to the fighting units, to the maximum of armaments, and stock of munitions, etc. All these stipulations would be used as a basis for plans for a general reduction of armaments.

Nevertheless provision must be made for another system of recruiting and training than the system of mercenaries now in force in the countries whose military organization has been fixed by the peace treaties. There is no doubt that certain states would prefer a system by which military service would be of shorter duration—say, six months. An army organized by this method would, of course, be inferior to an army composed of the same number of men; Egyptian States preferring this latter system should therefore be allowed to train a yearly number of soldiers, such as would enable them, if necessary, to mobilize a larger army than the mercenary army of a state with an equal number of inhabitants. They might, for instance, be allowed to train 1,000 soldiers for every million inhabitants each year, which would enable them to mobilize 10,000 men per million inhabitants.

In fixing a general basis of armaments for the different countries the geographical situation and the special conditions of each state must be taken into consideration, in conformity with article 8 of the covenant.

In fixing a basis for the number of soldiers, not only the number of inhabitants of the mother country, but also, to a certain extent, the population and the size of the possessions belonging to each state on the old continent must be taken into consideration. It is impossible to lay down a general rule in this connection; the particular circumstances in each case must be examined.

It is to be remembered that certain countries are in a particularly dangerous position geographically, and that the peace treaties have intrusted some states with special duties of a military character.

With regard to naval forces the limits fixed for Germany by the Versailles treaty might be taken as a basis. The said treaty allows Germany to maintain a navy of 2,000 tons for every million inhabitants. As the limits fixed for Germany by the peace treaties with regard to armaments are relatively stricter than for the other states whose armaments have been limited by the treaties, a strength of 4,000 tons to every million inhabitants might perhaps be taken as the basis for a limitation of naval power. In fixing the limits of their naval armament, the states would also have to take into consideration the particular situation of each country and the extent of its possessions on other continents.

I. NOMINATIONS

INTERPARLIAMENTARY COUNCIL, FROM THE TWENTY-SOUD TO THE TWENTY-THIRD CONGRESS

President of the council: Baron Theodor Adelsward (Sweden).
Anatolia, MM. Matajt and Waisel; Belgium, La Fontaine and Asseel; Bulgaria, Molford and Fadenhecht; Canada, Dandurand and Sir Henry Smart; Czechoslovakia, Wulz and Hoda; Danmark, Motsen and Borgart; Swiss, Godet and Imbro; Egypt, Shamy and Chanaas; Esthonia, N.; Finland, Martonen and Schumann; France, Merlin and Meute; Germany, Schleitkg and Eckhoff; Greece, Fomen and Fomen; Hungary, Kollon and Weigel; Ireland, Hayes and O'Farrell; Italy, di Stefano and Gentile; Japan, Nakamura and Fujimura; Lithuania, Martos and Shevlevitch; Norway, Michelet and Mowinckel; Poland, Dembinski and Browsk; Romania, Ilieco and V. Pania; Spain, Baron Adelsward, Breting; Switzerland, de Meuron and Forrer; United States of America, McKinley and Burton; Yugoslavia, Comandey and Tearovvitch.

II. EXECUTIVE COMMITTEE

The conference nominated M. R. Dandurand (Canada) to take the place of Mr. Burton (United States of America) and M. Fernand Merlin (France), to take the place of M. Edouin for the two remaining years of the latter's term of office.

The committee will be composed as follows: Baron Adelsward (Sweden); Kitsch (Austria); Count Apponyi (Hungary), to retire at the twenty-fourth conference; M. Lev. Wintor (Czechoslovakia), to retire at the twenty-fifth conference; M. R. Dandurand (Canada), to retire at the twenty-sixth conference.

The committee appointed Count Apponyi to act as president of the council in the event of the absence, resignation, or death of the latter.

III. AUIDORES

The council elected MM. R. Dembinski (Poland), and Alois de Meuron (Switzerland) to be auditors for the year 1924.

We have the honor to be your obedient servants.

(Signed) A. De Neeus, President of the Conference.
(Signed) M. R. Edouin, Secretary General.

THE INTERPARLIAMENTARY UNION

(At Byur Porlier Call, executive secretary of the American group)

There are persons in America who, without special interest in the history of the whole world, do not know that such folk are not found among the members of the American group of the Interparliamentary Union. Our Senators and Representatives belonging to this organization—nearly 50 per cent of the total—know better. During the 23 years of the Interparliamentary Union not a few of our American Congressmen interested in the organization have made special studies of foreign affairs, including European geography, with the result that if any of them had been uncertain, they now know that is a period of reparation and not a period of pacification. The Interparliamentary Union is a fructifying experience. Indeed, because of this membership, not a few of our lawmakers have visited Europe, and with their eyes and ears open. They have not lost a little firsthand information about European conditions. In consequence there is an international mind in the Congress. A certain distinguished American once remarked that he did not care to do business because he had a very excellent descriptive catalogue of the place. Were we alive to-day and a member of the Interparliamentary Union, he would not say a thing like that. The men of the United States Congress most sympathetically informed about situations in Europe are probably the members of the American group of the Interparliamentary Union.

These American members of the Interparliamentary Union not only understand international problems, they have definite ideas about the work of the Interparliamentary Union. They have expressed these ideas officially and communicated them to their brethren in Europe, during the war and since. In this day of unusual international turmoil and shifting, it is interesting to know how these men of our Senate and House of Representatives believe can and should be done in the direction of international policy by the parliaments of the world. What they have actually said upon this matter will appear later on.

WHAT IS THE INTERPARLIAMENTARY UNION

Just what is the Interparliamentary Union? The answer to this question is found in the statement of purpose, as set forth in its constitution, adopted at its twentieth conference, in Vienna, 1922. That statement is as follows: "There is no progress without understanding, and without understanding there is no friendship between nations. We have the honor to be..."
first conference." This resolution marked the birth of "the Interparliamentary Conference for International Arbitration," later to be called—in 1889, to be exact—the Interparliamentary Union.

THE FIRST INTERPARLIAMENTARY CONFERENCE

The meeting called for in the resolution was held during the World Exposition, June 20 and 30, 1889, in Paris. There were delegations from France, Great Britain, Italy, Belgium, Denmark, Hungary, Liberia, Spain, and the United States. Jules Simon, former premier of France, opened the conference with an address. Frederic Passy, of the French Chambers of Deputies, was elected president. This meeting was the first of the interparliamentary conferences.

THE HISTORICAL BACKGROUND

During its generation of effort the Interparliamentary Union has stood consistently for the principle of international arbitration. Of course, this principle has an ancient background. But the introduction of arbitration into the modern practice of nations began in 1784, when John Jay, as special envoy of the United States to Great Britain, signed the first treaty under the Constitution of the United States. This treaty contained a plan of submitting to a mixed commission differences between Great Britain and the United States which diplomacy had failed to adjust.

It remained for William Jay, son of John Jay, to render the plan of his illustrious father more widely effective by persuading governments to include in their treaties an agreement not to resort to hostilities, but to submit a controversy arising under any international law to arbitration.

The Franco-Prussian War led the Baron of Waltersdorf, a member of the British House of Commons, William Randal Cremer, to introduce a resolution favoring international arbitration. This plan contemplated diplomatic congresses convening periodically for the purpose of perfecting international law, supplemented by an international court of justice for the interpretation of such law.

It was, however, the principle of arbitration actually applied in the John Jay treaty of 1784 and extended by William Jay's proposal of 1842 out of which the idea of an interparliamentary cooperation grew. The Franco-Prussian War led the Baron of Waltersdrchen, a member of the British House of Commons, William Randal Cremer, to introduce a resolution favoring international arbitration. This plan contemplated diplomatic congresses convening periodically for the purpose of perfecting international law, supplemented by an international court of justice for the interpretation of such law.

Richard Cobden had introduced in the British House of Commons a resolution favoring international arbitration as far back as 1840, but House legislation failed. It was on the 31st of August, 1888, with the cooperation of Sir Charles Wood, the British premier, and Sir John Lubbock, the member of the British House of Commons, Cobden urged the Queen of England be asked to "enter into communication with foreign powers with a view to further improve international relations, to the end that any differences or disputes arising between the United States and any other nations or more friendly powers and to abide by the award." As a result, this clause compromising, as it is called, found its way into treaty after treaty. William Jay's proposal of 1842, along with William Ladd's plea for a congress of nations "to settle and perfect the code of international law," and a high court of nations "to interpret and apply that law for the settlement of all international disputes," were presented to the first international peace conference, held in London, 1843, and both were "adopted and passed." A number of organizations, particularly the American Peace Society, had been urging international conferences since 1783. In 1880 and 1886 the principle of an international peace conference was known as "the American plan." This plan contemplated diplomatic congresses convening periodically for the purpose of perfecting international law, supplemented by an international court of justice for the interpretation of such law.

The launching of the Interparliamentary Union was due to a number of the British House of Commons, William Randal Cremer, assisted by Frederic Passy, of the French Chamber of Deputies. At the first international peace congress, already referred to, it had been urged that societies or associations be formed among the working classes for disseminating the principles of international peace. This was in 1843. William Randal Cremer, beginning his career as a carpenter, founded in 1871 the Workmen's Peace Society, later to become "the International Arbitration League." When 57 years of age Cremer was elected to Parliament. His prime ambition at that time was to bring about an arbitration treaty between England and the United States, his idea being that such a precedent would surely be followed by other nations. In 1887, encouraged by a number of friends, including Mr. Andrew Carnegie, Cremer drew up a memorial to the President and the Congress of the United States, urging the conclusion of a treaty of arbitration between Britain and the United States. This memorial was signed by 232 members of the British Parliament, including the names of such men as Mr. Asquith, Mr. Bright, Mr. Bryce, Mr. Morley, Sir Edward Grey, Sir John Lubbock, and Mr. Haldane. The memorial was presented to President Cleveland at the White House, Washington, by a deputation of 10 members of the House of Commons, 1 peer, and 3 representatives of the trades-union congress.

The following year both Houses of the American Congress passed a joint resolution requesting the President of the United States to "invite from time to time, as occasions may arise, negotiations with any government with which the United States has or may have diplomatic relations, to the end that any differences or disputes arising between the United States and such government may be referred to and be peaceably adjusted by such means." But Cremer's plan for an Anglo-American treaty of arbitration failed. The effort, however, was not without effect. It led to the formation of the Interparliamentary Union.

It was on the 31st of August, 1888, with the cooperation of Passy, that Cremer was able to organize a group of British and French parliamentarians for the purpose of promoting arbitration treaties between the United States, France, and Great Britain, and thereby the groundwork for the first interparliamentary conference of 1889.

The following year both Houses of the American Congress passed a joint resolution requesting the President of the United States to "invite from time to time, as occasions may arise, negotiations with any government with which the United States has or may have diplomatic relations, to the end that any differences or disputes arising between the United States and such government may be referred to arbitration and be peaceably adjusted by such means." But Cremer's plan for an Anglo-American treaty of arbitration failed. The effort, however, was not without effect. It led to the formation of the Interparliamentary Union.

Since that time, with the exception of the period of the World Wars, the growth of the organization has been continuous. The tables on pages 8 and 9, prepared by Dr. Christian L. Lange, of Geneva, general secretary of the Interparliamentary Union, shows that 34 parliaments were represented at some time during the 31 interparliamentary conferences. The year and place of meeting of each conference is also shown.

Statistique de la representation des differentes groupes aux conferences inter-parlementaires successives

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

A SELF-EXPLANATORY TABLE

February 20
The Interparliamentary Union was at first called "The Interparliamentary Conference for International Arbitration," and most of its work was its beginning has been directed. Nothing is said by that title. There gradually developed, however, the belief that in addition to arbitration other friendly and judicial means of settling disputes were a legitimate part of the aims of the union. Indeed, at the Hague conference in 1912 it was expressly stated that the parliamentary union has also for its object "the study of other questions of international law, and, in general, of problems pertaining to the development of peaceful relations between nations. It has been the fundamental policy of the union, however, to refrain from committing itself on questions of "an acute political nature."

The union has achieved results. There is no doubt that it had a direct influence upon the conclusion of the permanent court of arbitration at the first Hague conference in 1899. It was primarily responsible for the calling of the second Hague conference in 1907. And it had no little influence upon the model arbitration treaty presented to the second Hague conference. This model arbitration treaty was due to the initiative of Mr. Richard Bartholdi, member of the American Congress from 1893 to 1915, and for 11 years president of the American group. While the draft treaty was not adopted, 22 of the 44 States represented voted for it, and the conference did pass unanimously a declaration in favor of the principle of obligatory arbitration. At the outbreak of the war the Interparliamentary Union was devoting its energies to the end that the work of the second Hague conference and of the London naval conference of 1905-1906 might be effective, and to the further purpose that there might be a worthy third Hague conference in 1915 or 1916. The outbreak of war interrupted these plans.

If it is impossible to measure all the achievements of the union, the objects, however, have been kept clear, namely, to develop the principle of arbitration, to promote intelligent relations between peoples, to enable the parliaments of the world to get acquainted, and to dignify has characterized the movement from the beginning. At that first annual conference, held in Paris in 1899, it was resolved:

"Since the policy of governments tends to become more and more direct the expression of ideas and sentiments voiced by the whole body of citizens, it is for the legislators, by the exercise of their right of choice, to guide the policy of their country along the path of justice, right, and the brotherhood of nations."

As Senator McKim, president of the American group, has recently said:

"The advantages of such an organization readily suggest themselves. Freed from the domination of any government, it represents a universal and democratic aspiration. Nothing in it savors of particular interest or privilege. Composed of officials, holding its conferences in houses of parliaments, it is itself only semi-official. Perhaps its main service is its opportunity for parliamentarians from all parts of the world to meet, to confer, to educate one another. * * * For parliamentarians from so many different countries just to meet, officially or unofficially, at conference, at table, at social gatherings, is in itself not without benefit."

The American Group

While, as will be seen from the chart, there was a representative of the American Congress present at the conference in Paris in 1899—it was the Hon. Justin R. Whiting—and that there were American representatives present at Brussels in 1897, at Christiania in 1899, at
Paris in 1900, and at Vienna in 1905, it was not until 1904, largely upon the initiative of the Hon. Richard Bartold, that an American group was formed.

The American group has had three presidents: Mr. Bartold, from its organization to 1915; Representative James L. Shayles, of Texas, from 1915 to 1919; Senator William B. McKinley, of Illinois, from 1919 to the present time.

The officers of the American group, elected February 24, 1923, for one year, are: President, Senator William B. McKinley, of Illinois; vice presidents—Representative Andrew J. Montague, of Virginia; Representative W. T. Mountz, of Pennsylvania; Representative William A. Ogle, of Arkansas; treasurer, Representative Adolph J. Sabatini, of Illinois; secretary, Representative E. Garland Duber, of Louisiana. Executive committee: Senator William B. McKinley, ex officio; chairman; Representative Fred Birtwistle, of Illinois; Representative Theodore E. Burton, of Ohio; Representative Henry Allen Cooper, of Wisconsin; Senator Joseph T. Robinson, of Arkansas; Senator Salton F. Spencer, of Missouri; Senator Thomas Steele, of South Dakota; Representative James C. McClure, of Michigan; Representative Merrill Moores, of Indiana; Representative John T. Raker, of California.

THE TWELFTH CONFERENCE IN ST. LOUIS

America's part in the labors of the union has not been insignificant. As has been seen, the American Congress was represented in the first conference in 1889. Representative Samuel J. Barlow, of New York, was one of the first of our American Congressmen to show interest in the work of the union. In 1890 the American Congress invited the union to hold its twelfth conference in St. Louis during the World's Fair of 1904. The United States Government appropriated $50,000 for the conference. The tour of the delegates, of whom there were five, was arranged by the Government to be a part of the entertainment of the guests. The story of the conference and of the tour is fully set forth by Mr. Barlow, who had been an active member of the Fifty-fifth Congress and was then a member of the committee on reception and entertainment, in a large and beautiful volume of 281 pages, printed at the Government Printing Office, Washington, 1905. This copiously illustrated book was presented as a souvenir to each of the American delegates. In this memorial volume Mr. Barlow sets forth his own views of the work of the Interparliamentary Union as follows:

"The Interparliamentary Union has not worked for something which can only be realized in the millennium; it has worked for principles for which the union stood for when, excluding a small percentage of the lawless, the vast majority settle their disputes by judicial process or reference, without recourse to violence. So that this organization has stood for the single principle that international disputes should be settled by judicial processes."

Hon. Francis B. Loomis, Assistant Secretary of State at the time, speaking before the conference, said:

"You have aroused, directed, and educated public sentiment in favor of arbitration throughout the civilized world."

Senator McKinley, in his address before the annual meeting of the American group, in February, 1923, said:

"There is no doubt that the First Hague Conference was called largely because of the work of the Interparliamentary Union. There is no doubt that its labors made possible the establishment of the International Court of Arbitration at The Hague. Upon its initiative President Roosevelt initiated the second Hague conference."

EVIDENCE OF AMERICAN INTEREST

There is no doubt of American interest in this movement. The United States Government appropriates annually $4,000 for the maintenance of the headquarters at Geneva. Furthermore, the American group had hoped to be hosts to the Interparliamentary Union in 1915. The Congress had appropriated $50,000 for the entertainment of the visiting delegates; but the war interrupted the plan. The American group had planned to renew the invitation this year; but because of the political situation, involving the coming presidential campaign, the United States will probably not invite the conference before 1920. There is a suggestion that since the only conference to be held in this country was at the time of the Louisiana Purchase Exposition in 1904 and since the first annual meeting of the Interparliamentary Union was held in 1889 in St. Louis, it would be well to hold the next meeting in this country in connection with the Sesquicentennial exhibition proposed for Philadelphia in 1926. There is little doubt that the Interparliamentary Union will hold its annual conference again in the United States before long.

AMERICAN VIEWS

As has been said at the beginning of this paper, the American group of the Interparliamentary Union, notwithstanding that it is made up of Democrats and Republicans, has certain definite and unananimously accepted ideas about the aims and methods of the union. One expression of these views is found in resolutions adopted at the fifteenth annual meeting of the American group of the Interparliamentary Union, February 25, 1918. The resolutions are as follows:

"Whereas it is increasingly evident that the civilization of the world is endangered by war; and

"Whereas the Interparliamentary Union, an association of more than 3,500 members, representing 23 of the leading nations of the world, has since its organization in 1888, strenuously urged the adoption of arbitration as a substitute for war in the settlement of international disputes, and the establishment of a permanent court where governments may be heard and determined according to the principles of law and equity, to the end that justice may be done and wars avoided; and

"Whereas responsible heads of governments, belligerent and nonbelligerent alike, have agreed in principle to the program of the Interparliamentary Union for open treaties, for the reduction of armaments to the lowest point consistent with domestic safety, and to a general American group of the Interparliamentary Union for the settlement of nonjustifiable disputes: Therefore be it

"Resolved, That the American group pledges its support to its colleagues of other parliaments to cooperate in the effort to secure the adhesion of all civil governments to this program of reason and good will: Be it further.

"Resolved, That the American group of the Interparliamentary Union gives its cordial approval to the recommendations of Habana, adopted by the American Institute of International Law at its second session, in the city of Habana, January 23, 1917, as a working basis for the society of nations to secure justice in international dealings and the maintenance of peace.

"THE RECOMMENDATIONS OF HABANA

"Whereas the independent existence of civilized nations and their solidarity of interests under the conditions of modern life has resulted in a society of nations; and

"Whereas the safety of nations and the welfare of their peoples depend upon the cooperation of all nations in order to prevent wars avoided; and

"Whereas the law of nations can best be formulated and stated by the nations assembled for this purpose in international conferences; and

"Whereas it is in the interest of the society of nations that international agreements be made effective by ratification and observance; all occasions, and that some agency of the society of nations be constituted to sit for it during the intervals between such conferences; and

"Whereas the principles of law and equity can best be ascertained and applied to the disputes between and among the nations by a court of justice accessible to all in the midst of the independent powers forming the society of civilized nations;

"Therefore the American Institute of International Law, at its second session, held in the city of Habana, in the Republic of Cuba, on the 23d day of January, 1917, adopts the following recommendations, to be known as its recommendations of Habana:

"The call of a third Hague conference, to which every country belonging to the society of nations shall be invited, and in whose proceedings every such country shall participate.

"If a stated meeting of The Hague peace conference, which, then meeting at regular stated periods, will become a recommend

"If a stated meeting of The Hague peace conference, which

"If a stated meeting at regular stated periods, will become a recommend

"If a stated meeting at regular stated periods, will become a recommend

"If a stated meeting at regular stated periods, will become a recommend

"If a stated meeting at regular stated periods, will become a recommend

"If a stated meeting at regular stated periods, will become a recommend
national Law on January 6, 1916, which are themselves based upon decisions of English courts and of the Supreme Court of the United States.

It will be noted that the above resolutions were passed while the United States were in the midst of the war. Since the close of the war, the American group has adopted another official announcement. This was set forth in a letter to the president of the Swedish parliament, a member of the society of nations, and president of the Interparliamentary Union, the council for the Nineteenth Interparliamentary Conference at Stockholm, August 17-19 of the current year. The gracious invitation of the Swedish government leads us to feel that the resumption of our conferences will be possible.

We have examined the "agenda of the conference," submitted under date of April 20, 1921, and we hasten to express our earnest hope and perfect confidence that our brethren will come again to a meeting of minds with reference to questions peculiarly within the historic province of the union, questions relating principally to international law. The time, we believe, has not arrived when our union can profitably discuss, much less decide upon, political or even economic controversies, much less decide upon, political or even economic controversies.

We believe that the Interparliamentary Union has in its traditional adherence to substantially these high matters amply proved its reason for existence by the commission of unlawful acts against innocent and unoffending states.

1. Every nation has the right to independence in the sense that it has a right to the status of a free and independent people, and it is free to develop itself without interference or control from other states, provided that in so doing it does not interfere with or violate the rights of other states.

2. Every nation is in law and before law the equal of every other nation belonging to the society of nations, and all nations have the right to claim and, according to the Declaration of Independence of the United States, to assume, among the powers of the earth, the separate and equal station to which the laws of nature and of nature's God entitle them.

3. Every nation has the right to territory within defined boundaries, and to exercise exclusive jurisdiction over its territory and all persons, whether native or foreign, found therein.

4. Every nation entitled to a right by the law of nations is entitled to have that right respected and protected by all other nations, for right and duty are correlative, and the right of one is the duty of all to observe.

5. International law is at one and the same time both national and international; national in the sense that it is the law of the land and applicable as such to the decision of all questions involving its principles; international in the sense that it is the law of the society of nations and applicable as such to all questions between and among the members of the society of nations involving its principles.

6. The creation of an international council of conciliation to consider, to discuss, and to report upon such questions of a nonjusticiable character as may be submitted to such council by an agreement of the powers for that purpose.

7. The employment of good offices, mediation, and friendly composition for the settlement of disputes of a nonjusticiable nature.

8. The principle of arbitration in the settlement of disputes of a nonjusticiable nature, also of disputes of a justiciable nature which should be decided by a court of justice, but which have, through delay or mismanagement, assumed such political importance that the nations prefer to submit them to arbiters of their own choice rather than to judges of a permanent judicial tribunal.

9. The negotiation of Hague conventions creating a judicial union of the nations along the lines of the Universal Postal Union of 1866, to which all civilized nations and self-governing dominions are parties, pledging the good faith of the contracting parties to the observance of the principles of international law and applicable as such to the decision of all questions involving law or equity—to a permanent court of this union, whose decisions will bind not only the litigating nations but also all parties to its creation.

X. The creation of an enlightened public opinion in behalf of peaceful settlement in general, and in particular in behalf of the foregoing nine propositions, in order that, if agreed to, they may be worked into practice and thereby to prevent and to protect and to conserve its existence by the commission of unlawful acts against innocent and unoffending states.
for being, and that nothing has happened since our last meeting, in 1918, to warrant any change in its independent action, in its fundamental aims, or in its methods.

SIGNIFICANCE

Of such is the Interparliamentary Union, its background, growth, and spirit. That nearly half of our Senators and Representatives are devoting so little attention to his international effort will be of interest particularly throughout America.

Evidently there is a service which the Interparliamentary Union is peculiarly fitted to render. There are individual, national, and international interests, many of them overlapping, which can not be left to work out themselves. There are political, economic, humanitarian problems affecting all nations, such as labor and social problems, exchange, the movements of commerce. All such questions should be of vital interest to the lawmakers of the various nations. Naturally, mutual conference between parliamentarians will result in a wiser solution. These problems may well be considered by an unofficial body such as the Interparliamentary Union, which, in the language of Doctor Lange, "has at its disposal a wider and more elastic organization than an exclusively official institution composed of States, such as the League of Nations. The union, therefore, still has important work to do. In the accomplishment of this work it appeals to all men of good will throughout the parliaments of the world."

Perhaps the meaning of this international body has grown more accurately summed up than in the following words of Senator McKinley: "It is not without significance that in this day of divergent points of view, and policies there exists in the world this organization of parliamentarians, each trying as best he may to understand the other fellow's job."

PETITIONS AND MEMORIALS

The PRESIDENT pro tempore laid before the Senate the following joint resolution of the General Assembly of the State of Indiana, which was referred to the Committee on Military Affairs:

DEPARTMENT OF STATE, Indianapolis, Ind., February 17, 1925.

Hon. Albert B. Cummins,
President pro tempore United States Senate,
Washington, D. C.

DEAR SIR: By the terms of enrolled act No. 1, senate, of the seventy-fourth regular session of the General Assembly of the State of Indiana, it is provided that the secretary of state shall send a copy of said resolution "to the President of the United States, the President of both branches of Congress, to the Senators and Representatives in Congress from this State, and to the members of the congressional Committees on Appropriations and on Military Affairs."

I certify to you herewith, under registered cover, a certified copy of said resolution under my hand and the great seal of the State of Indiana.

Very truly yours,

F. E. SCHORTEMEIER,
Secretary of State.

UNITED STATES OF AMERICA,
STATE OF INDIANA,
OFFICE OF THE SECRETARY OF STATE.

I, F. E. Schortemeier, secretary of state of the State of Indiana, hereby certify that the annexed pages contain a full, true, and complete copy of the enrolled act No. 1, senate, seventy-fourth regular session of the General Assembly of the State of Indiana, passed February 5, 1925, as the same appears on file in the law directs, in this office.

In testimony whereof I hereunto set my hand and affix the great seal of the State of Indiana. Done at my office, in the city of Indianapolis, this 19th day of February, A. D. 1925.

[Seal.]

F. E. SCHORTEMEIER,
Secretary of State.

Senate enrolled act 1

A Joint resolution requesting the Congress of the United States to appropriate funds to carry out certain recommendations of the Chief of Staff of the United States Army made in Furthermore of the national defense act of 1920.

Whereas the President of the United States in a recent message to the Congress of the United States has stated that the Army and Navy of the United States should be strengthened, and that a people who neglect their national defense are putting in jeopardy their national honor; and

Whereas in Furthermore of the national defense act of 1920, and in order to increase and promote the strength and effectiveness of the Army, the Chief of Staff of the Army of the United States has recommended substantially as follows:

(a) That the Regular Army be brought back to the strength of 150,000 enlisted men and 25,000 officers, and that it be suitably housed and enabled to conduct annual maneuvers on a moderate scale;

(b) That the National Guard be given the support necessary to permit its progressive development toward a strength of 250,000.

(c) That the skeleton organization of the Organized Reserves be substantially maintained.

(d) That all reserve officers receive an average of 15 days' training in each three years;

(e) That the Reserve Officers' Training Corps units be further developed; and

(f) That provision may be made for a gradual increase in the number accommodated annually in citizens' military training camps.

SECTION 1. Be it resolved by the General Assembly of the State of Indiana, That the General Assembly of the State of Indiana respectively and earnestly urge upon the Congress the necessity of appropriating such funds and enacting such legislation as will adequately provide for the effective carrying out of the provisions of the national defense act of 1920, and also the recommendations of the Chief of Staff of the Army of the United States herebefore set forth.

Sec. 2. Suitable copies of this resolution shall be sent by the secretary of state to the President of the United States, the President of both branches of Congress, to the Senators and Representatives in Congress from this State, and to the members of the congressional Committee on Appropriations and on Military Affairs.

F. HAROLD VAN ORMAN,
President of Senate.

HARRY L. LEXING,
Speaker of the House of Representatives.

Approved February 5, 1925, 11:35 a. m.

ED JACOBSSON,
Governor of the State of Indiana.

The PRESIDENT pro tempore also laid before the Senate the following joint memorial of the Legislature of the State of Montana, which was referred to the Committee on Agriculture and Forestry:

HON. REPRESENTATIVES OF THE STATE OF MONTANA,
Honorable President United States Senate,
Washington, D. C.

SIR: I am directed by the House of the Nineteenth Legislative Assembly of the State of Montana, in regular session assembled, to here­with transmit copy of house joint memorial No. 2 for your consideration.

Respectfully,

H. J. Vaneit, Chief Clerk.

House joint memorial 5 (introduced by Hoffman and Hanson) Memorial to the Congress of the United States of America to enact legislation to promote equality for agriculture under the American protective system in the case of those crops of which a normal surplus above domestic requirements is produced.

IN THE HOUSE

January 21, 1925: Read first and second times and referred to committee on agriculture.


February 6, 1925: Reported correctly engrossed; report adopted and referred to general orders.

January 29, 1925: Recommended favorably by committee of whole. Report adopted and referred to engrossing committee.

February 10, 1925: Reported correctly engrossed; report adopted and referred to calendar for third reading. Read three several times and passed. Title agreed to. Transmitted to Senate for its concurrence.

IN THE SENATE

February 2, 1925: Read first and second times and referred to committee on agriculture.


February 5, 1925: Read third time and concurred in. Title agreed to. Returned to House.

IN THE HOUSE

February 6, 1925: Referred to enrolling committee. Reported correctly enrolled.

Memorial to the Congress of the United States of America to enact legislation to promote equality for agriculture under the American protective system in the case of those crops of which a normal surplus above domestic requirements is produced.

To the honorable Senate and House of Representatives of the United States of America:

The undersigned, the members of the Nineteenth Legislative Assembly of the State of Montana, the senate and house concurring, respectfully represent that:
Whereas the United States has established and maintains by law a system of production, which industry and labor make effective through their organization and through controlled production and supply; and

Whereas the entire land and agricultural policy of the United States has been aimed at securing maximum agricultural production, with a result in governmental surplus for sale at the lowest possible price, and it is physically impossible for agriculture to forecast or accurately control production, thus eliminating the surplus above domestic needs; and

Whereas the sale of such normal surplus in the world market establishes the domestic price at world levels, making the present tariff schedules intended to protect an American price for that portion of the crop consumed at home; and

Whereas the present improved price of some of the products of the farm is due to world shortages, and does not permanently remove the disparity between the rewards of agriculture and of industry and labor under our protective system; and

Whereas it is vitally important to assure to agriculture the basic American share of the national wealth by promoting parity for farming with industry and labor, and to prevent recurrence of the disastrous spread between farm and other prices that is fatal to general or permanent national prosperity: Therefore be it

Resolved by the Senate and House of Representatives of the State of Delaware in General Assembly met, That we do hereby ratify the proposed amendment to the Constitution of the United States:

Resolved by the Senate and House of Representatives beg leave to report to you that the child labor amendment of the Constitution of the United States was rejected by a vote of—yes 6, nays 32, absent 8. We are, very truly yours,

HENRY C. DOWNWARD, Speaker.
BURTON S. HEAL, Chief Clerk.

JANUARY 26, 1925.

Mr. WILLIS presented the following joint resolution of the General Assembly of the State of Ohio, which was referred to the Committee on Commerce:

House joint resolution No. 5, protesting against the taking of water from the Great Lakes for use of the Chicago drainage canal, or for any other purpose.

Whereas the city of Chicago has for many years taken from Lake Michigan many thousands of cubic feet of water per second for the use and purposes of the Chicago drainage canal; and whereas the diversion of said water has resulted in the lowering of the water level in the Great Lakes and is a serious menace to navigation upon said Great Lakes; and whereas a member of the Illinois delegation to the Congress of the United States has introduced a bill and the same is now pending in Congress to legalize the further diversion of a greater quantity of water into the Chicago drainage canal and thence into the Mississippi River, and that said diverted water would be lost to the Great Lakes forever; and whereas the water of the Great Lakes is an international possession, and the taking of the same is likely to result in complications and difficulties with a friendly foreign neighbor; and whereas the channelization of the Great Lakes and the St. Lawrence River will, in all probability, be begun and completed within the next 10 years, thus making ocean ports of all of our Great Lake cities and bringing an unforeseen benefit to a great proportion of the population of the United States: Therefore be it

Resolved by the General Assembly of the State of Ohio, That we do hereby emphatically protest against the diversion of any water whatever by the city of Chicago of elsewhere from its normal flow through the chain of the Great Lakes and the St. Lawrence River to the sea, or any other act which will in any way tend to interfere with or impair the normal flow of the said Great Lakes.

Whereas do hereby respectfully request our Representatives in both Houses of Congress to use their vote and influence to prevent the taking of any further quantity of water from the Great Lakes and to compel the city of Chicago to discontinue its present diversion of said water.

That a copy of this resolution be sent to the President of the United States, to the Secretary of War, to the Hon. FRANK B. WILLIS and Hon. SIMON D. FESS, United States Senators from Ohio, and to each and every Member of the Ohio delegation to the House of Representatives of the Congress of the United States.

HENRY D. SILVER,
Speaker of the House of Representatives.

CHARLES H. LEWIN,
President of the Senate.

House joint resolution No. 5, protesting against the taking of water from the Great Lakes for use of the Chicago drainage canal or for any other purpose. Introduced by Mr. Hunt, of Lucas.

Adopted by house of representatives January 19, 1925. Adopted by senate January 21, 1925.

Mr. WILLIS also presented the petition of E. B. BRYAN, president of the Ohio University, of members of the faculty of that university, and sundry citizens, all of Athens, in the State of Ohio, praying for the entrance of the United States into the World Court under the so-called Harding and Coolidge plan, which was referred to the Committee on Foreign Relations.

Mr. FESS presented resolutions adopted by the General Assembly of the Commonwealth of Pennsylvania, which were referred to the Committee on Commerce, as follows:

[Resolutions not transcribed due to lack of visible content]
Resolution 4
COMMONWEALTH OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES,
January 26, 1925.

Whereas the city of Chicago is now diverting colossal quantities of water out of Lake Michigan into the Chicago Drainage Canal for sanitation and power purposes, which diversion has already caused great injury to commerce on the Great Lakes; and

Whereas the said city of Chicago is now seeking permission, through the provisions of a bill now pending in the Congress of the United States, to increase the diversion of water from and into Lake Michigan to 10,000 cubic feet per second for the alleged purpose of protecting its water supply and disposing of its sewage; and

Whereas the diversion of water in the quantities intended would result in considerable lowering of the mean levels of the Great Lakes, to the great damage of the inner harbors and connecting channels, and by reducing the carrying capacity of the lake fleet would make certain an enormous yearly loss to owners thereof; and

Whereas the lowering of the levels of the Great Lakes and the changing conditions resulting therefrom would very seriously affect the fishing industries of the Commonwealth; and

Whereas this excessive drainage would be of water to and in which the Dominion of Canada has a right to claim to those of the United States, and any attempt to increase the same is in violation of the treaty relations with the Dominion of Canada: Therefore be it

Resolved (if the senate concur), That it is the opinion of the General Assembly of the Commonwealth of Pennsylvania that any increase in the amount of water permitted to be drained from the Great Lakes would be against the interests of the people of the United States, would seriously affect the fishing industries of this Commonwealth, would be unnecessary, and might have an unwanted effect upon our friendly relations with the people of the Dominion of Canada; and be it further

Resolved, That a copy of these resolutions be transmitted by the secretary of the Commonwealth to each Member of the Senate and each Member of the House of Representatives in the Congress of the United States, and that they be urged to use their vote and influence against the passage of any legislation intended to permit such further damage.

The foregoing resolution was adopted by the house of representatives and concurred in by the senate, January 26, 1925.

Approx'd the 54th day of February, A. D. 1925.

CLYDE L. KING, Chief Clerk of the House of Representatives.

The foregoing is a true and correct copy of resolution of the general assembly No. 4.

GEO. W. ARMSTRONG, SLEDD RANCH,
Natchez, Miss., February 5, 1925.

To the Members of the Senate and House Agricultural Committees,
Washington, D. C.

GENTLEMEN: Please permit me to suggest some amendments to the agricultural credits act that will make it workable so that it will afford the farmers now so desperately in need of credit reasonable terms.

I was appointed as chairman of a committee of three by the last convention of the Texas & Southwestern Cattle Raisers' Association to devise a plan that would save the industry. I should esteem it a privilege, as well as a duty, to present the subject to you in person, but my engagements are such that it is impossible for me to go to Washington during the brief period that your committees will conduct hearings.

Under the existing control of our currency and credit system Congress can do nothing that will raise the general level of prices or increase consumption, or afford any substantial relief to the cattle industry. It is the farmers and cattlemen, or as the law now stands, the farmers except livestock owners, who are so numerous, that it is practically impossible to organize such a trust, even if it is desirable to do so.

It is within the power of Congress to make it easy for the cattlemen and farmers to finance themselves. This can be done by simply repealing a few of the useless clauses in the act which have made it inept in the way of affording any substantial relief.

I suggest the following amendments:

(1) Repeal all of paragraph (b) under section 202 (see p. 2). If for any reason it is desirable to limit the rediscounting power of "banks, trust companies, and savings institutions" then substitute in lieu of that part of the act which says, "No paper shall under this section," etc., the following: "Provided, That paper may be purchased from or discounted for any other corporation engaged in making loans for agricultural purposes or for the raising, breeding, fattening, or marketing of livestock, without limit as to its capital and liabilities, if the notes or obligations representing such loans are secured by warehouse receipts, shipping documents, or first-mortgage liens on livestock not exceeding 75 per cent of the value of the products covered by such liens.

(2) Repeal paragraph (b) under section 204 (see "Discount Rates," pp. 3 and 4). The rate of interest to be charged by the Federal intermediate credit bank should be left to its directors, who will be largely selected by the control of the Federal Farm Board and who would be the meaning of the law without this restriction, and therefore no amendment is required. National banks are not limited in the profits they may now make on their loans to the farmer and I see no reason why these institutions should be.

(3) Repeal that part of section 204 under the head of "Limitations" (see pp. 11 and 12). There is no reason, absolutely none, for placing the undue limitations on agricultural associations and fraternal organizations to ten times their capital. The act makes them subject to examination and control by the Federal Farm Loan Board; they can only lend 75 per cent of the market value of livestock and other farm prod-
ucts, to be approved by the management first of the local intermediate credit banks and then of the Farm Loan Board; and they are not permitted to receive deposits. No such restrictions are placed on national banks that receive deposits.

(4) Amend section 206 by reducing the required capital from $300,000 to $250,000. One-half of the capital shall be paid in and the balance shall be subscribed but may be paid in within two or three years. There is no reason for a large capital for these institutions except to prevent farmers and cattlemen from over-borrowing. Banks that receive deposits and that are permitted to lend to everybody, with or without security, have notes organized without their knowledge.

Members of unincorporated societies will be personally liable for any debts that farmers may not take advantage of the act.

You will note that under paragraph 1, section 202, the Farm Loan Board is given power "to discount for or purchase from * * * cooperative credit or marketing associations of agricultural producers organized under the laws of any State," and under paragraph 4, "to make loans or advances direct to any cooperative association organized under the laws of any State and composed of persons engaged in producing or marketing staple agricultural products or livestock, if the notes or other such obligations representing such loans are secured by warehouse receipts and shipping documents covering such products or mortgages on livestock."

This would seem to grant authority to the Federal Farm Loan Board to make loans to unincorporated producers' associations or to associations incorporated without capital. It is my understanding that the National Live Stock Producers' Association hasdisposed of a small volume of their notes and that it means that the notes and mortgages of these unincorporated societies will be personally liable for the obligations; it will greatly retard their development. They must be given the privilege of limiting their liability by incorporating, otherwise they will not avail themselves of the benefits of the act.

It is my information that the European agricultural credit societies are organized on the basis of the personal liability of all the members. It is my belief that we have reached the point in this country where the producers will generally care to be liable for the obligations of their fellow members.

Yours respectfully,

Geo. W. ARMSTRONG

REPORTS OF COMMITTEES

Mr. CAPPER, from the Committee on Claims, to which was referred the bill (H. R. 8294) for the relief of Edward E. Sappington, reported it without amendment and submitted a report (No. 1187) thereon.

Mr. MCCONNELL, from the Committee on Claims, to which was referred the bill (S. 1999) conferring jurisdiction upon the Court of Claims to hear and determine the claim of Mrs. Patrick H. Bodkin, reported it without amendment and submitted a report (No. 1188) thereon.

Mr. LADD, from the Committee on Commerce, to which was referred the bill (S. 4507) 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 Montezuma, Wabash County, III., and connecting Gibson County, Ind., reported it without amendment and submitted a report (No. 1190) thereon.

Mr. TRAMMELL, from the Committee on Claims, to which was referred the bill (S. 1621) for the relief of John F. White and Mary L. White, reported it with amendments and submitted a report (No. 1191) thereon.

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

A bill (H. R. 3417) for the relief of Josiah Frederick Dose (Rept. No. 1192) thereon.

A bill (H. R. 5257) for the relief of Alonzo C. Sheekel (Rept. No. 1193) thereon.

Mr. BINGHAM, from the Committee on Military Affairs, to which was referred the bill (H. R. 6268) for the relief of Francis M. Atherton, reported it without amendment and submitted a report (No. 1194) thereon.

Mr. PEPPER, from the Committee on the Library, to which was referred the joint resolution (H. J. Res. 204) authorizing the restoration of the Lee Mansion in the Arlington National Cemetery, reported it without amendment and submitted a report (No. 1195) thereon.

Mr. HARRELD, from the Committee on Public Buildings and Grounds, to which was referred the joint resolution (S. J. Res. 122) providing for the enlargement of the Federal building hospital at Muskogee, Okla., by the purchase of an adjoining city hospital, and authorizing the appropriation of $150,000,000 for that purpose, reported it without amendment.

ENROLLED BILLS AND JOINT RESOLUTIONS PRESENTED

Mr. WATSON, from the Committee on Enrolled Bills, reported that on February 10, 1925, that committee presented to the President of the United States the following enrolled bills and joint resolutions:

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;

S. 2257. An act to permit the Secretary of War to dispose of the land of the Port of New York Authority to acquire the Hebrew Manufacturers' Railroad;

S. 2397. An act to provide for refunds to veterans of the World War of certain amounts paid by them under Federal tuberculosis projects;

S. 2718. An act to authorize the payment of an indemnity to the Government of Norway on account of losses sustained by the Norwegian steamship Hassel as the result of a collision between that steamship and the American steamship Ausable;

S. 2935. An act to amend an act entitled "An act authorizing insurance companies or associations and fraternal benevolent societies to file bills of interpleader," approved February 29, 1917;

S. 3640. An act authorizing the Secretary of War to convey to the Federal Land Bank of Baltimore certain lands in the city of San Juan, P. R.:

S. 3641. An act granting to the county authorities of San Juan County, State of Washington, a right of way for county roads, for certain described areas of military reservations on Lopez and Shaw Islands, and for other purposes;

S. 3790. An act to amend certain particulars of the national defense act of June 3, 1916, as amended, and for other purposes;

S. 3796. An act to authorize the appointment of commissioners by the Court of Claims and to prescribe their powers and compensation;

S. 3865. An act to authorize the coinage of silver 50-cent pieces in commemoration of the one hundred and fifteenth 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. 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 Anacostia Island, in the State of Florida;

S. J. Res. 55. Joint resolution to authorize the American National Red Cross to continue the use of temporary buildings erected on square No. 7, Washington, D. C.; and

S. J. Res. 172. Joint resolution to authorize the appropriation of certain amounts for the Yuma irrigation project, Arizona, and for other purposes.

BILLS AND JOINT RESOLUTION INTRODUCED

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

Mr. KENDRICK:

A bill (S. 4354) authorizing the Arapahoe and Cheyenne Tribes of Indians to submit claims to the Court of Claims; to the Committee on Indian Affairs.

Mr. ERNST:

A bill (S. 4355) to amend and consolidate the acts respecting copyright and to permit the United States to enter Into the International Copyright Union; to the Committee on Patents.

Mr. BURSUM:

A bill (S. 4356) amending the first paragraph of section 9 of the Federal highway act, approved November 9, 1921, authorizing under certain conditions the use of toll bridges in connection with public highways, to the Committee on Agriculture and Forestry.

Mr. LINROOT:

A bill (H. R. 3577) granting an increase of pension to Frank Tomkiewicz; to the Committee on Pensions.

Mr. JOHNSON of California:

A bill (S. 4358) for the relief of Rear Admiral Joseph L. Bisbee, retired; to the Committee on Claims.

Mr. LADD:

A bill (S. 4359) to authorize the Secretary of Agriculture to advise and assist cooperative associations of producers of agricultural products and others by the promotion of sound business practices, establishing uniform standards of classi-
lication, providing for the registering of cooperative associations, inspection of agricultural products, a market news service, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. LENROOT:
A bill (S. 4360) granting an increase of pension to Magdalena Lefebore; to the Committee on Pensions.

By Mr. O'BRYAN:
A bill (S. 4361) establishing a commission for the participation of the United States in the observance of the one hundred and sixty-fifth anniversary of the capture of Fort Mckinley, and making provision for the same; to the Committee on Indian Affairs.

By Mr. FAIRBAIRN:
A bill (S. 4362) granting an increase of pension to Evelyn C. Gross; to the Committee on Pensions.

By Mr. HARRELD:
A joint resolution (S. J. Res. 192) authorizing the Secretary of the Interior to establish a trust fund for the Kiowa, Comanche, and Apache Indians in Oklahoma, and making provision for the same; to the Committee on Indian Affairs.

CHANGE OF REFEREE

On motion of Mr. GEORGE, the Committee on Military Affairs was discharged, the further consideration of the bill (H. R. 2383) for the relief of Vincent Rutherford, and it was referred to the Committee on Finance.

AMENDMENT OF NATIONAL PROHIBITION ACT

Mr. BAYARD submitted sundry amendments intended to be proposed by him to the bill (H. R. 6645) to amend the national prohibition act, to provide for a bureau of prohibition in the Treasury Department, to define its powers and duties, and to place its personnel under the civil service act, which were referred to the Committee on the Judiciary and ordered to be printed.

SENATOR BRUCE'S ARTICLE ON THOMAS JEFFERSON

Mr. RALSTON. Mr. President, the Baltimore Evening Sun, in its issue of February 11, contains a very excellent article from the pen of Senator Bruce upon Thomas Jefferson. It is so excellent that I feel it should be preserved in the records of the Government, and I ask permission to have it made a part of the Record.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

The article is as follows:

THOMAS JEFFERSON
(By William Cabell Bruce)

('This sketch of the Virginian statesman by Maryland's junior Senator is of special interest at this time in view of the efforts being put forward to raise funds for the purchase and endowment of Monticello, Jefferson's home near Charlottesville, Va., as a federal national shrine."

"Still, when Americans stand out in overshadowing relief from the civil history of the United States, namely, Washington, Franklin, Jefferson, Marshall, Lincoln, and Wilson. Of all these individuals, next to Franklin, Jefferson was at least far the most versatile and accomplished. As a statesman, he was the very first order, though stronger on the reflective than on the executive side. With Washington, Franklin, the Adamses, and Henry he shares the distinction of being the foremost leader in the Revolutionary movement, in which both his fortune and his neck were at stake.

It was chiefly due to his influence that the injustice which lurked in primogeniture, a system of landed entails, and an established church was swept away by the Virginia Legislature. If he could have had his way, the institution of slavery would have been cut up by the roots, too; and he did succeed in securing the passage of an enactment prohibiting the further importation of slaves into Virginia. It was upon reports drafted by him in a Memorial of Congress that the first truly definitive plan for the government of our Northwest Territory and the present monetary system of the United States were based. Both John Bassett Moore and John Sharp Williams have reached the conclusion that no other American statesman has exercised so much influence in shaping our foreign policy as Jefferson did as Secretary of State, and this belief is shared by John H. Latane.

The fact is, any other individual is attributable that admirable body of generous and enlightened doctrines, including the American system of neutrality, which constitutes the special gift of the United States to the science of international law. His first administration was so wise and so gentle that his close friend found him almost omnipotent Zeus in American politics.

But for the purchase by him of the vast territory known as Louisiana, and the mission of exploration on which he sent Lewis and Clark to the Oregon country, the United States might to-day be only a narrow strip of Atlantic seaboard instead of an immense continent having two mighty ocean margins. And it was also with his popularity and influence at the court of France can doubt that he was not an unworthy successor even of the renowned Franklin. As a party leader he was dexterous and masterful in the highest degree; and so felicitously composed of strength and grace was his nature that it can be truly said that the obedience of his followers was as much the fruit of affection as of fear and hope.

But he was not one of those men who, in the words of Goldsmith, give up to party what was meant for mankind. Rather than an American Democrat, he was and is the apostle of universal democracy. How little of a mere partisan he was is illustrated in the fact that no two names in American history are more often harmoniously blended than his and that of Lincoln. They were both great Democrats; they were both great Republicans. Gentle as was his lineage, on one side at least, he was the most uncompromising Democrat that rational and ordered freedom has ever known. He distrusted with a deep distrust kings, nobles, and individuals of all sorts possessed of unlimited power for perpetrating injustice unredeemed. The only aristocracy that he recognized was that of moral and intellectual worth. He believed in keeping the pathway to fortune and fame absolutely open to every aspiring and honorable being, however humble his condition.

His love of freedom stopped short only of license or extravagance. So quick and profound were his sympathies with the common mass of the people everywhere that he once wrote to Lafayette that, in inspecting the French Provinces, he should move about absolutely incognito; look into the kettles of the peasants, eat their bread, and even boil upon their beds, under pretense of resting himself, but, in fact, to find if they were soft. Even the poor, enslaved black had a place in his plan of liberty. Speaking of American slavery, he once broke out: "Indeed, I tremble for my country when I reflect that God is just; that His justice can not sleep forever.

But for the purchase by him of the vast territory known as Louisiana, and the mission of exploration on which he sent Lewis and Clark to the Oregon country, the United States might to-day be only a narrow strip of Atlantic seaboard instead of an immense continent having two mighty ocean margins. And it was also with his popularity and influence at the court of France can doubt that he was not an unworthy successor even of the renowned Franklin. As a party leader he was dexterous and masterful in the highest degree; and so felicitously composed of strength and grace was his nature that it can be truly said that the obedience of his followers was as much the fruit of affection as of fear and hope.

But he was not one of those men who, in the words of Goldsmith, give up to party what was meant for mankind. Rather than an American Democrat, he was and is the apostle of universal democracy. How little of a mere partisan he was is illustrated in the fact that no two names in American history are more often harmoniously blended than his and that of Lincoln. They were both great Democrats; they were both great Republicans. Gentle as was his lineage, on one side at least, he was the most uncompromising Democrat that rational and ordered freedom has ever known. He distrusted with a deep distrust kings, nobles, and individuals of all sorts possessed of unlimited power for perpetrating injustice unredeemed. The only aristocracy that he recognized was that of moral and intellectual worth. He believed in keeping the pathway to fortune and fame absolutely open to every aspiring and honorable being, however humble his condition.

His love of freedom stopped short only of license or extravagance. So quick and profound were his sympathies with the common mass of the people everywhere that he once wrote to Lafayette that, in inspecting the French Provinces, he should move about absolutely incognito; look into the kettles of the peasants, eat their bread, and even boil upon their beds, under pretense of resting himself, but, in fact, to find if they were soft. Even the poor, enslaved black had a place in his plan of liberty. Speaking of American slavery, he once broke out: "Indeed, I tremble for my country when I reflect that God is just; that His justice can not sleep forever.

But for the purchase by him of the vast territory known as Louisiana, and the mission of exploration on which he sent Lewis and Clark to the Oregon country, the United States might to-day be only a narrow strip of Atlantic seaboard instead of an immense continent having two mighty ocean margins. And it was also with his popularity and influence at the court of France can doubt that he was not an unworthy successor even of the renowned Franklin. As a party leader he was dexterous and masterful in the highest degree; and so felicitously composed of strength and grace was his nature that it can be truly said that the obedience of his followers was as much the fruit of affection as of fear and hope.

But he was not one of those men who, in the words of Goldsmith, give up to party what was meant for mankind. Rather than an American Democrat, he was and is the apostle of universal democracy. How little of a mere partisan he was is illustrated in the fact that no two names in American history are more often harmoniously blended than his and that of Lincoln. They were both great Democrats; they were both great Republicans. Gentle as was his lineage, on one side at least, he was the most uncompromising Democrat that rational and ordered freedom has ever known. He distrusted with a deep distrust kings, nobles, and individuals of all sorts possessed of unlimited power for perpetrating injustice unredeemed. The only aristocracy that he recognized was that of moral and intellectual worth. He believed in keeping the pathway to fortune and fame absolutely open to every aspiring and honorable being, however humble his condition.

His love of freedom stopped short only of license or extravagance. So quick and profound were his sympathies with the common mass of the people everywhere that he once wrote to Lafayette that, in inspecting the French Provinces, he should move about absolutely incognito; look into the kettles of the peasants, eat their bread, and even boil upon their beds, under pretense of resting himself, but, in fact, to find if they were soft. Even the poor, enslaved black had a place in his plan of liberty. Speaking of American slavery, he once broke out: "Indeed, I tremble for my country when I reflect that God is just; that His justice can not sleep forever.

But for the purchase by him of the vast territory known as Louisiana, and the mission of exploration on which he sent Lewis and Clark to the Oregon country, the United States might to-day be only a narrow strip of Atlantic seaboard instead of an immense continent having two mighty ocean margins. And it was also with his popularity and influence at the court of France can doubt that he was not an unworthy successor even of the renowned Franklin. As a party leader he was dexterous and masterful in the highest degree; and so felicitously composed of strength and grace was his nature that it can be truly said that the obedience of his followers was as much the fruit of affection as of fear and hope.
and I once heard that masterly law lecturer, the late John B. Minor, say that his intellectual superiority was as manifest in his technical labors as in everything else.

The character of Jefferson was distinguished by a most interesting union of masculine and feminine traits. He was 6 feet 2 inches in height; with a frame lean, but sinewy and powerful. As a boy he was fond of swimming, and all his life he had the Virginia passion for a blooded horse. One of his grandsons tells us that he never saw him display the slightest trepidation under any circumstance, and yet he was not more reserved than any other man.

One of his grandsons declares that she never once saw his face distorted by anger. The truth is that his nature was amiable as it was strong.

His first love was meeting a stranger, was quickly succeeded by a delightful gaiety and a charming flow of conversation. His heart was profoundly affectionate and compassionate, his friendship at once ardent and constant. He placed a value over the remains of his brother-in-law, Dabney Carr, stating that it was dedicated to him by Thomas Jefferson, who "of all men living loved him most." To Madison and Monroe he once referred as the two pillars of his happiness. When his wife died he felt and said unconscious so long that it was thought that he would never revive. Never did a human being pour out a richer tide of affection upon the life of another than he did upon the lives of his daughters, Mrs. Randolph and Mrs. Eppes, to whom in their youth he was as much devoted as if he had had no other children.

Of Monticello, it can be affirmed that it is siargously in keeping with his elevated character and refined and enlightened taste, the genius, and the lofty spirit of its structure betokens the taste, the genius, and the lofty spirit of its owner. It is situated rises to a height of 580 feet. I have repeatedly ascended upon its loftier stones; I have suspended without being reminded of the "exceeding high mountains" to which the devil took Christ and showed Him all the kingdoms of the world and the glory of them. Well might Henry Clay, bearing the site of Monticello in mind, exclaim in one of his grand orations that it was not lifted up higher above the earth by its physical situation than Jefferson by his serenity of mind and the consciousness of a well-spent life above the impotent assaults of party rage.

To the west of Monticello rises mountain range after mountain range and mountain peak after mountain peak, bathed at times in the soft, blue haze from which the Blue Ridge derives its name, and robed at times in the glorious amethyst and purple of declining day. To the east, Monticello catches a vast level plain, as if to infinity, contrasted with the rugged mountains westward as the sea when perfectly at rest contrasts with the sea when it heaves and tosses under the lash of the wild winds.

Retirement of World War Officers

The Senate, as in Committee of the Whole, resumed the consideration (S. 33) of a bill making it eligible for retirement under certain conditions officers of the Army of the United States, other than officers of the Regular Army, who incurred physical disability in line of duty while in the service of the United States during the World War.

Mr. MEANS. Mr. President, I realize that it is presumptuous on my part to ask the privilege of the floor, but I have been requested so to do by Members of this body and by the American Legion. That great organization is composed of service men. They have two compelling reasons for their existence: First, because of their duty to their country; and, secondly, their duty to their comrades. Upon such a subject, when this section of the American Legion they have indorsed the underlining principles of the so-called Bureaucratic bill. Inasmuch as we are to vote upon that bill at 2 o'clock, I could not, if I refrained from this line of public service, in behalf of the service men's organizations. Not only the American Legion but the disabled veterans and the veterans of foreign wars, comprising a total membership of more than 5,000,000, not only on many times after due deliberation and consultation, have indorsed the bill.

Mr. President, I have listened attentively to those who have proposed objections to the measure and I find those objections to be unfounded. It is unfair to the disabled and our volunteer soldiers and that it is a discrimination against them. Secondly, it is said that it is unfair to the Regular Army; inasmuch as the retirement privilege is a part of the emoluments of the office. Thirdly, it is said that it is unfair to the Government, because it is the entering wedge for a future raul upon the Treasury.

I shall direct my attention to those objections.

Prior to the Civil War retirement was unknown under our laws. In 1861 we found the Army in a state of collapse. Men who were unable to perform the duties of their respective ranks were placed upon sick leave and without a definite designated station. When the war came on it was found that the officer list was cluttered by officers who were unable to perform the duties required of them. So retirement began in 1861 and 1862. It was provided at that time that this officer who had served 45 years was compelled to go upon the retired list; if he had served 30 years he was permitted to remain in the field. Then retirement was provided for disability incurred in line of duty, and after the Civil War, Mr. President, pensions were granted for those who were injured in line of duty. Those pensions were based upon rank as well as upon the degree of disability.

I will now come to a war with which I am more familiar, commissions in the Regular Army, and the officers of the Spanish-American War will convince anyone of that fact. In the Spanish-American War, outside of the Regular Army, all who participated were volunteers; the allotment of the number of volunteers was made by the President. The volunteer officers were not among the veterans from the United States Government; they were commissioned by the States. Even after they were in the service, and were promoted, they were not promoted by the Government because of their duty to their State. In the Spanish-American War, the veterans from the various States did not have the same formation. For instance, in the State of Pennsylvania, two battalions constituted a regiment. In my own State of Colorado, three battalions constituted a regiment, and with no battalion organization.

So those volunteer forces did not have the same organization. In many instances they did not receive the same pay and in many instances they did not wear the same uniform. They did or have the same collar ornaments; they were not in the Regular Army.

I will say, when we are considering the officers who will be benefited by this proposed legislation, that after the Spanish-American War there were many officers and men who were injured, and those who received pensions for injuries occurring in the line of duty were granted pensions based upon rank as well as upon the degree of disability; in other words, a second lieutenant received twice as much as an enlisted man, a major received three times as much, and a lieutenant colonel or a colonel received four times as much.

To those who are fearful that we are proposing to build up a nonentity in this country, I reply: In the history of the United States prior to the World War there has been a pension given to officers or men for an injury which occurred in the line of duty but that pension was based upon rank as well as upon degree of disability.

So, Mr. President, we came to the World War: In that war, first, the National Guard officers, and then the Reserve Corps officers, the emergency officers, those who had temporary commissions in the United States Army, and the officers of the Regular Army establishment. Many of them were sent over seas, and others were retained in camps in this country. When they first appeared they had different collar ornaments. They were known as Reserve officers; they were known as National Guard officers; they were known as Regular Army officers; they were known by the means by which they entered the service; it was presumed that distinction would remain. When those forces arrived overseas, however, and it was found necessary to abolish all distinctions, Order No. 73 was promulgated by the General Staff. That order wiped out all distinctions. The order is as follows:

This country has but one Army—the United States Army, which includes all the land forces in the service of the United States. Those forces, however, raised, lose their identity in that of the United States Army.

In obedience to that order I myself was privileged to command a Regular Army regiment in the front line. It was in command of the United States Army. The volunteer officer, coming from the National Guard, was permitted to command a Regular Army regiment in the front line. Senator, I had in that regiment and under my own command various officers, other Regular Army officers, emergency officers, National Guard officers, and temporary Regular Army officers. I have seen them all enter the line at the same time. I knew no distinction than on the battle field as between them,
whether their commissions were from one authority or another, and the Army; they had that rank and responsibility; and the question asked of them was just one: "Can you make good?" If they did not make good, they were sent to the rear for reclassification. Those forces were recognized as the Regular Army, and it was discussed every time that order was issued, as to those who were injured, those who were hurt, that they would be given the same credit, the same justice, as was accorded to the Regular Army men. They had the same training, they had the same emoluments; they had the same commutation of quarters and for heat and light; in other words, there were given to them the same rank and the same privileges that were accorded to the Regular Army officers.

Mr. MEANS. I repeat, Mr. President, that the service pension as such—and there have been many of them, the first in 1895, if the Senator wishes to check up my figures—given because of the service of the soldier, is a bonus because of their patriotism and has never been based upon rank, but where a pension has been given for injuries incurred in line of duty it has been based upon rank. They have varied from the general law.

Mr. MEANS. I believe the meaning of retirement must be understood, because in its proper sense it is a part of the emoluments of the office. In other words, as in the case of the retirement features of the bill which the Senate was considering last night, when officers have served the prescribed time they are entitled to retirement or a pension, which is given by the Government as compensation. I agree with the chairman of the Committee on Military Affairs when he says that this bill in its fundamental sense is a compensation bill. There is also involved the idea of the honor of being carried upon the roll and retaining the distinction of having been officers of the United States Army, but in its fundamental sense it is a compensation bill.

Mr. LENROOT. The meaning of retirement must be understood, because in its proper sense it is a part of the emoluments of the office. In other words, as in the case of the retirement features of the bill which the Senate was considering last night, when officers have served the prescribed time they are entitled to retirement or a pension, which is given by the Government as compensation. I agree with the chairman of the Committee on Military Affairs when he says that this bill in its fundamental sense is a compensation bill. There is also involved the idea of the honor of being carried upon the roll and retaining the distinction of having been officers of the United States Army, but in its fundamental sense it is a compensation bill.

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

Mr. MEANS. I will be delighted to yield to the Senator from Wisconsin.

Mr. LENROOT. I wish to be informed if I am wrong; but I did not suppose that there was any distinction in our general pension laws with reference to pensions for Civil War veterans between officers and privates on account of disability incurred in line of duty. The fundamental theory is that of compensation, and the amount they receive in pay governs the amount they receive by way of pension.

Mr. LENROOT. The meaning of retirement must be understood, because in its proper sense it is a part of the emoluments of the office. In other words, as in the case of the retirement features of the bill which the Senate was considering last night, when officers have served the prescribed time they are entitled to retirement or a pension, which is given by the Government as compensation. I agree with the chairman of the Committee on Military Affairs when he says that this bill in its fundamental sense is a compensation bill. There is also involved the idea of the honor of being carried upon the roll and retaining the distinction of having been officers of the United States Army, but in its fundamental sense it is a compensation bill.

Mr. MEANS. If the Senator wishes to check up my figures—given because of the service of the soldier, is a bonus because of their patriotism and has never been based upon rank, but where a pension has been given for injuries incurred in line of duty it has been based upon rank.

Mr. LENROOT. Mr. President, I sincerely hope that the Senate will verify that statement, because it is new to me. It is true there was a period when that was done, but that period has passed.

Mr. MEANS. I sincerely hope the Senator will look into the facts. If he will go to the Pension Office he will find that I am correct. I am sure.

Mr. LENROOT. It has not been true for many years.

Mr. MEANS. Mr. President, as I have said, the National Guard Association, as well as the Reserve Corps officers, have indorsed this measure. Here Senators may say, "We have now for the first time a definite military policy in the United States. It began to have its basis in the law of 1916, but in reality it began in 1920. What is that policy? It is that there shall be a small standing Army, but in time of need, in time of emergency, we will depend upon our civilian soldiers. We are now urging citizens to accept commissions in the Reserve Corps; we are giving them to accept commissions in the National Guard. They are spending from two to four nights a week acquainting themselves with their duties; they are studying; they are working hard to perfect themselves to be leaders of men. They are told that in time of great emergency the outcome will depend upon them and upon their ability to lead men. They are the basis of our military policy. We are building up, it may be said, a set of men of superior ability by paying them only a trifle. We are going to pay the great for the great hour, and the time will come, if we have need for them, when you will remember the words of everything we did with the stupendous force of the money of the National Guard and the Reserve Corps, so that they may perfect themselves to be officers in the United States Army. You say to them in furtherance of your military policy, "Oh, yes; we will take you into the Army officer; we will give you everything that an Army officer has; but if you go forth and bare your breast to the enemy, and are wounded, you will not receive the retirement privilege, the compensation that will be received by the Regular Army officer. They will enter the line one and the same, on the same level, with the same rank, with the same pay, but you will say, "No; we are going to hold out the retirement privilege." The National Guard associations have unanimously asked that this measure be passed. It is fair to them to consider if they prepare themselves, if they work diligently to become real leaders of men, when they become real leaders of men, when they will have the same rank, they will have the same privileges, yes, they will have the same right to the compensation and the honor of being upon the retirement roll.

Mr. LENROOT. Mr. President, no; I know it has been said, yes; I know it has been said, but I do not suppose that there was any distinction in our general pension laws with reference to pensions for Civil War veterans between officers and privates on account of disability incurred in line of duty.

Mr. MEANS. The distinction lasted. I beg to differ with the Senator from Wisconsin. When the Spanish War came, the War Department observed at that time and were put upon the same pension roll received pensions according to their grade. That has been the practice since the Civil War down to the World War.

Mr. LENROOT. I am quite sure the Senator is mistaken.

Mr. MEANS. I beg to differ with the Senator from Wisconsin. If he will examine into the matter he will find that I am correct.

Furthermore, Mr. President, the order to which I have referred made all officers equal. The National Guard Association and the Reserve Corps' association of the United States, composed of many officers and men, have indorsed this measure. Why? Because we must face the problem of a military policy for the United States.
they have retired to civil life. You have given to those who have a temporary commission that retirement privilege. There are many more who, you say merely because one man entered the school and received a temporary commission and the other received an emergency commission, that one is entitled to retirement and the other is not. Is that fair? Is that to be considered fair? No! Every officer in the line, after General Order No. 73, believed that he was in the Army of the United States and was entitled to the privileges and the emoluments of the office, and he would have been entitled to the benefit of any bill that would carry out the justice of the statement that there should be equality now as well as then.

Mr. President, I say to you that the enlisted men want this. But I believe that it is unfair to the students of our military policy, if they would have indorsed this bill, and they have asked me here so to press myself.

Be not confused by the statements of some who would attempt to take a composite figure.

"Yes; a man will beat this plan; because he may be just a little more than 78 per cent. I say to you that any man who is so injured that young men came from Washington, which is one reason I relate the circumstance. When it is said on the floor of the Senate that he is not entitled to the benefits of the bugle calls, it hurts men forth, forgetful of themselves, to hazard life itself at fearful odds. It nerves real men up to, dare to, die.

Mr. President, the Regular Army man and the emergency officer lie side by side in peaceful graves in this country. I have seen them fall and lie side by side amid the wreck of a hard-fought field. Yes, they lie side by side in those awful graveyards where in hospitals lay out their dead. But, Mr. President, they were together, equal, honored officers of the United States Army; and the voice of the American Legion is calling to you to-day, asking justice for those men who are enduring a living hell. They ask of you equality on the battle field as well as on it.

Mr. President, I dislike very much to take up the valuable time of the Senate, and would not have done so to-day were it not that I had been requested so to do, merely to be the voice of the service men's organization. I have, as briefly as possible, attempted to state their position. I thank you, Mr. President and Members of the Senate, for the privilege of thus addressing you.

Mr. BINGHAM. Mr. President, like the junior Senator from Colorado [Mr. MEANS], I am a service man. I learned to fly in 1917, and was in the Air Service for two years, until March, 1919. Like him, I am a member of the American Legion and have been since the beginning. I was appointed a member of the first committee of the American Legion in St. Louis, was a member of the organization committee in Connecticut, and a member of the executive committee of the American Legion in Connecticut during the first year of its existence, and a member of one of the executive committees of the American Legion, the committee on Americanization. I mention these facts, Mr. President, merely to show that, like the junior Senator from Colorado, I have an interest in the service man and in the Legion.

On the other hand, his record is far superior to mine. He has just received the distinguished service cross for gallantry in action in the Philippines during the Spanish-American War. He has the good fortune to command a regiment at the front, whereas it was not my fortune to see duty at the front for more than a couple of days. Nevertheless, in the Air Service I saw some of the many accidents and a great deal of loss of life in the course of training.

I desire to speak on this bill from two points of view, from the point of view of fairness to the soldiers of the World War, and from the point of view of the military policy of this country. I am interested in seeing this country adequately prepared for future wars. My experience in Washington, where I was on duty the first year of the war, led me to believe that one of the greatest dangers was moral, that the moral of the army might have ticketed me; can't you let me stay up here a little while longer. Mr. President, I say merely because one man...
given the privileges of retirement given to officers of the Regular Army. In other words, if I had been disabled while flying as a major and had lost two fingers of one hand, I would be entitled to the remainder of the life of the Army and for the rest of my life receive a salary of $2,250 a year; whereas if my mechanic, riding in the front seat with me in the plane, subject to exactly the same conditions as I, had been similarly injured, he would receive only $360 a year, which is a temporary disability permanent only $360 a year.

Mr. BURSUM. Mr. President—Does the Senator from Connecticut yield to the Senator from New Mexico?

Mr. BINGHAM. I yield.

Mr. BURSUM. Suppose a major of the Regular Army were retired on disability, both were members of the Regular Army, and the major should lose two fingers and the enlisted man should be injured similarly; would not the same be true of those two?

Mr. BINGHAM. Mr. President, I shall come to that a little later, if the Senator will allow me.

While taking my reserve military aviation tests in July and August, 1917, at Mineola, I had it on my schedule to receive at half past 9 one morning training in what is known as tight spirals by Captain Taylor, of the Army. At 9 o'clock another pupil was to receive a similar lesson, and he did go up. This officer had the grade of sergeant and the reserve officer had the grade of major, in order that he might have received that that time had the grade of major. Due to force of circumstances, I was more fortunate than he. When I came on duty I received the grade of major. When he came on duty, just as easily as I did, he received the grade of sergeant. So far as I know, his education, his ability, his flying and mechanical ability were equal or superior to mine, but I had been commissioned, and I received major's commission at that time. While he received only a warrant as sergeant.

We received our final flying training as reserve military aviators at Mineola together.

It was on a very hot day in July, when people were being prostrated by heat in New York City, he went up for his lesson. He got into a tail spin, the plane crashed, the captain-instructor was killed, and the sergeant was seriously injured. When I came down from preliminary flying to take my lesson, I found all flying had been called off because the teacher had been killed. This sergeant was in the hospital for over a year. I do not know his present condition, but I assume him to be 30 per cent disabled. I understand he recovered in large measure from his injury. Why should I receive, had I been in his place, seven times as much pension—for this is nothing but a pension measure when we get down to the facts—seven times as much as he, for the same injury, when we came into the Army as civilians at the same time?

Take another case. In flying across France in 1918, with a mechanical error, the pilot was killed, and the sergeant was injured. The area that was covered by vineyards and gardens, very bad country to fly in, no pasture lands, only a grassy swamp to land in, flooded among the vineyards and the grapevines. We landed in the swamp, immediately were capsized, and were killed in the course of that preliminary training, and scores were killed. The mechanic was in the front seat. Only a week before a captain in the Air Service had gone with his mechanic on a cross-country flight, had had the same fate, and the sergeant was killed, while the captain was seriously injured. It might have happened so to us; but, fortunately, the sergeant escaped injury. My eyes were filled with glass, and had it not been for the presence of an American telephone battalion in the vicinity, who brought over their doctor immediately, I might have received a very serious injury.

The sergeant who was in my plane, who might have been seriously injured, would have by law a certain grade of disability allowance. According to that law both officers and men are treated exactly alike, as in regard to the ability allowance. According to that law both officers and men are treated exactly alike, as in regard to the ability allowance. If both were similarly disabled, both would receive the same disability.

There were sergeant majors in the Army, there were first sergeants. Men of the same grade of injury who did not have other injuries could go up for a given class of disability, and the other man lose two fingers and the ability, of equal status, of equal rank in everything except the fortunes of war. One went to France as a major, the other as an enlisted man. If they were both injured equally one would get six or seven times as much as the other. That is not justice to the service man, Mr. President; at least, it does not seem so to me.

I do not desire to take up too much time, but I would like to call attention to the fact that under the World War veterans' act of 1924 all officers and enlisted men, irrespective of rank or grade, receive $10 a month for 10 per cent disability, $20 a month for 20 per cent disability, and so on up to $100 a month for total disability, or $200 per month for double total disability.

The Senator from Colorado [Mr. MEANS] pictured with great eloquence the man injured at the front, and no one has more sympathy with an injured service man than I. No one has more sympathy than I for the man injured in the course of his service.

At Issoumain, in France, where I commanded during the last four months of 1918, about 50 men were killed in flying training. About 20 young officers were killed in the course of giving flying instructions, and so far we have been unable to get any distinguished young men into the service. There were officers who day after day went into the air in those schools and combatted from two to four hours, maneuvered in the air against young cadets teaching them how to combat, so that they might go to the front and combat successfully against the Germans.

That was a dangerous service, but it was just as dangerous for the men who were learning to receive their commissions as it was for the men who were teaching and had commissions. According to our laws, if a man is very seriously injured, he can receive $200 a month for double total disability. Here appears to be a fair and reasonable grading of benefits according to the degree of injury, and without odious classification as to whether the beneficiary is a private or a general.

As Senators know, in the Air Service a man took his first training, and did not succeed to commission until he succeeded in getting his wings as a reserve military aviator. At the great flying schools at Fort Worth, where we were trained, we had a thousand men there—men or women. We landed among the gardens or the vineyards. We immediately had to enter as an enlisted man of the Regular Army, and the major should lose two fingers and the enlisted man should be injured similarly; would not the same be true of those two?

Mr. BINGHAM. Mr. President, I shall come to that a little later.

Retirement privileges and pensions should be kept distinct and separate on the statute books. Retirement is properly a charge against preparations, while pensions are properly an item in the cost of unpreparedness. This country must never again fail to take care of its war veterans. They should be cared for liberally and generously, together with all of the dependents of the dead and the helpless. We can not afford to do less, but we can not afford to do more. During the period of your service in the Senate, Civil War to secure retirement privileges and retirement legislation for the emergency officers of that war were unsuccessful, and yet during the four years of the Civil War there was far greater opportunity for the enlistment of just the higher ranking of rank than there was in the few months of the great World War.

Our soldiers and sailors should be pensioned according to the disabilities they have suffered, and not only in the rank in the service or their stations in civil life. It is believed that calm and unbiased reflection will convince one of the proposition that such a course is to transfer the real responsibility, the great responsibility, whether, in the opinion of a great many officers, superior to many commissioned officers in their usefulness and in their service. And yet by this bill those men who have reached the grade of sergeant major or first sergeant, for 30 per cent injury would receive only $860 a year, while a lieutenant colonel would receive $2,255 a year, or seven times as much. It does not seem to me just that such things should be, because men of both ranks came out of each other, at the same time, and under the same circumstances.

Take the case of two boys at Yale who went into the war. I believe in mind two rather distinguished young men, whose names I dare not mention, but who were both killed. One of them went to the Plattsburg training camp and was fortunate enough to receive the grade of major when he graduated, and went to the front. The other one was killed under the age necessary to entitle him to a commission and he had to enter as an enlisted man, but very rapidly rose to the grade of sergeant major. Both of those men were leaders in the Army. Both of those men were leaders in the Army. Both were members of the class of distinguished men of the Regular Army, and the major should lose two fingers and the enlisted man should be injured similarly; would not the same be true of those two?
that could not fail to lead to a complexity of injustices calculated to arouse the bitterest feelings.

We should minister to each and every one of them who suffered disability and infirmity according to the degree of said disability or infirmity.

Now, Mr. President, as to military policy. It is clearly shown by history that in a democracy there is no more difficult or thankless task than supporting a peace-time Army.

In time of war the citizen who volunteers for service is acclaimed rightfully as a patriot willing to give his life for his country. In peace time it is extremely difficult to get clear thinking of the importance of the Regular Army, which is to be the backbone of their defense in time of war. In peace time it is extremely difficult to get men of brilliant attainment to remain in the service as officers of the Regular Army. There are few if any officers in so much smaller a place than that of training soldiers in peace times. Everyone realizes this difficulty.

One of the greatest inducements to a high type, conscientious officer is the fact that if he will make soldiering his profession we promise to look after him in his old age, and if he is injured to give him retired pay in accordance with the grade which he reaches during his active service. In peace time it takes a great many years to secure a rank. Between the Spanish-American War and the World War there were first-class captains in the Army who did not secure promotion for a half a century. Such an officer might really become discouraged and so would leave the Army now and only come back in time of war except for the fact that by so doing he would lose the opportunity and advantage of being promoted with the rank which he had attained in time of war.

The present system encourages an officer to devote his life to military studies and to learn no other business or profession. The policy underlying this bill discourages him from doing so and encourages him to leave the Army, go out into the world of business and make something else his profession.

It is interesting to note that an officer of the Regular Army is actually deferred salary given in order to encourage him to stay in the service during peace time when the actual monetary compensation of his annual salary is small, the amount of goods and services from his service in peace to inducements for leaving the Army and going into civil life very great, particularly if he is an active, energetic, highly intelligent officer of the kind most needed in the Army.

Mr. President, it is well known that officers in the Army who receive a salary of $2,500 or $3,000 a year are often offered salaries of $10,000 if they would go into civil life. The highest type of soldier is the man who gets only the Army salary in a place where he could earn $10,000 or $15,000 a year in civil life, has a great inducement to go into civil life if he knows that in time of war he can then come back in the Army and serve his country. The American Legion and the Veterans of Foreign Wars have a bill, receiving only $2,500 a year or less. The type of officer I have in mind could easily have secured a position paying three or four times as much in civil life, and the probabilities are he could have chosen to do as much six or eight years before him, however, to go on and be a captain year after year, to serve his country in preparing and training soldiers, to give his life to it and get the salary at the Army because we promise him that at the end of that service he shall be retired and shall receive retirement pay and retirement allowances. If injured, he is retired. It is one of the most powerful inducements we have to keep the best men in the Army in times of peace.

This bill virtually lays down the policy which says to such an officer, You need not sacrifice yourself by staying in the Army because you get your experience, or as an instructor or as a leader of men. You may abandon the Army, go out into the commercial world, and take your chances of earning a comfortable competence, but you may enjoy as much of the good things of this world as other citizens of your ability. When war comes you may come back into the service and, if injured, enjoy virtually as much in the way of benefits of the retired officer as though you had remained in the Army all this time.

Retired pay is not a compensation. It is deferred salary to encourage a man to stay in the Army where there is a great need of trained officers of high ability.

In conclusion, after a careful study of this bill from the point of view of an emergency officer in the World War, and of one interested in seeing that our country is properly prepared so as to lessen the likelihood of future war, I am opposed to this bill on two main points. First, that the method of pay and retirement allowances is being raised merely because an adjustment might have taken place so that all the men of great ability would have become officers, but the World War instead of short a time, so far as we were concerned, and involved such a number of men being gathering into our Army that it is not strange to find that many sergeants were of far greater ability and of far more importance in winning the war than some of those who, like myself, were fortunate enough to secure a commission at the very beginning of their service. In view of these circumstances the amount of relief should depend on the nature of the injury and not on the rank which the soldier is fortunate enough to attain.

Finally, I should like to call attention to the fact that at the very beginning of the World War a number of our most enthusiastic patriotic young Nathan Hales immediately rushed into the service and volunteered. The first day the war was declared before we had made our plans for officers' training camps, before we had made our plans for properly commissioning them. Some of those young men stayed all through the war for more than a year and a half in France as enlisted men. Others more cautious, more far-sighted, more shrewd, looking after their own interests to a greater extent, waited for several months until they could succeed in going in as officers.

No one blames them for it. They went in. They volunteered; but they waited until they could go in as officers, and they served in the Army during the war. Now we are asked to pass a special bill which for circumstances it seems to me a great injustice to the splendid young volunteers who served at the beginning of the war, but who were not fortunate enough to secure commissions, that we should say that the number of men being gathered into our Army is not strange to find that many sergeants were of far greater ability and of far more importance in winning the war than some of those who, like myself, were fortunate enough to secure commissions.

Mr. REED of Pennsylvania. Mr. President, before the Senate votes on the pending bill it ought to have a clear understanding of the number of persons who will benefit by the legislation. Last year by the act of June 7, 1924, known as the Veterans' code, Congress voted a pension of $2,500 a year to several hundred thousand officers and men of our forces in the World War. Now we are asked to pass a special bill, not of $2,500 to our officers but of $3,000 to those who have been injured 30 per cent or more. It will affect immediately 1,615 former officers who are now permanently disabled 30 per cent or more. These are the figures up to December 31. In all, on that date there were 8,327 officers receiving compensation from the Veterans' Bureau under the act of June 7, 1924, but out of that 8,327 officers only 1,615 will benefit by the pending bill.

It has been argued to us with great eloquence that the American Legion and the Veterans of Foreign Wars and the other service organizations are behind the bill. I believe that their legislative representatives here in Washington are behind the bill. Mr. President, I have yet to hear a man who was an enlisted man in the Army in 1911 or 1918 who approves the bill. I have yet to find a single enlisted man who, when asked about it, has not replied that it is an inexcusable discrimination against those great body of enlisted men who made our Army and won the battles in the last war. How we can, in a democratic country like this, after war is over, that this man is to receive seven times what he is similarly situated and trainedrade is to be entitled to discriminate between private citizens in peace times in a country like this, passes my comprehension.

Most of the arguments that are directed against us are based on the theory that we are stingy and trying to withhold this money from these particular beneficiaries. Surely it is not necessary for us to answer that argument. I myself feared that the Veterans' code had no chance of becoming law. Hence the bill from the Senate and in conference. We knew all the time that it was adding $30,000,000 a year to our Veterans' Bureau out-
lay, but all of us were glad to do it. The Senate passed it unanimously, knowing that it cost that much, because its benefits were impartially given to all soldiers and sailors of which we were so proud. But now by this bill to pick 1,615 men out of that 4,500,000 is an unpardonable thing, and I do not believe the Senate ought to do it without a clear comprehension of what it does.

The cost is relatively limited. I understand the bill will cost some $700,000 or $800,000. That is a very small amount to take out of other people's pockets and Congress will not stop to ask what it means. But the principle of the thing is what offends those who have studied it.

The Senator from Connecticut [Mr. Bingham] has made very clear how that discrimination will work out against enlisted men. He is also worthy of notice that it is a gross discrimination among officers. If this proposed legislation be enacted an officer, a major, for instance, who is 25 per cent disabled, is going to get $300 a year; but a fellow officer in the same rank who may be only 30 per cent disabled—just 5 per cent more—is going to get seven times as much compensation. The major will get $2,250 a year if he be 25 per cent disabled, but he will only get $300 a year if he be 25 per cent disabled. Outside of an insane asylum who is there who could contrive a worse system than that?

Mr. BURSUM. Mr. President, will the Senator from Pennsylvania yield to me?

Mr. REED of Pennsylvania. I yield.

Mr. BURSUM. There must be a starting place and a stopping place somewhere.

Mr. REED of Pennsylvania. The stopping place, in my judgment, is to vote down this bill.

Mr. BURSUM. Of course, that is the main object of the Senator's argument; but there must be a starting point; there must be some point where disabled begins, below which a man is considered not disabled to such an extent as to prevent him from pursuing a vocation. The starting place in this instance is where it is more liberal to the Government than harsher to the applicant than the rule which has been adopted relating to the Regular Army.

Mr. BINGHAM. Mr. President, will the Senator from Pennsylvania yield to me?

The PRESIDENT pro tempore. Does the Senator from Pennsylvania yield to me?

Mr. BROOKHART. Mr. President:

The PRESIDENT pro tempore. Does the Senator from Pennsylvania yield to the Senator from Iowa?

Mr. REED of Pennsylvania. I yield.

Mr. BROOKHART. Does the Senator from Pennsylvania know whether the same soldier was also opposed to the bonus legislation?

Mr. REED of Pennsylvania. That I do not know; but I do know that the same kind of talk is being heard here in support of the bonus legislation. We were then told that every soldier that ever wanted the bonus, and that I, for example, was misrepresenting my comrades when I spoke against it; and yet with the Legion when they get applications they are publishing articles in the newspapers and asking men to apply for it, with everything that is being done to get the soldiers who were so "crazy" for this bonus to apply for it, that Congress has not yet been five per cent of them who have filed their applications. That is what the soldiers think of the bonus, and that is what they are going to think of this proposed legislation it should be enacted. Congress is going to hear from them and pass it.

Let me read to Senators, for example, what a private soldier who is still in the hospital has to say about the bonus bill.

Mr. D'ALE. Mr. President, will the Senator from Pennsylvania yield to me?

Mr. REED of Pennsylvania. I shall be glad to yield.

Mr. D'ALE. I apologize to the Senator for interrupting him just here, but the line of his argument was taking effect on me, and I did not get it all until I interrupted him. I wish to ask, Does the Senator think the same logic applies to this bill which applied to the bonus bill? He seems to put them on the same in his argument.

Mr. REED of Pennsylvania. No. The reason I mentioned the bonus was because the Senator from Iowa [Mr. Brookhart] referred to it. It is here where the arguments on the bonus bill was stated to us, and again that the overwhelming sentiment of the men who served in the Army was in favor of it. It was also said that I was committing my former grades to the Senate in the bonus bill; that they were all in favor of it; that the American Legion was in favor of it; and so it went. The Senator from Vermont remembers that?

Mr. D'ALE. I recall that.

Mr. REED of Pennsylvania. And I think that when Senators rise here and pretend to state what the whole Army thinks, we ought to take their statements “with a grain of salt’ because we find in the case of the bonus that they led us into the making of a great mistake which the country resents.

Mr. D'ALE. But could not a man who was enthusiastically in favor of the bonus just as consistently oppose this bill?

Mr. REED of Pennsylvania. Oh, certainly.

Mr. D'ALE. That was the point I had in mind.

Mr. REED of Pennsylvania. The bonus bill, in my judgment, was one great mistake among the beneficiaries. It did not give more to some than to others because of artificial distinctions between them; it was at least impartial.

Mr. D'ALE. The two measures are not identical at all.

Mr. REED of Pennsylvania. Oh, not at all; and the only reason I am mentioning the bonus is to caution Senators against statements that “all the soldiers want this” and “all the soldiers approve that.” Let us take those statements “with a grain of salt.”

Mr. BROOKHART. The Senator has not mentioned the bonus that was finally given to soldiers. It was not the kind they were asking for. Mortuary Insurance, without any cash option at all, was not very attractive to many soldiers.

Mr. REED of Pennsylvania. It seems not to have been.

Mr. GLASS. Mr. President—

Mr. REED of Pennsylvania. I yield to the Senator from Virginia.

Mr. GLASS. I am glad to observe that the Senator from Pennsylvania has found some merit in the bonus; I did not know that there was any. As a matter of fact, the ex-service men have had to be importuned to put in their application for the bonus which we gave them.

Mr. REED of Pennsylvania. Although an advertising campaign has been carried on, still 50 per cent of them will not take it.

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

Mr. REED of Pennsylvania. I yield briefly to the Senator from New York.

Mr. COPELAND. I do not think it fair for the Senator from Pennsylvania to make reference to the bonus, because the kind of bonus provided in the law which we passed the soldiers did not want.

Mr. REED of Pennsylvania. Then why did we pass it?

Mr. COPELAND. They did not want a graveyard monument; they wanted a cash bonus. That is the kind of bonus they were favoring, and if that had been the kind of bonus provided by the Congress I have no doubt that the very great majority of the soldiers would have applied for it.
Mr. REED of Pennsylvania. Then why did the Senator from New York advocate it so strongly if the soldiers did not want it?

Mr. COPeland. I advocated the cash-bonus idea, and perhaps I was almost the only Senator who did so.

Mr. REED of Pennsylvania. That is a side issue; it is water under the dam, but I thought it was appropriate, perhaps, to give that word of caution.

Mr. BROOKHART. Mr. President, I do not want the Recom to stand that the Senator from New York is the only one who advocated a cash bonus. There were a number of us who advocated that option on a roll call.

Mr. GLASS. And I have no doubt that we will have to vote on it again, and we will have an opportunity to do so.

Mr. BROOKHART. Oh, we will offer such an amendment some of these days.

Mr. REED of Pennsylvania. Mr. President, we are going to have bonus bills and pension bills coming up as regularly as the elections occur, and most of them are going to be passed, because most of us are going to be afraid to vote against them; everybody knows that.

Now, let me get back to the bill that is pending. Here is what an enlisted man still in the hospital suffering from a war-time disability thinks of the bill on which Senators are about to vote.

The letter from which I shall read comes from a patient, Charles E. Stevenson, who is now in the Veterans' Bureau Hospital at Oteen, N. C. His letter is too long to read to the Senate now, but I will quote two paragraphs from it:

Why should a small class, because they were lucky enough to hold commissions granted during the confusion and stress of war, be placed on easy street the remainder of their natural lives while the great majority of their comrades in the struggle are endowed with no such privilege?

This is not a tribute against officers. The officers as a whole were splendid types of men and did their job thoroughly in the war. But did they do any more thoroughly and any more wholeheartedly than the men in the ranks? Then, too, officers in war and officers in peace are two different matters. Military discipline necessitates a certain amount of caste system, but civil life does not, and why place a premium upon a Prussian military system of caste which does not belong in the civil life of America and is opposed to all the democratic ideals and institutions of the American people?

There can be but one conclusion as concerns the Bureau emergency officers' bill—it is unfair. It is unfair to the officers because it seems to place them in an unpleasant position—the position of seeming to enjoy unfair advantages over their comrades in arms. It is unfair to the enlisted men because it is a rank discrimination against them both as a class and as individuals.

That is the opinion of an enlisted man who is still in the hospital.

Mr. President, I ask that there may be printed in the Recom at this point a statement from the Veterans' Bureau showing the number of officers that are receiving compensation, their rank, the amount paid, the amount paid in December 1924, the amount paid in December 1925, and the amount paid in December 1926.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The statement is as follows:

<p>| Army officers' compensation—Active disability cases, correlated with rank, degree of impairment and extent of disability, showing number and amount of monthly payments, December 31, 1934. (All districts, foreign countries, central office and bureau employees). |
|----------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|
| Extent          | General     | Colonel     | Lieutenant  | Major       | Captain     | First        | Second      | Total       |              |              |              |</p>
<table>
<thead>
<tr>
<th>Degree impairment</th>
<th>Number</th>
<th>Monthly payment</th>
<th>Number</th>
<th>Monthly payment</th>
<th>Number</th>
<th>Monthly payment</th>
<th>Number</th>
<th>Monthly payment</th>
<th>Number</th>
<th>Monthly payment</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>T. P.</td>
<td>10-19</td>
<td>500</td>
<td>293</td>
<td>175</td>
<td>539</td>
<td>209</td>
<td>604</td>
<td>315</td>
<td>1,175</td>
<td>296</td>
<td>7,485</td>
</tr>
<tr>
<td></td>
<td>20-29</td>
<td>150</td>
<td>70</td>
<td>7</td>
<td>192</td>
<td>75</td>
<td>36</td>
<td>53</td>
<td>329</td>
<td>9</td>
<td>2,636</td>
</tr>
<tr>
<td></td>
<td>30-39</td>
<td>50</td>
<td>25</td>
<td>5</td>
<td>69</td>
<td>60</td>
<td>20</td>
<td>10</td>
<td>157</td>
<td>3</td>
<td>1,763</td>
</tr>
<tr>
<td></td>
<td>40-49</td>
<td>15</td>
<td>10</td>
<td>6</td>
<td>40</td>
<td>35</td>
<td>15</td>
<td>10</td>
<td>90</td>
<td>0</td>
<td>114</td>
</tr>
<tr>
<td></td>
<td>50-59</td>
<td>5</td>
<td>4</td>
<td>1</td>
<td>16</td>
<td>11</td>
<td>4</td>
<td>1</td>
<td>21</td>
<td>0</td>
<td>28</td>
</tr>
<tr>
<td></td>
<td>60-69</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>6</td>
<td>4</td>
<td>1</td>
<td>1</td>
<td>12</td>
<td>0</td>
<td>13</td>
</tr>
<tr>
<td></td>
<td>70-79</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>6</td>
<td>4</td>
<td>1</td>
<td>1</td>
<td>12</td>
<td>0</td>
<td>13</td>
</tr>
<tr>
<td></td>
<td>80-99</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>6</td>
<td>4</td>
<td>1</td>
<td>1</td>
<td>12</td>
<td>0</td>
<td>13</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>3</td>
<td>2</td>
<td>1</td>
<td>15</td>
<td>14</td>
<td>4</td>
<td>1</td>
<td>18</td>
<td>0</td>
<td>21</td>
</tr>
<tr>
<td>P. P.</td>
<td>10-19</td>
<td>500</td>
<td>293</td>
<td>175</td>
<td>539</td>
<td>209</td>
<td>604</td>
<td>315</td>
<td>1,175</td>
<td>296</td>
<td>7,485</td>
</tr>
<tr>
<td></td>
<td>20-29</td>
<td>150</td>
<td>70</td>
<td>7</td>
<td>192</td>
<td>75</td>
<td>36</td>
<td>53</td>
<td>329</td>
<td>9</td>
<td>2,636</td>
</tr>
<tr>
<td></td>
<td>30-39</td>
<td>50</td>
<td>25</td>
<td>5</td>
<td>69</td>
<td>60</td>
<td>20</td>
<td>10</td>
<td>157</td>
<td>3</td>
<td>1,763</td>
</tr>
<tr>
<td></td>
<td>40-49</td>
<td>15</td>
<td>10</td>
<td>6</td>
<td>40</td>
<td>35</td>
<td>15</td>
<td>10</td>
<td>90</td>
<td>0</td>
<td>114</td>
</tr>
<tr>
<td></td>
<td>50-59</td>
<td>5</td>
<td>4</td>
<td>1</td>
<td>16</td>
<td>11</td>
<td>4</td>
<td>1</td>
<td>21</td>
<td>0</td>
<td>13</td>
</tr>
<tr>
<td></td>
<td>60-69</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>6</td>
<td>4</td>
<td>1</td>
<td>1</td>
<td>12</td>
<td>0</td>
<td>13</td>
</tr>
<tr>
<td></td>
<td>70-79</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>6</td>
<td>4</td>
<td>1</td>
<td>1</td>
<td>12</td>
<td>0</td>
<td>13</td>
</tr>
<tr>
<td></td>
<td>80-99</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>6</td>
<td>4</td>
<td>1</td>
<td>1</td>
<td>12</td>
<td>0</td>
<td>13</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>1</td>
<td>2</td>
<td>1</td>
<td>15</td>
<td>14</td>
<td>4</td>
<td>1</td>
<td>18</td>
<td>0</td>
<td>21</td>
</tr>
<tr>
<td>Grand total</td>
<td></td>
<td>4</td>
<td>2</td>
<td>1</td>
<td>15</td>
<td>14</td>
<td>4</td>
<td>1</td>
<td>18</td>
<td>0</td>
<td>21</td>
</tr>
</tbody>
</table>

Compiled by Statistics and Costs Division, Central Service.

Mr. REED of Pennsylvania. The totals are, 8,207 officers receiving compensation in some amount; only 1,618 of them receive compensation for 30 per cent permanent disability or more. That is to say, 80 per cent of the officers who are disabled to some extent will not be benefited by this bill.

Mr. HARRELD. Mr. President, do you mean to say that the limit is fixed now? Suppose that hereafter an officer becomes disabled more than 30 per cent and is able to trace the disability back to the service; what will happen?

Mr. REED of Pennsylvania. I am glad the Senator asked that question. I am trying to give the figures as they stand to-day, but I want to couple that with the statement that I fully expect the rank, the officers who are now being carried on the temporary disability roll and not included in these figures will be transferred to the permanent disability roll, and that will increase the number beyond 1,618.
Mr. FESS. I am speaking of an incident about which I know. It is not a matter of luck in that case. They both go into the service. They are both injured alike. Now, I am not sure that there is any injustice in the fact that the one will be removed and the other not, because we are asking the officers to do one of the most difficult things that has ever been asked of them. I am afraid that the one who is not retired is going to consider it an injustice when he draws $360 a year, let us say, and he sees his brother, the major, get the same amount, and he is going to come right here to Congress and do his howling, and we are going to be asked to treat everybody the same.

Mr. FESS. I admit that he will howl; but the question is whether there has really just any justification for it. In the day it takes to do one's work, I do not think the ideas that we are trying to develop in the country, that men ought to make the most out of themselves, and there ought to be a premium upon the one who does really achieve.

Mr. REED of Pennsylvania. But, Mr. President, the war did not last long enough for all men to reach their proper level. War shakes them up pretty fast, and men were gradually gravitating to the place in the scale where they belonged; but the process was not finished. As I said in the debate the other day, it takes ten times the character and force and ability to make a good first sergeant in a company of infantry or a battery of field artillery than it does to make a second lieutenant in the Quartermaster's Department here in Washington. It is necessary to do it to hold good men in the Army. They give up all chances of laying by anything for their families. They give up all chances of commercial business. They are in the Army during the time when being in business is drudgery. We civilians get the best of it so far as the Army goes. We go in there when it is interesting.

Now, another question, if the Senator will answer my question. What is the argument that we should not treat the reserve officers the same as the Regular Army officers?

Mr. REED of Pennsylvania. The very obvious argument that the Army officer's retirement privilege is a part of his contract with the Government, just like his active service pay. It is necessary to do it to hold good men in the Army. They give up all chances of laying by anything for their families. They give up all chances of commercial business. They are in the Army during the time when being in business is drudgery. We civilians get the best of it so far as the Army goes. We go in there when it is interesting.

Mr. BURSUM. Mr. President?

Mr. REED of Pennsylvania. Just wait a minute, if the Senator please.

Mr. BURSUM. I wanted, just at that point, to call the Senator's attention to this situation: As a matter of fact, there are 10 applicants to enter the Army where there is one vacancy. If you let out 10 officers to-morrow, you would have a hundred applicants to take their places, and the favor is not local. The department, but the favor is not local. The favor is not local.

Mr. REED of Pennsylvania. Of course there is not, and we do not want there to be any scarcity, because we always want there to be a group of applicants from the same states. The favor is not local.

Mr. FESS. Yes; I think it is true, just at that point. If the Senator will answer my question, I think that is pretty fortunate.

Mr. BURSUM. Yes; I think it is true, just at that point. Mr. FESS. Yes; I think it is true.

Mr. FESS. Yes; I think it is true, just at that point.

Mr. BURSUM. Yes; I think it is true.

Mr. FESS. Yes; I think it is true.
Mr. BURSUM. I think there is a distinction there. I think Mr. Reed's bill has an opportunity in his profession or his business to lay by a competence that the regular law does not. Is that the Senator mean?

Mr. FESS. Yes; that is what I mean.

Mr. BURSUM. Now, Mr. President, I have just one more suggestion to make. Mr. FESS. If the Senator will permit me one-half minute, I do not yield to the pressure that a lot of people want this. I do not ask for a amendment from the Bureau. Otherwise we might be reining everybody, and ultimately nobody would be doing anything for the Government, and the Government would be doing everything for everybody. I do not think that kind of argument at all; but the justice of the case has been in my mind, and I thank the Senator for his indulgence.

Mr. REED of Pennsylvania. I thank the Senator for his observations.

Mr. WADSWORTH. Mr. President, will the Senator from Pennsylvania permit me—I shall take but a moment—to call his attention and the attention of Senators who are interested in this matter also to a very important precedent established in this matter by the House of Representatives in 1917.

The Senator will recollect that the war risk insurance act was introduced in the House committee in 1917, and was considered on the floor of the House on September 33 of that year.

Mr. FESS. And passed October 6.

Mr. WADSWORTH. And this is important: That bill provided for death benefits under an insurance scheme. That bill, as reported from the committee, made a distinction between officers and enlisted men in the matter of death benefits. Now, this is on all fours with this discussion:

For example, that bill allowed the private soldier the insurance benefit which would come from a policy of $16,000 or $17,000. Under that bill as reported a colonel would have received insurance benefits under a policy capitalized at $25,000, and the heirs of a brigadier general would have received death benefits under a policy capitalized at $35,000. That was the first attempt to distinguish between enlisted men and officers, and as between officers themselves, in the matter of pensions or death benefits. What happened in the House of Representatives?

That proposal was attacked upon the floor of the House by Mr. BLACK, I think, a Representative from Texas. He pointed out that there was a distinction between officers and enlisted men, and as between officers themselves, in the matter of pensions or death benefits. What happened in the House of Representatives?

Mr. BLACK. I think that the majority of those who would be the beneficiaries of that bill never had a career in the armed service as such. I can not be severally called to your attention that the legislation in the Senate and the Congress has been so liberalized that those who have not been members of the armed service have been afforded the benefits of the legislation in the Senate and the Congress, and there is a very large number of Congressmen who have been in the war, and have been in the Congress, and have been in the armed service in their youth, and have been afforded the benefits of the legislation in the Senate and the Congress.

Mr. BURSUM. I think that the Senators who are interested in this case are interested in the principle of the bill, and not necessarily in the fact that it is a benefit to the soldier. It is a benefit to the soldier, and it is a benefit to the service, and it is a benefit to the country.

Mr. FESS. Under the unanimous consent agreement, I would like to say that the American Veterans of the World War was reported from the House committee in 1917, and was passed by the House of Representatives here in Washington for a week, and then the debate was postponed. As you doubtless know, the American Veterans of the World War at its last three national conventions heartily endorsed the passage of a bill. This action is quite significant when I point out to you that the vast majority of our members were enlisted personnel during the war. Three of our four national vice commanders and myself, as national commander, served during the war as enlisted men, and representing as we do the disabled veterans of the entire country, I urge in their name that the United States Senate pass favorably upon this piece of legislation.

This organization, as you already know, was one of the three recognized by the United States Congress in the World War veterans' act as the legitimate veterans' organizations in existence today representing the disabled veterans. The passage of this bill was urged very strenuously at our last national convention in Salt Lake City during the month of June, 1924. This, I know, will convince you that the enlisted men of this country, and particularly the disabled enlisted men, by their own voice are absolutely in favor of granting retirement privileges as included in this Senate bill No. 33. 

Appreciating your interest in all disabled veterans' legislation, I am, Sincerely yours, FRANK J. IRWIN.

Mr. BINGHAM. Mr. President—

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

Mr. BURSUM. I am sorry, but I now yield. I have only 10 minutes. The Senator had his time.

Mr. BINGHAM. May I have just a moment?

Mr. BURSUM. Is it for the purpose of having something inserted in theRecord?

Mr. BINGHAM. No; I want to make a statement, which will take only a minute.

Mr. BURSUM. I can not yield for that purpose, because I have so little time. I will get through as quickly as I can and give the Senator the balance of my time.

Mr. KING. Mr. President, a parliamentary inquiry. The PRESIDING OFFICER. The Senator will state his inquiry.

Mr. KING. Under the unanimous consent agreement must amendments be tendered before 2 o'clock, or may they be tendered after 2 o'clock?

The PRESIDING OFFICER. They may be tendered after 2 o'clock.

Mr. BURSUM. Either before or after; there is no limit on that. The debate is all that is limited.

I have sent to the desk an amendment which would include those persons who served in the naval establishment. There are officers who have not been taken care of under the law of 1920. Most of them were taken care of under that act, and some have been taken care of by special acts of Congress, but there are still a few who are entitled to relief under the law of 1920, and I have included those in my amendment.

Mr. BINGHAM. Mr. President, will the Senator yield for a question?

Mr. BURSUM. I yield.
Mr. BINGHAM. Is it not true that a bill similar to this was passed to place naval officers on the retired list, but was afterwards repealed when its injustice was pointed out?

Mr. BURSUM. It was repealed after nearly all of them had been retired; but Congress has from time to time given other benefits. We believe all those entitled to had secured their retirement. That was the ground of the repeal of the act.

Mr. KING. Mr. President, if I may be permitted to interject, I am a member of the Committee on Naval Affairs from Connecticut in right. I happen to be a member of the Naval Affairs Committee.

Mr. HALE. Mr. President, I think I can explain that in a few words without making too much of a speech. The law was not repealed; it was limited so that in order to come under it a man had to apply before October 21, 1921.

Mr. BURSUM. Yes; it was a limitation.

Mr. HALE. It was a limitation, and there were a number of men who did not come under that, who would come under this amendment proposed by the Senator.

Mr. BURSUM. Mr. President, I offer the amendment because identically the same principle is involved in it as is involved in the bill which I have in charge, so I can see no objection to it. It will cost very little in addition to what the Government is already paying.

I think I can explain, with the statement of the Senator from Pennsylvania [Mr. Reed] that most of the men to be benefited by this act have not seen service. My conclusions are formed from the testimony given before the Committee on Military Affairs on July 17, 1921, when it was estimated from the records of the department that there were from 1,200 to 1,800 men who would benefit by this act. Of course, it is hard to be absolutely accurate, but the estimate at that time was so close to the present estimate is now that I am convinced that nearly all of those who would benefit did see service, that they saw service overseas, that they were under fire, and participated in battle.

I adopt to the proposition of Congress being harrassed about future legislation and this only being an entering wedge, there is nothing to that kind of a proposition. Are we to vote on legislation one way or the other because of the fear that soon to come will be bedeviled by someone who seeks the passage of some bill? That would be a very cowardly position. If we are not competent to resist those who would seek the passage of bills, we are not competent to sit here as Senators.

The Senator from Pennsylvania has dwelt on the subject of equality. I regret that my time is so limited. I am given only about 10 minutes against 45 the Senator from Pennsylvania had, but I figure that the justice of my cause will make up for the difference in the time.

The Senator from Pennsylvania speaks about equality. There is no equality except in opportunity under the law, save in two instances. One is when we come into the world, the other is when we go out. One instance will be bedeviled by someone who seeks the passage of some bill. That would be a very cowardly position. If we are not competent to resist those who would seek the passage of bills, we are not competent to sit here as Senators.

Mr. BURSUM. Mr. President, if I may be permitted to interject, I am a member of the Committee on Naval Affairs from Connecticut in right. I happen to be a member of the Naval Affairs Committee.

Mr. REED. Mr. President, I want to ask the Senator if he will give us an opportunity to give the Senator the benefit of the act.

Mr. BURSUM. Oh, yes; there will be the equality of opportunity. The only thing this bill does is to recognize men who take advantage of opportunity, and who were able to become leaders, were able to occupy places of responsibility.

Mr. President, that is the case all through life. We have our Washington, our Lincoln, and our Roosevelt in political life. Those men were outstanding men in the eyes and minds of people of the world and of this country. General Pershing, in the Army we had our Grant, and we had our Lee in the Secession, and we had other great and distinguished men who came to the front and who were recognized and compensated. That is the reason we have the same policy in the department of war, leaders in industrial affairs, leaders in railroads, leaders in everything else. I suppose there may be those who would say that there should not be any leadership in anything, that everybody must be equal.

The Senator from Pennsylvania stated that no enlisted man has come out in favor of this bill. I know of one man. I have a letter before me from a man who lives in Utica, Miss., who was an enlisted man. First, he says that he is not related to any officer and that he has been in France. He says he is for this bill. He also makes this point:

Colonel Bo-and-so has served 30 years in the National Guard, during all of which time he received no pay. I am for my colonel getting a fair deal as against the colonel who comes from the Regular Army.

This man served 30 years in preparation, equipping himself to make himself competent under fire, to become an officer, to become efficient to do his duty, just the same as those who happened to be trained at West Point.

I want to make this point with regard to the emergency officers that the same treatment given officers of the Regular Army, men who served side by side and met the same hazards, the same enemy, the same bullets, and suffered the same consequences, but there is no such thing as equality except under the law.

Mr. BURSUM. The Senator from Pennsylvania has dwelt on the subject of the amount of money that will be given to this one man. How much will it amount to? I am sure that the Senator will publish what it amounts to. It will probably amount to a little over $400 a year. That is a little over $1,000 a year.

It is not the number of cases, but is the principle we are upholding. I only ask that the Senate will give this bill its consideration.
2. Captain A resided in a city where the National Guard organization was under the command of Colonel A, who frequently solicited him to join and to take part in the work of getting the organization in shape for active service. Captain A declined and devoted all of the time to his personal affairs, never manifesting the slightest interest in the military company. When war was declared, Captain A finding that he is within the draft age, went to a training camp and after three months there is commissioned a captain. He goes to France and returns home minus one eye. Although his disability does not seriously interfere with his occupation, he is retired on three-fourths of his active pay for life.

The above illustration, Senator, is not far-fetched, but there are numerous examples that we meet every day that illustrates the cruel and glaring discrimination that now exist among the different classes of officers.

I trust you will pardon the length of my letter. It has been lengthy because the National Guard is now on a basis where in the future its service to the Nation will almost equal that of the Regular Service, and I know that the failure of many disabled men of the Nation, young men of the Nation, will have to serve free during peace times and gallantly in defense of this Nation, respectfully consideration, but when they state that the enlisted men of the National Guard, you will have to serve free during peace times and when war is declared lead their commands gallantly in defense of this Nation, I say that they are mistaken, but that the enlisted men who followed these disabled officers feel that they were just as gallant and just as brave as any officers who ever drew a sword in defense of the Nation and that they should be accorded the same treatment extended by the Congress to the emergency officers of the Navy and Marine.

With profound respect, I am,

Yours truly,

JOHN L. PLEWESIAN,
Private, One hundred and sixty-first Infantry, Forty-first Division.

DISABLED AMERICAN VETERANS OF THE WORLD WAR,

HON. H. O. BURSUM,
United States Senate, Washington, D. C.

My dear Sir: I respectfully request you to read this letter into the Record of to-day's Senate. I understand that S. 23, providing for the retirement of the disabled emergency officers of the late war, is to be voted upon this afternoon, and I desire that the Senate know the attitude of this organization, which is one of the three recognized under the World War veteran's act of Congress.

The Disabled American Veterans of the World War at its last three national conventions went on record unanimously in favor of the passage of this piece of legislation. Significance of this action is that this organization is composed of the disabled veterans of the World War, the vast majority of whom were enlisted personnel. It is quite significant also that the present national commander and three of the four national vice commanders served during the World War as enlisted men. We do not feel that the granting of these retirement privileges is discriminatory in any sense against the enlisted men; on the contrary, we feel that the bill itself is fair and just, and its defeat would indeed be discrimination against those emergency officers of the United States Army who were disabled in line of duty.

The enlisted men of the late war feel very proud of their emergency officers, many of them having been promoted from the ranks. It is quite probable, of course, that a few individual enlisted men might possibly feel that this bill discriminates against them, but the vast majority of those men who paid the sacrifice in France and Belgium honor the names of those young officers who led them into battle for them, and by their meritorious actions inspired the rank and file to greater efforts.

I beg to remind the Senate again that an expression from this organization, speaking of the disabled emergency officers of the late war, should be discriminated against. It is more than an expression from any other group, due to the fact that our membership are those who are receiving compensation from the Government, and if we feel that this bill is not discriminating against us I know you will appreciate that any other expressions from individuals who would not be materially affected should be discounted.

Respectfully yours,

FRANK J. IRVIN,
National Commander.

The President pro tempore. The hour of 2 o'clock having arrived, debate upon the bill will be resumed. Mr. KING. Mr. President, I offer the following amendment to the pending bill.

The President pro tempore. The Clerk will report the amendment.

Mr. KING. I want to make it uniform and give the advantages to officers in the Civil War, the Mexican War, the Indian wars—

The President pro tempore. Debate has ceased under the unanimous-consent agreement. The Clerk will report the amendment.

The Reading Clerk. On page 1, line 4, after the word "Army," insert the words "or naval service," so as to read:

That all persons who have served as officers of the Army or naval service of the United States—

And so forth.

The amendment was agreed to.

Mr. BURSUM. On page 1, line 5, after the word "Army," I move to insert the words "or permanent officers of the regular naval service."

Mr. KING. Mr. President, I ask unanimous consent, notwithstanding the rule, that the Senator in charge of the bill who has offered the amendment may have an opportunity for two minutes to explain its effect.

The President pro tempore. The Senator from Utah asks unanimous consent that the Senator from New Mexico may have an opportunity to explain the amendment which he has just offered. Is there objection?

Mr. BORAH. Is there no limit of time whatever?

Mr. KING. Two minutes.

The President pro tempore. There is no debate under the unanimous-consent agreement already reached. The request of the Senator from Utah for unanimous consent as stated. The Chair hears no objection.

Mr. BURSUM. Mr. President, I explained this amendment a few moments ago. It takes care of the emergency officers of the Navy who had not already been retired.

Mr. HARRISON. Mr. President, a parliamentary inquiry. The President pro tempore. The Senator from Mississippi will state it.

Mr. HARRISON. Under the order is debate allowed after 2 o'clock?

The President pro tempore. The original order was that debate should cease at 2 o'clock. The Senator from Utah asked unanimous consent that the Senator from New Mexico might explain the amendment.

Mr. HARRISON. If the Senator from New Mexico wants to prolong discussion of the bill, well and good.

Mr. ASHURST. Let us have an understanding about this matter.

Mr. BURSUM. I am allowed just two minutes.

Mr. ASHURST. Does that mean that each Senator shall have two minutes?

The President pro tempore. The request was confined to the Senator from New Mexico.

Mr. KING. I merely wanted to say that it was an invasion of the rights of the Committee on Naval Affairs. I call for a vote.

Mr. BURSUM. Very well, let us vote on the amendment.

On a division, the amendment was agreed to.

Mr. KING. Mr. President, I offer the following amendment.

In line 6—

Mr. BURSUM. Mr. President.

The President pro tempore. The Senator from Utah is offering an amendment.

Mr. BURSUM. But the amendment which I sent to the desk has not been stated.
The PRESIDENT pro tempore. The Senator from New Mexico can not offer two amendments at the same time.

Mr. BURSUM. The object of the whole amendment is apparent in the first line, and the others are merely correcting the same thing in the bill.

The PRESIDENT pro tempore. The Senator from Utah is recognized.

Mr. KING. In line 6, page 1, after the word "disability," I move to insert "in the course of an engagement with the enemy."

The PRESIDENT pro tempore. The amendment will be stated.

The READING CLERK. On page 1, line 6, after the word "disability," insert the words "in the course of an engagement with the enemy," so as to read:

That all persons who have served as officers of the Army of the United States during the World War, other than officers of the Regular Army who during such service in the course of an engagement with the enemy have incurred physical disability in line of duty—

And so forth.

The amendment was rejected.

Mr. BURSUM. I offer the amendment which I send to the desk.

The PRESIDENT pro tempore. The amendment will be stated.

The READING CLERK. On page 2, line 8, after the word "service," insert the words "or released from active duty."

The amendment was agreed to.

Mr. BURSUM. I now offer the following amendment.

The PRESIDENT pro tempore. The amendment will be stated.

The READING CLERK. On page 2, line 11, after the word "Army," insert the words "or regular naval service."

The amendment was agreed to.

Mr. BURSUM. I offer another amendment.

The PRESIDENT pro tempore. The amendment will be stated.

The READING CLERK. On page 2, line 14, after the word "service," insert the words "or released from active duty."

The amendment was agreed to.

Mr. BURSUM. I offer another amendment, which I send to the desk.

The PRESIDENT pro tempore. The amendment will be stated.

The READING CLERK. On page 3, line 3, after the word "Army," insert the words "or regular naval service."

The amendment was agreed to.

Mr. BURSUM. I now offer the amendment which I send to the desk.

The PRESIDENT pro tempore. The amendment will be stated.

The READING CLERK. On page 3, line 7, after the word "Army" and before the comma, insert the words "or permanent officers of the regular naval service."

The amendment was agreed to.

Mr. BURSUM. I offer another amendment, which I send to the desk.

The PRESIDENT pro tempore. The amendment will be stated.

The READING CLERK. On page 3, line 16, after the word "service," insert the words "or released from active duty."

The amendment was agreed to.

Mr. BURSUM. I now offer another amendment, which I send to the desk.

The PRESIDENT pro tempore. The amendment will be stated.

The READING CLERK. On page 3, line 22, after the word "Army," insert the words "or regular naval service."

The amendment was agreed to.

Mr. BURSUM. I offer still another amendment, which I send to the desk.

The PRESIDENT pro tempore. The amendment will be stated.

The READING CLERK. On page 3, line 23, after the word "Army," insert the words "or Navy."

The amendment was agreed to.

Mr. REED of Pennsylvania. Mr. President, I offer the amendment which I send to the desk.

The PRESIDENT pro tempore. The Senator from Pennsylvania offers the following amendment, which the Clerk will report.

The READING CLERK. On page 1, in line 3, after the word "officers," insert the words "or noncommissioned officers."
The PRESIDENT pro tempore. The Senator from Mississippi will state his point of order.

Mr. HARRISON. I raise the point of order that the Senator from Utah can not appear; there is nothing from which to appeal.

Mr. KING. I did not appeal; I challenged the count of the Chair and asked for a recount.

The PRESIDENT pro tempore. The Chair will submit the question again. Senators who desire to second the demand of the Senator from Pennsylvania for a roll call will raise their hands. [A pause.] The demand is sufficiently seconded, and the Secretary will call the roll.

Mr. PITTMAN. Mr. President, I merely wish to say that I observed the seconding of the demand, and there were more who seconded it on the resubmission than on the first occasion. I say that merely for the benefit of the Chair. From my observation, I had the same opinion on the first decision as that held by the Chair.

The PRESIDENT pro tempore. The Secretary will proceed with the call of the roll.

The reading clerk proceeded to call the roll.

Mr. KING (when his name was called). Upon this question I have a pair with the junior Senator from Missouri [Mr. Scudder], I transfer that to the senior Senator from Missouri [Mr. Fess], and vote "yea."

Mr. OVERMAN (when his name was called). Again announcing my pair with the senior Senator from Wyoming [Mr. Warren], I withhold my vote.

The roll call having been concluded, the result was announced—yea 28, nays 46, as follows:

YEAS—28
Ashurst Edge
Bayard Ferris
Bingham Fernald
Borah Fess
Brookhart Glass
Bruce Greene
Carpenter Hargrave
Carr
Dial Harris
Dill Ladd

NAYS—46
Ball Briggs
Broomhall Broderick
Burwell Bingham
Cameron Copeland
Curtis Dale
Ernest Faull
Fernald Heffin

NOT VOTING—17
Caraway Edwards
Elkins Geyer
La Follette Reed

So the amendment of Mr. Reed of Pennsylvania was rejected. Mr. WADSWORTH. Mr. President, I offer the amendment which I read to the desk and ask to have stated.

The PRESIDENT pro tempore. The Secretary will state the amendment offered by the Senator from New York.

The Reading Clerk. On page 2, line 17, after the word "pay," it is proposed to strike out the remainder of the proviso and insert, "of a second lieutenant serving in the first pay period as provided in the act of June 16, 1922."

Mr. WADSWORTH. I ask that the Clerk read the context, including this proposed amendment, so that it will be perfectly clear what it does.

The PRESIDENT pro tempore. The Secretary will read what immediately precedes and what immediately follows the amendment offered by the Senator from New York. [A pause.]

Mr. WADSWORTH. May I have permission to read it while the amendment is being prepared.

The PRESIDENT pro tempore. If there be no objection, the Senator from New York may read the amendment.

Mr. WADSWORTH. Referring to these officers, the language will read, if this amendment is adopted—and shall be entitled to the same privileges as are now or may hereafter be provided by law or regulations for officers of the Regular Army who have been retired for physical disability incurred in line of duty, and shall be entitled to all hospitalization privileges and medical treatment as are now or may hereafter be authorized by the United States Veterans' Bureau, and shall receive—

And this is where the amendment comes in, in a moment—and shall receive from date of receipt of their applications retired pay at the rate of 75 per cent of the pay of a second lieutenant serving in the first pay period as provided in the act of June 16, 1922. It limits this retired pay to the retired pay of a second lieutenant.

The PRESIDENT pro tempore. The amendment is not open to debate. The question is upon agreeing to the amendment proposed by the Senator from New York.

Mr. WADSWORTH. I call for the yeas and nays.

The yeas and nays were ordered, and the reading clerk proceeded to call the roll.

Mr. KING (when his name was called). I transfer my pair with the Senator from Missouri [Mr. Scudder] to the Senator from Arizona [Mr. Ashurst], and will vote "yea."

Mr. OVERMAN. I am paired with the Senator from Wyoming [Mr. Warren]. That Senator is absent, and I therefore withhold my vote.

The roll call having been concluded, the result was announced—yea 20, nays 54, as follows:

YEAS—20
Bayard, N. Y. Dill, Wash. Norris
Bingham, Wash. Dill, Pa. Norris
Borah, Idaho Fess, Idaho Stephens
Burwell, Idaho Harris, Utah Smith
Bingham, Utah Harris, Minn. Smith
Bruce, Minn. Heffin, Iowa Sterling
Bingham, Utah Heflin, Miss. Sterling
Bingham, Utah Heffin, Miss. Sterling
Bingham, Utah Heffin, Miss. Sterling
Bingham, Utah Heffin, Miss. Sterling
Bingham, Utah Heffin, Miss. Sterling
Bingham, Utah Heffin, Miss. Sterling

NAYS—54
Ball, Idaho Fletcher, Idaho Keckler, Idaho Keckler, Idaho
Broomhall, Idaho Frazier, Idaho Keckler, Idaho Keckler, Idaho
Burwell, Idaho Broderick, Idaho Keckler, Idaho Keckler, Idaho
Cameron, Idaho Gooding, Idaho McMeans, Idaho McMeans, Idaho
Dale, Idaho Keyes, Idaho Phillips, Idaho
Ernest, Idaho Keys, Idaho Phillips, Idaho
Fernald, Idaho Ladd, Idaho Ransdell, Idaho

NOT VOTING—22
Ashurst, Idaho La Follette, Idaho Robinson, Idaho Underwood
Caraway, Idaho McMurry, Idaho Shidell, Idaho Shidell, Idaho
Edwards, Idaho McKinley, Idaho Shidell, Idaho Shidell, Idaho
Elkins, Idaho Overman, Idaho Smoot, Idaho Smoot, Idaho
Geyer, Idaho Owen, Idaho Smoot, Idaho Smoot, Idaho
Harrison, Idaho Pittman, Idaho Stanfield, Idaho Stanfield, Idaho

So Mr. WADSWORTH'S amendment was rejected.

Mr. KING. Mr. President, I offer the following amendment: On page 3, line 20, after the word "bureau," I move to strike out the following words:

"and open to amendment."

And make a period after the word "bureau" in line 20. In other words, the amendment is to strike out all of line 20 after the word "bureau" and all of lines 21, 22, and 23, down to and including the word "duty" in line 23.

The PRESIDENT pro tempore. The question is upon agreeing to the amendment offered by the Senator from Utah.

The amendment was rejected.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The PRESIDENT pro tempore. The bill is in the Senate and open to amendment.

Mr. WADSWORTH. Mr. President, I offer the following amendment, which will be quite simple: On page 1, line 8, strike out "30" before the words "per cent," and substitute "50."

The PRESIDENT pro tempore. The Senator from New York offers an amendment, which will be stated.
The Reading Clerk. On page 1, line 8, it is proposed to strike out "30" and insert "60," so that, if amended, it will read:

In accordance with law at not less than 50 per centum permanent disability.

The President pro tempore. The question is upon agreeing to the amendment proposed by the Senator from New York.

The amendment was rejected.

Mr. King. Mr. President, I offer the following amendment: On page 1, after the word "War," insert the words "and the Civil War," so that, if amended, it will read:

That all persons who have served as officers of the Army of the United States during the World War or the Spanish-American War, other than officers of the Regular Army or Navy, who incurred physical disability in line of duty while in the service of the United States during the World War.

The President pro tempore. The question is on agreeing to the amendment.

The amendment was rejected.

Mr. Harrell. I offer the amendment which I send to the desk.

The President pro tempore. The Secretary will state the amendment proposed by the Senator from Oklahoma.

The Reading Clerk. On page 1, line 8, after the word "said," strike out the words "have incurred physical disability in line," and insert in lieu thereof "were actually wounded.

The President pro tempore. The question is upon agreeing to the amendment.

The amendment was rejected.

Mr. Bursum. On that question I ask for the yeas and nays.

The yeas and nays were ordered, and the reading clerk proceeded to call the roll.

Mr. Trammell (when his name was called). Again announcing my pair with the senior Senator from Wyoming [Mr. Warren], I withhold my vote. If permitted to vote, I would vote "yea.

Mr. Owen (when his name was called). I am a general pair with the senior Senator from West Virginia [Mr. Eckerts]. He is absent, but I am informed that if present he would vote as I shall vote, and therefore I vote "yes."

Mr. Wadsorth (when his name was called). On this measure I am paired with the senior Senator from Arkansas [Mr. Robinson], who is absent. Were he present, he would vote in the affirmative. Were I permitted to vote, I would vote "nay." The roll was called.

Mr. King (after having voted in the negative). I regret that I am compelled to protect the junior Senator from Missouri [Mr. Spencer], who if present would vote "yea," and if permitted to vote, would vote "nay." I am reluctantly compelled to vote as I did, to withdraw my vote.

Mr. Heftin. The senior Senator from Mississippi [Mr. Harrison] is unavoidably absent. If he were present, he would vote "yea.

Mr. Copeland. The junior Senator from New Jersey [Mr. Edwards] is unavoidably detained from the Senate. If he were present, he would vote "yea."

The result was announced—yeas 63, nays 14.

So the bill was passed.

The title was amended so as to read: "A bill making eligible for retirement under certain conditions officers and former officers of the Army or naval service of the United States, other than officers of the Regular Army or Navy, who incurred physical disability in line of duty while in the service of the United States during the World War."

A message from the House of Representatives, by Mr. Farrell, its clerk, announced that the House had agreed to the report of the committee on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 1320) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1926, and for other purposes.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H. R. 1703) granting the consent of Congress to G. B. Deane, of St. Charles, Ark., to construct, maintain, and operate a bridge across the White River at a point near the city of St. Charles, in the county of Arkansas, in the State of Arkansas, and I submit a report (No. 1189) thereon. I ask unanimous consent for the present consideration of the bill.

There being no objections, the bill was read a third time.

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

The bill was read the third time.

The President pro tempore. The question is, Shall the bill pass?

Mr. Bursum. On that question I ask for the yeas and nays.

The yeas and nays were ordered, and the reading clerk proceeded to call the roll.

Mr. Trammell (when his name was called). Again announcing my pair with the senior Senator from Wyoming [Mr. Warren], I withhold my vote. If permitted to vote, I would vote "yea.

Mr. Owen (when his name was called). I am a general pair with the senior Senator from West Virginia [Mr. Eckerts]. He is absent, but I am informed that if present he would vote as I shall vote, and therefore I vote "yes."

Mr. Wadsorth (when his name was called). On this measure I am paired with the senior Senator from Arkansas [Mr. Robinson], who is absent. Were he present, he would vote in the affirmative. Were I permitted to vote, I would vote "nay."

The roll was called.

Mr. King (after having voted in the negative). I regret that I am compelled to protect the junior Senator from Missouri [Mr. Spencer], who if present would vote "yea," and if permitted to vote, would vote "nay." I am reluctantly compelled to vote as I did, to withdraw my vote.

Mr. Heftin. The senior Senator from Mississippi [Mr. Harrison] is unavoidably absent. If he were present, he would vote "yea.

Mr. Copeland. The junior Senator from New Jersey [Mr. Edwards] is unavoidably detained from the Senate. If he were present, he would vote "yea."

The result was announced—yeas 63, nays 14 as follows:

<table>
<thead>
<tr>
<th>Yeas</th>
<th>Yea</th>
<th>Nya</th>
<th>Vot</th>
</tr>
</thead>
<tbody>
<tr>
<td>John</td>
<td>63</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Johnson</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Johnson</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Jones, Minn.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Jones, N. Mex.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Jones, Wash.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Kendrick</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ladd</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>McKellar</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>McLean</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Meyer</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mead</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Meacham</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Metcalf</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Meserve</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Meyers</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>McLaughlin</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Metcalf</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Meigs</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Meyer</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Meigs</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Meigs</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>McLaughlin</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Meyer</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Meigs</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>McLaughlin</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Meyer</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Meigs</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>McLaughlin</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Meyer</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Meigs</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>McLaughlin</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Meyer</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Meigs</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>McLaughlin</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Meyer</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Meigs</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>McLaughlin</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Meyer</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Meigs</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>McLaughlin</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Meyer</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Meigs</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>McLaughlin</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Meyer</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Meigs</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>McLaughlin</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Meyer</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Meigs</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>McLaughlin</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Meyer</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Meigs</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>McLaughlin</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Meyer</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Meigs</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>McLaughlin</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Meyer</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Meigs</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>McLaughlin</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Meyer</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Meigs</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>McLaughlin</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Meyer</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Meigs</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>McLaughlin</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Meyer</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Meigs</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>McLaughlin</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Meyer</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Meigs</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>McLaughlin</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Meyer</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Meigs</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>McLaughlin</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Meyer</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Meigs</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>McLaughlin</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Meyer</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Meigs</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>McLaughlin</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Meyer</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Meigs</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>McLaughlin</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Meyer</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Meigs</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>McLaughlin</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
The PRESIDING OFFICER. The Senator from Oregon asks unanimous consent for the present consideration of the conference report. Is there objection? The Chair hears none. The question is upon agreeing to the conference report.

The report was agreed to.

MUSCLE SHOALS

The Senate resumed the consideration of the report of the Senate committee on the disagreement votes of the two Houses on the amendment of the Senate to the bill H. R. 518, relating to the disposal of Muscle Shoals, etc.

Mr. UNDERWOOD. Mr. President, yesterday, just as the Senate took a recess, the Chair called to my attention an addition to section 2 of the pending bill and asked what authority the conferees had to insert that section. I desire to call to the attention of the Chair that it is not in the original bill, but in section 5, the following language is found:

The lease shall also provide the terms and conditions under which the lessee may sell and dispose of the surplus electric power created at said plants.

That language was stricken out, but the paragraph was rewritten and the language recommitted. The Chair should consider that it was in conference that—

The lease shall also provide the terms and conditions under which the lessee may sell and dispose of the surplus electric power created at said plant.

The original Ford bill, on page 15 of the printed bill, in section 5, had this language:

For the facilities and services aforesaid the United States shall provide the company from leases occasioned by such use and shall return the said property in as good condition as when received and reasonably compensate the company for the use thereof.

That related to this subject matter. Of course what is in the bill is a negation of the affirmative in the Ford bill. This addition to clause No. 2 provides that—

All contracts for power sold under said lease shall contain the provisions that the power may be recalled by the United States when needed in the prospect or in the event of war without the payment or liability for damages, etc.

Of course that is a negation of the other proposition, but the subject matter in both bills was brought before the conference, in the main bill in a general way providing that the lease should take care of it, and in the Ford bill providing compensation under those circumstances. So that the matter inserted in section 2 was germane to these clauses in the bill and that subject matter was before the conference.

The PRESIDENT pro tempore. The Chair is ready to rule upon the points of order of the Senator from Nebraska [Mr. Norris] if no further discussion arises on the part of any Senator.

Mr. SMITH. Mr. President, I do not care to discuss the matter, but I think I should say a few words in justice to those of us who nominally would have gone upon the conference committee if the question had not been raised as to the bias that might be in the minds of the three Senators who automatically would have gone on that committee, and that the bias would have existed to such an extent that we could not have followed faithfully what the majority of the Senate had voted for. Therefore we had the unusual scene, perhaps unprecedented in the Senate, of the Senator from Alabama, who has taken charge of this measure, insisting that all the customs of the Senate should be upset in order that we might have in the conference report a faithful reflection of what the majority had done. He got that proposition favorably acted upon, and now, after the Selectors who were selected under that bias have completed their labors, they bring back here a brand new bill, one which in some features has no resemblance whatsoever to the action of the Senate, one that is absolutely amenable to a point of order. It is so radically in departure from the principles and the things that were decided upon here.
In justice to those of us who saw fit not to serve even after the Senate had voted by a majority vote an expression of confidence in us being capable of doing our duty and incapable of doing otherwise, I thought that I should call attention to the fact that the Senate of Ohio was the only state's Senate which refused to transmit the bill to the House of Representatives, and that in order to bring the change within the spirit of Rule XXVII "new matter" must be of substantial import; that is to say, a change affecting in a substantial way the plan proposed in the Senate bill.

It is the judgment of the Chair that many such changes appear in the conference report. The Chair has been in some doubt with respect to the propriety of pointing out these changes which, in the judgment of the Chair, bring the conference report under the prohibition of the rule. It has, however, concluded not to name the specific instances in which, as viewed by the Chair, the rule has been violated.

The Chair has been in great doubt with regard to that matter. He has before him at the present moment a half dozen or more instances in which, in his judgment, Rule XXVII was violated. The position of the Chair is that so far as respects the insertion of new matter in the conference report are sustained.

Mr. UNDERWOOD. Mr. President, I take an appeal from your ruling on the amendment of the Chair, and wish to appeal to the Chair to announce the provisions in the conference report that he thinks come within the scope of his decision. I do that for two reasons: I think if the Chair does not wish to do it allows the Senate on the appeal to wander over the entire surface of everything, for there will be nothing before the Senate except that the Chair has stated that there is no matter in the order of this bill.

However, more important than that, the Chair has announced that the conference report will go back automatically to the conferees if the decision of the Senate shall be adverse. This is important legislation; it is a matter that has occupied more of the time of the Senate at this session than any other matter that has been before it; I might say than all other matters that have been before it. It concerns the disposition of Government property. The conferees will undoubtedly make another report to the Senate, because, under the rule as the Chair announced it, the conference report must go back to the conferees, and they are expected to make another report. I wish to ask the Chair to indicate to the Senate that this is a matter of great weight, yet Senators, I think we should make this clear to them, that if they wish to go back, they must go back in a conference report, and tell them that they must not insert new matter in the bill, when the Chair has announced that all their changes are not new matter, but means new matter, without direction from the Senate as to where they are supposed to have hatched on the rule of the Senate.

I therefore respectfully ask the President pro tempore to indicate on the debate upon the appeal the instances in which, in his judgment, the conferees have exceeded their authority.

The PRESIDENT pro tempore. The Chair has no hesitation in an informal way of indicating.

Mr. NORRIS. Will the Chair pardon me for just a moment? I have no objection, of course, to the Chair doing just what has been requested by the Senator from Alabama [Mr. UNDERWOOD]. It is not for the purpose of making such an objection that I am addressing the Chair. I simply wish to controvert the idea, at least, hinted at by the Senator from Alabama, that there is any part of this legislation that might be given by the Chair for his decision would be the one that would necessarily control the Senate on an appeal. While without doubt the statement of the Chair would have great weight, yet Senators, I take it, are reading upon the appeal to the Senate to sustain the Chair, even though they may think that the reasons given by the Chair are not sufficient to sustain his ruling if other reasons exist which, in their judgment, make the decision of the Chair correct.

Mr. UNDERWOOD. Mr. President, if the Senator from Nebraska will allow me to interrupt him, I desire to say that, of course, he is right about that. I did not contend to the contrary.

Mr. NORRIS. That is all I desired to suggest.
Mr. NORRIS. I agree with the Senator as to that.

Mr. UNDERWOOD. Of course, we do not wish to do a futile thing.

Mr. NORRIS. Oh, no.

Mr. UNDERWOOD. And we do not wish to send the con­feres out blindly, to again come back and have a point where the matter is sustained because they have violated the decision of the Chair.

Mr. NORRIS. I agree with the Senator, and I have no objection to his request being granted, but I did not want the statement of facts to be made to stand uncontradicted.

Mr. LENROOT. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Alabama yield to the Senator from Wisconsin?

Mr. SMITH. I yield.

Mr. LENROOT. Does the Senator from Alabama think it would be quite fair either to the Chair or to the Senate for the Chair now to determine fully what, in his judgment, constitutes new matter in the report, without any opportunity thereafter, when a new conference report shall be made, to argue the question before the Chair? The only purpose of the request would be to stop the Chair hereafter from determining the question upon its merits as the conference report may then be presented?

Mr. UNDERWOOD. I do not agree with the Senator from Wisconsin at all. We are not playing at hide and seek in the Senate. It is a serious body, attempting to pass serious legislation. The Chair has decided that, in his judgment, the conferences in charge of this bill have exceeded their authority, and he has stated that they must go back and make another conference report. To say that we are going to send the conferences back without any information on their part as to the particular items of the bill which may be considered a violation of Rule XXVII, it seems to me, would be quite unfair.

Mr. UNDERWOOD. I am not thinking of any future decision of the Senate; we hold that all within our own breasts, of course; but I think not only the conferences are entitled to know the provisions that the President of the Senate thinks are contrary to the rule, but I think the Senate is entitled to have its conferences informed, so that they may perchance bring back a conference report in the next few days that will not be contrary to the viewpoint of the Presiding Officer of this body in the event that the Senate shall sustain his ruling.

The PRESIDENT pro tempore. The Chair understands that it may be very desirable eventually to announce, if it becomes necessary, some of the features of the bill which, in the judgment of the Chair, violate the rule; but the Chair also understands that the Senator from Alabama intends to appeal from the decision of the Chair. Therefore the Chair does not feel at liberty to take the direction of the conferences until he knows whether or not the bill is to be returned to the conferences.

Mr. NEELY. Mr. President, as I understand the Senator from Wisconsin, [Mr. Lenroot], the first reason he has given for requesting the President to clarify his decision of the point of order is based upon a desire to have the debate on the appeal restricted to the grounds of the decision. Therefore I inquire of the Senator if he thinks that the Chair can, by limiting the scope of his decision, similarly limit the extent of the subsequent debate on the Senator's appeal?

Mr. UNDERWOOD. No. If I made the statement in that broad language, it was inadvertent.

Mr. NEELY. I did not attempt to repeat the Senator's language. I simply stated what I conceived to be a legitimate deduction therefrom, and Iimated that, in my opinion, the debate could not be limited by the means the Senator suggested.

Mr. UNDERWOOD. The point I made, of course, was that the decision of the Chair on the points raised would be the main issue for order. Of course, I agree that, as a matter of fact, the Senate decides points of order for itself and is not bound down by anything the Chair may do.

Mr. NORRIS. If the Senator from Alabama will permit me, I wish to state that the Senator from West Virginia has stated the point I wanted to suggest very clearly. The objection made to make was that in the debate that will take place on the appeal no Senator will be confined, or ought to be confined, to the subject matter as given by the Presiding Officer. A Senator may have other reasons that to him may seem sufficient.

Mr. SMITH. Mr. President, may I ask the Senator from Alabama a question?

Mr. UNDERWOOD. Certainly.

Mr. SMITH. Does he think it is in the province of the Chair, when a point of order is made as to some specific portion of a bill, for the Chair to indicate all the points of order which, in his opinion, may be raised before a Senator on the floor, and called attention to him?

Mr. UNDERWOOD. I think that would be good practice, especially as the Presiding Officer is a Member of the body and has a right to make the point himself. I do not claim at all that this is the action on his part, but I think it should be considered as good practice.

Mr. SMITH. I do not think the Presiding Officer, even though incidentally he is a Member of the body, has any right to anticipate a point of order while he is presiding. As far as this case is concerned, I do not think the point raised by a Senator on the floor, and reserve his ruling as to such points as may be discovered and called attention to later on.

Mr. UNDERWOOD. I will say to the Senator from South Carolina that probably he has not made himself clear in what I have said, or possibly the Senator did not hear me. There has been no combat on my part as to the position that he has taken. I merely asked, for the direction of the conferences and for the direction of the Senate, that the Chair indicate the propositions which he regards as new matter. The Chair thinks it unwise to do so at this time, and of course I must submit to the decision of the Chair.

Now, let me say to the Senator from Wisconsin [Mr. Lenroot] that I discussed the points of order yesterday, and I expect to have something more to say in regard to them; but the Senator from Wisconsin is correct. He did not hear me. I merely asked, for the direction of the Chair, that he render his decision, and, if he desires me to do so, I will now yield the floor to him.

Mr. LENROOT. I think the Senator, Mr. President, who first raised the point of order, is entitled to a decision as to whether this proposition is contrary to the viewpoint of the Senate. But getting back to the proposition which is before the Senate, which is the proper construction of this rule, the Senator
from Alabama [Mr. Underwood] argued very persuasively that the conference had the power to write into this conference report anything that the Senate might have written either into the House bill as an amendment, or into its own bill, the Senate substitute itself.

Mr. President, that was the rule with reference to conferences in this body prior to March 8, 1918; but on that date the Senate adopted a different rule, matter about it. to by both Houses.
The Senate substitute. was not allowed to go beyond the differences of the two Houses in so doing.

That is exactly the rule contended for by the Senator from Alabama yesterday. It is the rule that he is contending for today. That was the rule of the Senate prior to March 8, 1918; but on that date the Senate adopted a different rule, and that is the rule which the Chair has construed. It reads:

Conferees shall not insert in their report matter not committed to them by either House, nor shall they strike from the bill matter agreed to by both Houses. If new matter is inserted in the report, or if any matter which was agreed to by both Houses is stricken from the bill, a point of order may be made against the report, and if the point of order is sustained the report shall be recommitted to the committee of conference.

Why was this rule changed, Mr. President? It was changed because the conferences, prior to that time, had been in the habit of doing exactly what has been done in this case. That was the only reason for it. The author of that rule was the Senator from Kansas [Mr. Curtis], and when the rule was adopted, on March 8, he stated that the purpose of it was to avoid the procedure of doing exactly what has been done in the past, because the conferees, prior to that time, had been in the habit of putting into conference reports provisions which were not germane to the subject matter of the bill, and the House substitute. was stricken from the bill.

It was contended, first, that the new rule did not apply, because the report was in fact agreed to on the same day the rule was adopted, on March 8, 1918, but in form was not made until afterwards.

It was held, however, the Vice President, Mr. Marshall, presiding, that the new rule did apply. The question was debated at great length upon this floor as to whether or not the conference report on that bill was in violation of the rule, and this was the matter in issue. The Senate bill had in it a provision which read as follows:

Nothing in this act shall be construed to amend, repeal, impair, or affect the existing laws or powers of the States in relation to taxation.

The House rejected the entire Senate bill, adopted a substitute of its own, and sent it back to the Senate, just exactly as is the case now, except that the conditions are reversed. Then we reject their bill and send them ours. The conditions were the same, so far as the parliamentary status was concerned, with this railroad control bill and the bill now before the Senate.

The House substitute, striking out all of the Senate bill, had in it this language:

That nothing in this act shall be construed to amend, repeal, impair, or affect the existing laws or powers of the States in relation to taxation or the lawful police regulations of the several States, except wherein these regulations may affect the transportation of troops, war materials, or Government supplies, the regulation of rates, the method of measuring, the assessment or improvement of properties, or the issue of stocks and bonds.

Those two bills then went to conference. The conferences made their report, and they added a further proviso, which reads as follows:

Provided, however, That no State or subdivision thereof, or the District of Columbia, shall levy, assess, or collect any tax, duty, or excise, upon or with respect to railroad property within the State or subdivision thereof, or the District of Columbia, while under Federal control, in excess of the ratio which the taxes derived from railroad property bore to the total taxes of such State or subdivision thereof, or the District of Columbia, for the year previous to Federal control.

The subject matter of the bill was railroads, as in this matter the subject matter of the bill is Muscle Shoals. Here was a particular portion of the bill which dealt with the subject of taxes. Both Houses had dealt with it. There is no doubt but that this provision which the conferences reported was not new matter, as it had been treated by both Houses. But a point of order was made that this provision was new matter in the bill, and therefore obnoxious to the rule. It was contended by the conferees that the purpose of the rule was to maintain the point of order, and an appeal was taken from his decision, exactly as an appeal has been taken now from the present decision of the Chair.

I have stated the facts correctly with reference to that particular transaction, and it is interesting to note that the decision of the Presiding Officer, Vice President Marshall, construing for the first time this new Curtis rule, was sustained by a vote of 51 to 29, and my good friend the Senator from Alabama I find voted to sustain the Chair upon that particular occasion.

It was not very long before this question again came before the Senate in connection with the House. Senators who were here at that time will remember how the conferences made a report upon the first oil leasing bill, and a point of order was made against it by my colleague, Mr. La Follette. What were the facts as to the oil leasing bill?

The House sent to the Senate a leasing bill covering oil and coal lands, and provided that it should extend to all the territories of the United States except Alaska. The House of Representatives be searched. From 1819 to the present date, it will be found that the Senate has been extremely careful to see to it that conferences should not extend their powers.

The Senator from Alabama says that with this construction of the President, the hands of the conferences would be bound. They are bound. That is the very purpose of the rule, so that the Senate and the House may themselves do the legislating, and the conferences shall confine themselves to points of difference between the two Houses.

It is very clear, reading this report, that the conferences upon this matter had no such conception of their duties as that. It is very clear from reading this report that the conferences had no such conception of their duties as those of the Senator from Alabama, namely, that they might put into the conference report any matter which the Senate itself might have offered or incorporated in the bill that was germane. The House has nothing to do with the Senate bill now, except that matter in the conference report must be germane, and it must not be new.

What is new matter? Matter may be new notwithstanding it may relate to the subject of an old bill before the conferences or before the Senate. The Senator from Alabama yesterday read the decision of the Chair in the tariff case. There clearly was no new matter. The Senate had provided for American valuation, for the Senate bill had had a proviso that the President should have the same power in the case of Foreign valuation, and the Senate might have adopted such a provision, as authorization, to employ such agents and assistants as he may deem necessary to carry out the provisions of this act? Neither the Senate nor the House deemed any such authorization necessary. It was not found necessary. Neither the House nor the Senate, I mean that the President would have had no authority to make such employment. It is in the conference report, and it is, of course, new matter. It is not a question of whether the Senate might have adopted such an amendment. Of course they could have done so. But no such question was ever submitted to the conferences, because there was no difference between the two Houses.

One step further. Again I base my argument wholly upon what I assume to be the utmost good faith on the part of the conferences in their conception of what their powers were under this rule. But if they had had the conception that they had
not the power to add to this bill anything which might be germane to it, but was new matter, there are many, many things in this conference report which would not be competent. For instance, take this question of the return to the Government on the return of the fertilizer. What is the difference between the two Houses upon that particular subject? The Senate provided for a 4 per cent return upon the entire cost of the dams, locks, and so forth. The House bill provided for a 4 per cent return upon the same thing, less the amount that had theretofore been expended, which was $17,000,000. What has been the difference between the two Houses upon the return from Dam No. 2? The difference was the matter of the $17,000,000. I do not know whether or not the House had the idea whether there should be a deduction made for the values of the navigation facilities. Yet the conferees have put just that into the conference report. This is a very good illustration of their method of taking care of that matter. In voting on the conference report, because no conference report can be amended. It must be voted up or voted down as a whole, and in this case for many times more time has been devoted to particular provisions in a conference report which we would have voted against, but, being compelled to vote on the report as a whole, we have voted for a report with many things to which we have disagreed.

Then, Mr. President, there is a question of the amount of fertilizer that should be manufactured. I understood the Senator from Alabama yesterday to say that there was no guarantee given anywhere in the offer of bill. He stated many times that the provision was that it should be manufactured "according to demand" and "if practicable." In the first place I am not familiar, because I was not here during this particular debate, with what construction may finally have been put upon it, but I find no such words as "if practicable" in the bill. They are not there. The words "according to demand" are not in connection with the amount of fertilizer that shall be produced.

Mr. UNDERWOOD. Is the Senator speaking of the Ford bill?

Mr. LENROOT. Yes. Mr. UNDERWOOD. He will find in section 15 the words substantially.

Mr. NORRIS. I do not think the Senator will find it in that particular form.

Mr. UNDERWOOD. Perhaps the Senator from Nebraska can tell us, but we discussed all that matter and the words are undoubtedly in the bill.

Mr. UNDERWOOD. I am not looking at the bill and there are the words "according to demand," but I think the Senator from Alabama will agree with me that they relate to whether the fertilizer shall be mixed or unmixed. That is what is intended to demand.

Mr. UNDERWOOD. There were two sides to that question. The Senator from Nebraska claimed that the words "according to demand" meant according to the judgment of Mr. Ford as to what the demand was. I am free to say that I think when the representatives of the farmers put those words in the bill they intended them to mean that it would be according to the demand of the farmer as to what kind of fertilizer he wanted. But when the Senator from Nebraska made the charge that that left open for the lessee to determine what was the demand for fertilizer, I am free to say that I was not willing to defend the punctuation of the bill, that under the punctuation of the bill they might reach the other conclusion, and therefore I surrendered. That was the question that came before the Senate.

Mr. LENROOT. I think the only importance of that question is this: I do not think there is any doubt, however much it may have disagreed as to what the actual interpretation might be, that the Senate as a whole intended the guaranty that the friends of the bill insisted that it contained, namely, one of 40,000 tons per year. When the Senate passed its bill that guaranty took the form of a guaranty of 40,000 tons at the end of the sixth year. So far as either body had expressed itself, it was 40,000 tons at the end of the first or 40,000 tons at the end of the sixth year.

What did the conferences do? The conferences, again acting, no doubt, were taken advantage of. How much was brought in a provision extending the 40,000 tons to the end of the tenth year.

Can it be contended that the conferences have not sought to legislate? Can it be contended that the conferences have exceeded their efforts and duties to reconciling the differences between the two Houses? It is entirely clear that the six conferences, three on each side, substituted their own judgment upon the merits of the original proposition for the judgment of both the House and the Senate, even though it had been expressed.

That is why I believe the point of order should be sustained by the Senate. If it is sustained, conferences hereafter will confine themselves to matters in difference between the two centers of respect, of whether those differences arise through particular amendment bill or whether they arise through one House disagreeing to the bill of the other and passing a substitute of its own. In reason there ought not to be $17,000,000. I mean in one bill expresses its will upon a certain subject and the Senate in another bill adopts a substitute expressing its will upon the particular subject, but in a little different way, the conferences should be bound by the judgment of the two Houses if agreement does exist, and confine themselves to reconciling the differences that were actually existent between them, although they must examine the two bills to find out just what the differences are.

Mr. President, there is just one other matter to which I desire briefly to refer, which to my mind is clearly new matter, and that is the appropriation of $3,472,000. The bill authorized the President to complete Dam No. 3—and let me say right here that I am not prepared to make any appropriation hereafter to be made that was necessary for the completion of the dam. No further language was necessary to authorize Congress to make appropriations. After they had authorized the President to complete the dam, then when money itself. In no other way can the language be reconciled. As an authorization for appropriation, but an appropriation of money itself. Whether or not money is authorized for the continued investigation and construction by the President to complete the dam, then there was authority hereafter to be made that was necessary for the completion of the dam. No further language was necessary to authorize Congress to make appropriations. After they had authorized the President to complete the dam, then money itself. In no other way can the language be reconciled.

The appropriation of $3,472,000, the same being the amount of the proceeds received from the sale of the Gorgas steam-power plant, is hereby authorized for the continued investigation and construction, by contract or otherwise as may be necessary to prosecute said project to completion, further expenditures to be paid for as appropriations may from time to time be made by law.

What is the proper construction of that language? Is that to be construed as merely an authorization for an appropriation—that Congress must thereafter proceed to appropriate the $3,472,000? If that were so, then the language means nothing, because in the first paragraph authority had been given for the appropriation.

Then what was the purpose of the language "further expenditures to be made for as appropriations may from time to time be made by law"? I do not know, of course, what the comptroller may hold, but it is entirely clear to me from a reading of the whole section that the $3,472,000 is intended not as an authorization for appropriation, but an appropriation of money itself. If no other way can the language be reconciled. If that construction be correct, then the appropriation is not new matter never committed to the conferences by either House in any bill?

Mr. NORRIS. I want to close as I began, by saying that this is really much more important than any effect it may have upon the pending bill. I know the more or less loose practice in this body of voting upon parliamentary questions according as each Senator believes the merits of the main question may be. Ever since I have been a Member of this body I have protested against that method of dealing with parliamentary questions. I have felt it my duty to vote upon a parliamentary question as I believed the parliamentary question by itself and independently of anything else ought to be decided; and that particularly ought to be so in this case, because, Senators, if because in the first paragraph authority had been given for the appropriation.

The President, will the Senator yield? The PRESIDING OFFICER (Mr. Moses in the chair). Do the Senator from Wisconsin yield to the Senator from Nebraska?

Mr. LENROOT. I yield.

The PRESIDING OFFICER. The Senator made some reference to and had a volume of the CONGRESSIONAL RECORD before him. I wonder if he intended to read into the Record the decision in the old case. I thought perhaps he had forgotten it.

Mr. LENROOT. I stated the substance of it.
Mr. NORRIS. I thought perhaps the Senator intended to do so and had forgotten. I did not intend to take the time.

Mr. LENNOX. The discussion of the whole question is found on page 4444, volume 57, part 4, of the Recess, and the point of order was sustained.

The PRESIDING OFFICER. Does the Senator from Wisconsin request the printing of the decision as a part of his remarks?

Mr. LENNOX. No; I do not make such a request.

Mr. HEFLIN. Mr. President, it seems to me that the Senate is bound to sustain the appeal of my colleague from the decision of the Chair on the pending point of order against the conference report from Muscle Shoals. The Chair in his ruling declined to state wherein the conferences have exceeded their authority. I think that it is now incumbent on the Senate to take care of its own rights in the premises. If the Chair had specifically stated wherein the conference report was not in proper form, then we would know what the conferees should do when they return to conference. When an appeal is taken from a lower court to a higher court the very grounds on which the appeal is taken are set out. In this case we are not able to know specifically what is objected to, because the Chair has declined specifically to state his objection, and his ruling is not in my judgment a rule in this case.

Mr. MCKELLAR. Mr. President, will the Senator yield just for a moment?

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

Mr. HEFLIN. I yield.

Mr. MCKELLAR. The rule is perfectly plain that no new matter shall be injected into a conference report, and the conferences will have that rule to guide them. I do not see that it is material at all whether or not the Presiding Officer states the ground for his ruling. The rule is perfectly plain, and all the conferences have to do is to follow it.

Mr. HEFLIN. Mr. President, as announced by the Chair, does not state just what objection there is to the conference report. All rules should be based and generally are based upon common sense.

Mr. Chairman, the situation here? The Senator from Wisconsin [Mr. LENNOX] has stated that the subject matter is Muscle Shoals. What was the subject matter when the bill went out of the Senate? It was Muscle Shoals. What is it now in the conference report? It is Muscle Shoals. What was the first purpose of the bill? To provide for the use of water power at Muscle Shoals. That is still in the conference report. The second purpose was to provide for the making of fertilizer in time of peace and the making of nitrogen for the Government in time of war. That is still the keynote of the conference report.

What else did the Underwood bill provide for? The Underwood bill provided authorization for building Dam No. 3. That is still in the conference report. If the President, as announced by the Chair, does not state just what objection there is to the conference report. All rules should be based and generally are based upon common sense.

The Senator from Wisconsin suggests that certain language has been left out, but I submit that if the conferences find a bill to be bulky, full of words, some of them meaningless, with phraseology that means practically the same thing used in various places in the measure, the conferences are war-ranted in condensing the bill and putting it into as concise form as possible, just so they do not leave out the vital substance of the matter under consideration; and I submit that in this instance that has not been done.

Let me illustrate what I have in mind—

We start out with the proposition to lease Muscle Shoals. I concede that the conferees had substance in place of Muscle Shoals the dam at Lock No. 12, on the Coosa River, that would have violated the substance of the measure; it would have nullified the very object that we were trying to accomplish, because the idea of leasing Lock No. 12, and the conferences have clung to that proposition all the time, and they have come back to the Senate with that still the subject matter of the conference report.

The next step was to lease that power to some private individual or corporation. That is still one of the dominating provisions in the conference report. The next proposition was to see to it that that power was not used in order to produce food for the people in time of peace and nitrates in time of war. That is still provided for in the conference report. I repeat, the building of Dam No. 3 was provided for in the Underwood bill, and that provision is still in the conference report.

I am not going to detain the Senate with a lengthy speech upon the subject; I think the point I have been made by my colleague, the senior senator from Alabama [Mr. Underwood]; but, Mr. President, I come back to the fundamental and bedrock principle underlying this question.

Mr. McKULLAR. Mr. President, may I ask the Senator from Alabama a question?

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

Mr. HEFLIN. I yield to the Senator.

Mr. McKULLAR. As I recall, the bill which passed the House of Representatives in one of its sections reserved the right to repeal, alter, or amend the legislation; the Senate bill contained the same provision; there was no disagreement on that point, and the right to repeal, alter, or amend this proposed act is of the most vital importance, as anyone can see; yet, as I understand, the conferences cut that out. Does the Senator from Alabama think that should be done by the conference?

Mr. HEFLIN. No; Mr. President, the omission of such a provision would not prevent the Congress at some future time from changing the law if the parties who had leased the property failed to live up to their contract.

Mr. MCKELLAR. Then, why was it left out? The Senate had agreed to it, the House had agreed to it, and why did the conferences take it upon themselves to cut it out if it was immaterial, and if Congress had the power in any event whether the provision was in the bill or out of the bill?

Mr. HEFLIN. If the Senate wishes to do so, it can reject the conference report, but the ruling of the Chair is to the effect that we can not. My contention is, Mr. President, that in the main the vital and important provisions that were in the bill when it went to conference are still in it. That we should not even consider a conference report because we do not get everything exactly as we want; it is an attitude that should not obtain. That never is the case; all legislation is reached ultimately by compromise.

Mr. BRUCE obtained the floor.

Mr. CURTIS. Mr. President, I wonder if the Senator will yield to me to make a request for unanimous consent?

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

Mr. BRUCE. I yield.

Mr. CURTIS. I ask unanimous consent that when the Senate concludes its business this afternoon it take a recess until 11 o'clock to-morrow.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Kansas? The Chair hears none, and it is so ordered.

Mr. BRUCE. Mr. President, I intend to address myself to the pending question at very little length. In my judgment, the conclusion reached by the President pro tempore of the Senate is not a correct one, and, having always been disposed, if possible, to acquiesce in the conclusions of presiding officers, and having a very great respect for the President pro tempore of the Senate, I feel that I should state, at least briefly, just why I do not concur with his views in this instance.

I do not know a question that can be more readily substantiated by an able and ingenious lawyer than the one which we are now considering, and undoubtedly the Senator from Wisconsin [Mr. LENNOX] made a highly persuasive and ingenious argument upon it. I might further say that I for one, notwithstanding the respect that I have for the decisions of presiding officers as a rule, cannot attach the same degree of finality to a decision of a parliamentary presiding officer that I attach to the decision of a court and I assert this despite the fact that the decision of the President pro tempore of the Senate in this matter bears the infallibility of experience, thorough, and conscientious meditation.

We all know that under many circumstances, happily under many circumstances of legislatures of parliamentary assemblies are to no slight extent tinged by party exigencies, to say nothing more, that they are sometimes influenced more or less profoundly by other special conditions of one sort or another that do not arise out of such exigencies.
Mr. PITTMAN. Having in mind that the Chair held, as I remember, that we could not consider the provisions of the House bill, but only the provisions of the Senate bill, let me ask Senator Bruce this question:

Assuming that the only amendment to the House bill had been to substitute the name of John Smith for Henry Ford, would it have gone to conference, and the Senate had insisted on John Smith and the House had not insisted on Henry Ford, then what provision we would have been within the power and jurisdiction of the conference committee to have said, "Not being able to agree upon the name of John Smith suggested by the House or by the Senate, we will agree on the terms of the Senate, and if it has been?

Mr. BRUCE. That is not the case. That is not the rule. The rule says:

Conferences shall not insert in their report matter not committed to them by either House.

Mr. PITTMAN. Mr. President, the Senator has misunderstood my purpose, and I desire to explain it.

Mr. BRUCE. I shall be glad to hear what the Senator has to say.

Mr. PITTMAN. The view that I was trying to bring out in a rather illustrator way, this, in my opinion, the Chair was in error in stating that we could not consider the House bill in its legislation in bringing about a harmony between the purpose of the Senate and the purpose of the House. I understood the Chair to say that the House bill dealt solely with one individual and this bill dealt with individual, that they were two different bills and therefore could not be considered together. I take the view that the Chair was saying that we are trying to do too much. Its main purpose was, under some terms, to dispose of this great property. They proposed to dispose of it by agreement. They proposed to dispose of it by a lease. They proposed certain terms by this lease. We proposed certain other terms of that lease. They proposed to make it to a certain individual. We proposed lease to the individual. Therefore I say that the two houses are seeking the same purpose; and therefore, if the new matter. The Chair was trying to bring about a harmony between the two houses, we must have the conference consider the purpose of both houses, and if they can not agree on language, if they can not agree on names, then they must write something that substantially meets the desires of both houses; that is all.

Mr. BRUCE. The Senator has made a great deal better argument for me than I was making for myself.

Mr. PITTMAN. I thank the Senator.

Mr. BRUCE. Instead of recognizing the Senator as an antagonist, I should have recognized in him an able and timely ally.

Now just one moment more. I wish to suggest to the Senator from Wisconsin [Mr. Cuellar] that he will do to:

One of these new provisions, if we may call them such, that has been inserted into the Senate bill by the conferences might state in one point of view it as truly a new provision, and yet, when connected up with the context, might assume the character of being really a solvent of existing differences between the conferences.

Take one that he cited, I am not going to analyze and more, the provision relating to the power granted to the President to employ advisory officers, experts, and so forth. Looked at from one point of view, that would seem to be merely a patch on the face of the Senate bill; an extraneous thing, an excrescence, and yet it may perfectly well be that the differences of the conferences as to the powers with which the President was to be clothed under the bill were very great indeed, and never could have been reconciled if that provision had not been inserted in the bill. You can readily understand one of these conferences saying: "I have great respect for the President of the United States; he is a good, fine, sensible, judicious man; but he has had no sort of expert familiarity with the questions involved in this bill. I am not willing to delegate to him some of the functions that are conferred upon him unless he is to employ expert officers." In the light of that suggestion, would you say that the provision with regard to expert advisers was one foreign to the conference differences between the conference of the House and the conference of the Senate with regard to the bill?

In other words, as I have said, that provision may have been the only thing that enabled the conference of the House and conference of the Senate to bring their differences together on a mooted point, involved in the controversy between them; and so with other provisions that are set down, hastily as I think, as being entirely strange to the general subject matter that was submitted to the conferences. But, as I said, I am not
going to analyze those in detail. I simply select one of the additional provisions as more or less typical of the rest.

I am sure that the Senator from Nebraska [Mr. Norris] does not want this question to go off on a mere quibble or quirk—!

I know that he is a frank, bold, stark fighter, and not only that side of his nature illustrated here pinched, construction of the rule of the by the two Houses under it and a subject matter is committed to them, they have the any and everything that is genuinely germane to that subject matter.

This rule has been in force now just seven years, the floor fight on the of the House, because we had been getting into the habit, where this rule came as This rule was adopted in conceded that it which it might be desirable. That comes for the particular. There is no way we can change it in any par­

It ha is an offer in order to get rid of that one little item. Nothing about and we knew nothing about until the report was brought back, and oftentimes that practice resulted in some-

thing new being put into the legislation that was more important than anything that had been put in in either House.

Mr. BRUCE. I was simply considering the matter in connection with the rule itself and the construction which it seemed to me should be placed upon the rule. Of course the occasion for the rule is a thing which must be taken into account, and in dealing with rules the consequences of their being taken into account, too. I admit that. The choice here, it appears to me, is between too much freedom and too little freedom, and I think that the construction for which the Senator from Wisconsin [Mr. Lenroot] argued last night and which would be unduly constriuctive. Prejudicial consequences, as I see it, would be quite as likely to flow from his construction as from mine.

In this case, as in all others, there is a golden mean to be preserved. Conferences should not go beyond the subject matter committed to them. They should exercise the proper degree of discretion, good sense, and public spirit that their office calls for, but I do think that they have the right to make any new suggestion that they please, provided it can reasonably be held to be germane to the subject matter of the controversy inst­

It seemed to me that the public which furnished the reason for a situation furnishes the reason for the word "new" in the second sentence of the second paragraph in the rule of the Senate under consideration, and all difficulties, in my opinion, disappear.

During the delivery of Mr. Lenroot's speech, breach sale of milk, etc., in the District

Mr. BALL. Mr. President, I desire to present a conference report on Senate bill 2803, and ask for its immediate consideration.

The PRESIDING OFFICER. The Senator from Delaware asks unanimous consent, out of order, to present a conference report on Senate bill 2803, to regulate within the District of Columbia the sale of milk, and so forth. Is there objection?

The PRESIDING OFFICER. The report to the Senate recede from its disagreement to the amendment of the House numbered 2, and agree to the same.

Amendment numbered 1: That the Senate recede from its disagreement to the amendment of the House numbered 1, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "The words 'person' or 'persons' in this act shall be taken and construed to include firms, associations, partnerships, and corporations, as well as individuals: Provided further, That the health officer may accept the certification of a state or municipal health officer;" and the House agree to the same.

That the Senate recede from its disagreement to the amendment of the House numbered 4 and agree to the same with an amendment as follows: In lieu of the word "forty" insert the word "twenty" in the sentence of the second paragraph in the rule of the Senate under consideration, and all difficulties, in my opinion, disappear.

During the delivery of Mr. Lenroot's speech, breach sale of milk, etc., in the DISTRICT

Mr. BALL. Mr. President, I desire to present a conference report on Senate bill 2803, and ask for its immediate consideration.

The PRESIDING OFFICER. The Senator from Delaware asks unanimous consent, out of order, to present a conference report on Senate bill 2803, to regulate within the District of Columbia the sale of milk, and so forth. Is there objection?

The PRESIDING OFFICER. The report to the Senate recede from its disagreement to the amendment of the House numbered 2, and agree to the same.

Amendment numbered 1: That the Senate recede from its disagreement to the amendment of the House numbered 1, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "The words 'person' or 'persons' in this act shall be taken and construed to include firms, associations, partnerships, and corporations, as well as individuals: Provided further, That the health officer may accept the certification of a state or municipal health officer;" and the House agree to the same.

That the Senate recede from its disagreement to the amendment of the House numbered 4 and agree to the same with an amendment as follows: In lieu of the word "forty" insert the word "twenty" in the sentence of the second paragraph in the rule of the Senate under consideration, and all difficulties, in my opinion, disappear.

During the delivery of Mr. Lenroot's speech,
Mr. COPELAND. Mr. President, I want to say—Mr. LENROOT. Provided there is no debate, I do not object.

The PRESIDING OFFICER. The Chair hears no objection. The question is on agreeing to the conference report. The report was agreed to.

MR. BURSEK: The Senate proceeds to the consideration of Senate bill 4221, 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.

The PRESIDING OFFICER. The bill will be read, for information.

The reading clerk read the bill, as follows:

Be it enacted, etc. That the third sentence of section 2 of the act 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, approved June 7, 1924 (Public 270), is amended by adding after the words “forest producing lands” the following: “or watersheds from which water is secured for domestic use or irrigation” so that section 2 as amended will read as follows:

“Sec. 2. If the Secretary of Agriculture shall find that the system and method established for forest fire prevention and suppression provided by any State substantially promotes the objects described in the foregoing section, he is hereby authorized and directed, under such conditions as he may determine to be fair and equitable in each State, to cooperate with the several States, and with the officials of each State, and through them with private and other agencies therein, in the protection of timbered and forest producing lands from fire. In no case other than for preliminary investigations shall the amount expended by the Federal Government in any State during any fiscal year, under this section, exceed the amount expended by the State for the same purpose during the same fiscal year, including the expenditures of forest owners or operators which are required by State law or which are made in pursuance of the forest protection system of the State and approved by the Secretary of Agriculture, and in all cases the State renders satisfactory accounting. In the cooperation extended to the several States due consideration shall be given to the protection of watersheds of navigable streams, but such cooperation may, in the discretion of the Secretary of Agriculture, be extended to any timbered or forest producing lands, or watersheds from which water is secured for domestic use or irrigation, within the cooperating States.”

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 having been reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JAMES F. JENKINS. Mr. DIAL. I ask unanimous consent that the Senate proceed to the consideration of Senate bill 1832, for the relief of James F. Jenkins. There is a unanimous report from the committee on the bill.

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

Mr. BURSEK. What is the purpose of the appropriation?

Mr. DIAL. It is to pay for cotton linters taken by the Government during the war. It is recommended by the War Department, and the bill has been unanimously reported by the committee with a reduction of the appropriation from $253,329.20 to $21,000.

Mr. BURSEK. Has there been any judgment for this amount?

Mr. DIAL. No; no judgment.

Mr. BURSEK. Why does not the Senator have it referred to the Committee on Claims?

Mr. DIAL. It has been before the War Department. The War Department sent investigators down to look into the case, and they recommended the payment. The committee has unanimously reported on it.

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

Mr. BURSEK. I want to find out more about it. I do not think it stands over.

The PRESIDING OFFICER. Objection is made.

WHITE RIVER BRIDGE

Mr. SHEPPARD. I report back favorably from the Committee on Commerce, with an amendment, the bill (S. 4617) granting the consent of Congress to the county of Jackson, Ark., to construct, maintain, and operate a bridge across the White River at or near the city of Newport, in the county of Jackson, in the State of Arkansas, and I submit a report (No. 1104) thereon. I ask unanimous consent for the present consideration of the bill.

There being no objection, the bill was considered as in Committee of the Whole.

The amendment was, on page 1, line 5, to strike out “and assign,” so as to make the bill read:


Sec. 2. The State of Arkansas, or any political subdivision or division thereof, within or adjoining which said bridge is located, may at any time, by agreement or by condemnation in accordance with the laws of said State, acquire all right, title, and interest in said bridge and the approaches thereto across the White River, at a point suitable to the interests of navigation, at or near the city of Newport, in the county of Jackson, in the State of Arkansas, in accordance with the provisions of the act entitled “An act to regulate the construction of bridges over navigable waters,” approved March 23, 1906.

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.

OHHIO RIVER BRIDGE

Mr. FESS. I ask unanimous consent for the present consideration of the bill (H. R. 11855) to extend the time for the construction of a bridge over the Ohio River near Steubenville, Ohio.

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 time for commencing and completing the construction of a bridge authorized by act of Congress approved March 23, 1922, to be built by the Steubenville & Pittsburgh Bridge Co., across the Ohio River at or near the north city limits of Steubenville, Ohio, are hereby extended one and three years, respectively, from the date of approval thereof.

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.

ANWERS BY THE SPOT-COTTON TRADE OF NEW ORLEANS TO SUGGESTIONS OF THE FEDERAL TRADE COMMISSION (S. DOC. NO. 207)

Mr. RANSDELL. Mr. President, I ask unanimous consent to make a report from the Committee on Printing. It will take only a moment. It does not call for any debate. It is merely a report from the Committee on Printing in regard to the printing of a Senate document.

The PRESIDING OFFICER. The Senator from Louisiana asks unanimous consent to report favorably, from the Committee on Printing, a Senate Resolution 348. Is there objection? The Chair hears none. The Senator from Louisiana and further unanimous consent for the present consideration of the report. Is there objection?

Mr. HEFLIN. Mr. President, what is the resolution?

The PRESIDING OFFICER. It is a resolution providing for the printing of a small document.

Mr. RANSDELL. It provides for the printing as a Senate document of the answer of the cotton exchange to a report made by the Federal Trade Commission some days ago.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Louisiana for the present consideration of the report?

The resolution was considered by unanimous consent and agreed to, as follows:

Resolved, That the manuscript entitled “Answers by the Spot Cotton Trade of New Orleans to Suggestions of the Federal Trade Commission” be printed as a Senate document.
Mr. HARRELD. Mr. President, I ask unanimous consent, out of order, to file a conference report, and ask for its immediate consideration.

The PRESIDING OFFICER. The Senator from Oklahoma asks unanimous consent to present the conference report on House bill 5726. Is there objection? The Chair hears none. The Senator from Oklahoma asks further unanimous consent for the present consideration of the report.

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. 5726) to amend the act of Congress of March 3, 1921, entitled "An act to amend section 3 of the act of Congress of June 25, 1906, entitled 'An act of Congress for the division of the lands and funds of the Osage Indians in Oklahoma, 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 amendment numbered 19.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 7, 8, 10, 11, 12, 13, 14, 15, 16, 17, and 18; and agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment as follows: Strike out the words "Commissioner of Indian Affairs" and insert "Secretary of the Interior".

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment as follows: After the word "specified" strike out the word "shall" and insert in lieu thereof the word "may," and strike out the words "Commissioner of Indian Affairs" and insert in lieu thereof the words "Secretary of the Interior"; and the Senate agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment as follows: In line 3 of the Senate engross amendment strike out "through mistake of law and which should have been reserved by the Secretary of the Interior" and insert "in excess of $4,000 per annum each for adults and $2,000 each for minors"; and in line 9 strike out the words "in their possession," and in line 13 strike out the words "moneys expended and purchases and investments made by legal guardians in accordance with the laws of the State of Oklahoma are hereby declared to be legal," and at the end of section 1 of the bill insert "Within 30 days after the passage of this act such guardian shall render and file with the Secretary of the Interior or the superintendent of the Osage Agency a complete accounting, fully itemized, undertaking, for the funds so paid to him and pay to the said Secretary or superintendent any and all moneys in his hands at the time of the passage of this act which have been paid in excess of $4,000 per annum each for adults and $2,000 each for minors. The said guardian shall at the same time tender to the said Secretary or superintendent all property of whatsoever kind in his possession at the time of the passage of this act, representing the investment by him of said funds. The Secretary or superintendent is hereby authorized to accept such property or any part thereof at the price paid therefor by said guardian for the benefit of the ward of such guardian, if in his judgment he deems it advisable, and to make such settlement with such guardian as he deems best for such ward. Failing to make satisfactory settlement with such guardian as to said investments, the Secretary is authorized to bring suit or suits against said guardian, his bond, and other parties in interest as he may deem necessary for the protection of the interest therein, and may borrow money and sue in any court of competent jurisdiction or in the United States district court for the district in which said guardian resides;" and the Senate agree to the same.

Mr. Owen. Mr. President, I desire to state that I was a member of the conference committee and I signed the report. I desire to state for the record that I should have preferred what the Senate passed with relation to the subject. I, however, made the best terms that I could with the conference, and am compelled to be content.

The PRESIDING OFFICER. The Senator from Oklahoma asks further unanimous consent for the present consideration of the report. Is there objection? The Chair hears none. The question is on agreeing to the conference report.

The report was agreed to.

Mr. McNARY. Mr. President, last night the Chair laid down a message from the House on House bill 7607. I move that the Senate insist on its amendments and agree to the conference asked for, and that the Chair appoint the conferences on the part of the Senate.

Mr. McNARY. Mr. President, I move that the Senate insist on its amendments and agree to the conference asked for, and that the Chair appoint the conferences on the part of the Senate.

The PRESIDING OFFICER. The Senator from Oklahoma moves that the Senate insist upon its amendments, and agree to the conference asked by the House, and that the Chair appoint the conferences on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. HARRELD, Mr. McNARY, and Mr. Ashurst conferences on the part of the Senate.

SUITS IN ADMARITY

The PRESIDENT pro tempore laid before the Senate the report of the Federal Trade Commission, made pursuant to Senate Resolution 275 (submitted by Mr. McNary and agreed to December 8, 1924), on the history and present status of the packer-consent decree, which was ordered to lie on the table.

MEMORIAL BRIDGE ACROSS THE POTOMAC RIVER

The PRESIDENT pro tempore laid before the Senate a report of the Federal Trade Commission, made pursuant to Senator Resolution 275 (submitted by Mr. McNary and agreed to December 8, 1924), on the history and present status of the packer-consent decree, which was ordered to lie on the table.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 3175) 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, which was on page 2, line 21, after "States," to insert the following proviso: 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 be determined by Congress to be equitable; Provided further, That 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: Provided further, That if the bridge is constructed otherwise than by contract there shall be kept separate and itemized account of all costs, including labor, materials, rental, repairs, insurance, depreciation of plant and equipment, and all other items and engineering costs properly chargeable to the completion of said bridge.

Mr. SWANSON. Mr. President, in the absence of the Senator from Maine [Mr. Fernald], he has asked me when that bill was laid down to move to concur in the House amendment, which I do.
The President pro tempore. The Senator from Virginia moves that the Senate concur in the House amendment.

The motion was agreed to.

SEVENTEENTH INTERNATIONAL CONGRESS AGAINST ALCOHOLISM

(S. Doc. No. 26)

Mr. MOWES, from the Committee on Printing, reported the following resolution (S. Res. 342), which was considered by unanimous consent and agreed to:

Resolved, That the report of the delegates from the United States to the Seventeenth International Congress Against Alcoholism be printed as a Senate document.

PROPORTIONAL REPRESENTATION IN CHOICE OF PRESIDENTIAL ELECTORS

Mr. JOHNSON of Minnesota submitted the following concurrent resolution (S. Con. Res. 32), which was referred to the Committee on Privileges and Elections:

Concurrent resolution

Whereas the existing practice of having all the presidential electors in each State elected in one block, and of having the votes of such electors all cast for the presidential candidate who receives the largest number of votes, is detrimental to the interests of the Nation because:

(1) It deprives of representation in the Electoral College, always some minority, often a large minority and sometimes even a majority, of the United States;

(2) It unjustly causes a part of the numerical strength of the voters of the State to be counted for candidates of whom they disapprove, thus giving in effect more than one vote to each citizen of the most numerous party; and although that party may be a minority of the whole number of voters;

(3) It places an undue strain of excitement and temptation to corruption upon those States in which the principal parties are equally divided, and in which therefore each of the principal parties exercises itself to become the most numerous one;

(4) It deprives of States in which either of the principal parties is sure of the election of which, as every majority (or even a plurality) vote of the benefit of discussion and instruction of citizens in the principles of government and the issues of the day, which would result from an active effort to secure their votes;

(5) It deprives the National Government of the benefit of participation in its affairs by that great host of citizens in the sure States who, on the one hand, can not by voting give worth-while expression to their convictions, or who, on the other hand, because of the practical changelessness of election results in their States, fail to take that interest in national affairs which patriotism demands;

(6) It nullifies the efforts of truly patriotic, thinking citizens who voted according to conviction, by placing elections mainly in the hands of those who vote according to habit; and

Whereas proportional representation (both by the single transferable vote method used in England, Ireland, Canada, and some cities of the United States, and by the bicameral method used in various continental European countries) has proved in practice to be easily workable, satisfactory to the voters, and just to all parties; and

Whereas the process of electing the President and Vice President of the United States of great importance to the welfare of the Federal Government, yet Congress has no authority to modify it, because Article II, section 1, of the Constitution gives to the Committee on Privileges and Elections:

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that the legislatures of the several States should establish by appropriate legislation proportional representation in the choosing of presidential electors, and that the Secretary of State is hereby requested to transmit a copy of this resolution to the governors of the several States.

AMENDMENT OF THE NATIONAL DEFENSE ACT

Mr. WADSWORTH submitted the following concurrent resolution (S. Con. Res. 33), which was considered by unanimous consent and agreed to:

Resolved by the Senate (the House of Representatives concurring), That the President of the United States be, and he is hereby, requested to return to the Senate the bill (S. 3700) to amend in certain particulars the national defense act of June 3, 1918, as amended, and for other purposes.

EXECUTIVE SESSION

Mr. CURTIS. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 10 minutes spent in executive session the doors were reopened.

CONVENTION WITH GREAT BRITAIN CONCERNING RIGHTS IN PALESTINE

In executive session this day, the following convention was ratified, and, on motion of Mr. BORAH, the injunction of Section 2 was removed therefore:

To the Senate:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith a convention between the United States and the Government of His Britannic Majesty with respect to the rights of the two Governments and their nationals in Palestine, signed at London on December 3, 1924.

CALVIN COOLIDGE.

THE WHITE HOUSE,
Washington, December 29, 1924.

The President:

The undersigned, the Secretary of State, has the honor to lay before the President, with a view to its transmission to the Senate to receive the advice and consent of that body to ratification, should his judgment approve thereof, a convention between the United States and the Government of His Britannic Majesty with respect to the rights of the two Governments and their nationals in Palestine, signed at London on December 3, 1924.

Respectfully submitted,
CHARLES E. HUGHES.

DEPARTMENT OF STATE,
Washington, December 19, 1924.

Whereas by the Treaty of Peace concluded with the Allied Powers, Turkey renounces all her rights and titles over Palestine; and

Whereas article 22 of the Covenant of the League of Nations in the Treaty of Versailles provides that in the case of certain mandates, the administration of which, as a consequence of the late war, ceased to be under the sovereignty of the States which formerly governed them, mandates should be issued, and that the terms of the mandate should be explicitly defined in each case by the Council of the League; and

Whereas the Principal Allied Powers have agreed to entrust the mandate for Palestine to His Britannic Majesty; and

Whereas the terms of the said mandate have been defined by the Council of the League of Nations, as follows:

"The Council of the League of Nations:

Whereas the Principal Allied Powers have agreed, for the purpose of giving effect to the provisions of article 22 of the Covenant of the League of Nations, to entrust to a Mandatory selected by the said Powers the administration of the territory of Palestine, which formerly belonged to the Turkish Empire, within such boundaries as may be fixed by them; and

Whereas the Principal Allied Powers have also agreed that the Mandatory should be responsible for putting into effect the declaration originally made on the 2nd November, 1917, by the Government of His Britannic Majesty, and adopted by the said Powers, in favour of the establishment in Palestine of a national home for the Jewish people, it being clearly understood that nothing should be done which might prejudice the civil and religious rights of existing non-Jewish communities in Palestine, or the rights and political status enjoyed by Jews in any other country; and

Whereas recognition has thereby been given to the historical connection of the Jewish people with Palestine and to the grounds for reconstituting their national home in that country; and

Whereas the Principal Allied Powers have selected His Britannic Majesty as the Mandatory of Palestine; and

Whereas the mandate in respect of Palestine has been formulated in the following terms and submitted to the Senate for approval, pursuant to the provisions of the said article 22 of the Covenant of the League of Nations:

That the mandatory power should be exercised by His Britannic Majesty for and on behalf of the said Mandatory powers, subject to the provisions of the said Covenant of the League of Nations, in accordance with the following conditions: and

Whereas by the aforementioned article 22 (paragraph 8), it is provided that the degree of authority, control or administration to be exercised by the Mandatory, not having been previously agreed upon by the members of the League, shall be explicitly defined by the Council of the League of Nations;

Conforming the said mandate, defines its terms as follows:...
"ARTICLE 1

"The Mandatory shall have full powers of legislation and administration, save as they may be limited by the terms of this mandate.

"ARTICLE 2

"The Mandatory shall be responsible for placing the country under such political, administrative and economic conditions as will secure the establishment of the Jewish national home, as laid down in the preamble, and the development of self-governing institutions, and also for safeguarding the civil and religious rights of all the inhabitants of Palestine, irrespective of race and religion.

"ARTICLE 3

"The Mandatory shall, so far as circumstances permit, encourage local autonomy.

"ARTICLE 4

"An appropriate Jewish agency shall be recognised as a public body for the purpose of advising and co-operating with the Administration of Palestine in such economic, social and other matters as may affect the establishment of the Jewish national home and the interests of the Jewish population in Palestine, and, subject always to the control of the Administration, to assist and take part in the development of the country.

"ARTICLE 5

"The Zionist organisation, so long as its organisation and constitution are in the opinion of the Mandatory appropriate, shall be recognised as such agency. It shall take steps in consultation with His Britannic Majesty's Government to secure the cooperation of all Jews who are willing to assist in the establishment of the Jewish national home.

"ARTICLE 6

"The Mandatory shall be responsible for seeing that no Palestinian territory is used for the purpose of advising and co-operating with the Administration of Palestine in such economic, social and other matters as may prejudice the establishment of the Jewish national home and the interests of the Jewish population in Palestine, and, subject always to the control of the Administration, to assist and take part in the development of the country.

"ARTICLE 7

"The Administration of Palestine, while ensuring that the rights and position of other sections of the population are not prejudiced, shall facilitate Jewish immigration under suitable conditions and shall encourage, in co-operation with the Jewish Agency referred to in article 5, the establishment of Jewish communities in the country, by the granting of powers to Jewish authorities to purchase, lease, or hold lands and other properties and by the provision of funds for the establishment of particular communities.

"ARTICLE 8

"The Administration of Palestine shall be responsible for enacting a nationality law. The Mandatory shall be included in this law provisions framed so as to facilitate the acquisition of Palestinian citizenship by Jews who take up their permanent residence in Palestine.

"ARTICLE 9

"The privileges and immunities of foreigners, including the benefits of consular jurisdiction and protection as formerly enjoyed by Capitulation or usage in the Ottoman Empire, shall not be applicable to Palestine.

"ARTICLE 10

"Unless the Powers whose nationals enjoyed the aforementioned privileges and immunities on the 1st August, 1914, have previously renounced the right to their non-application for a specified period, these privileges and immunities shall, at the expiration of the mandate, be immediately re-established in their entirety or with such modifications as may have been agreed upon between the Powers concerned.

"ARTICLE 11

"The Mandatory shall be responsible for seeing that the judicial system established in Palestine shall assure to foreigners, as well as to natives, a complete guarantee of their rights.

"ARTICLE 12

"Respect for the personal status of the various peoples and communities and for their religious interests shall be fully guaranteed. In particular, the control and administration of Waibs and the exercise of certain functions in accordance with religious law and the dispositions of the founders.

"ARTICLE 13

"Pending the making of special extradition agreements relating to Palestine, the Mandatory treaties in force between the Mandatory and other foreign Powers shall apply to Palestine.

"ARTICLE 14

"The Administration of Palestine shall take all necessary measures to safeguard the interests of the community in connection with the development of the country, and, subject to any international obligations accepted by the Mandatory, shall have full power to provide for public ownership or control of any of the natural resources of the country or of the public works, services and utilities established or to be established therein. It shall introduce a land system applicable to the ownership of the country, and also, regard being had to the desirability of promoting the close settlement and intensive cultivation of the land.

"The Mandatory shall be responsible for the maintenance of public order and good government. Subject to such supervision, no measures shall be taken in Palestine to obstruct or interfere with the enterprises of such bodies or to discriminate against any representative or member of them on the ground of his race or religion.

"ARTICLE 16

"The Mandatory shall be responsible for exercising such supervision over religious or ecclesiastical bodies of all faiths in Palestine as may be required for the maintenance of public order and good government. Subject to such supervision, no measures shall be taken in Palestine to obstruct or interfere with the enterprises of such bodies or to discriminate against any representative or member of them on the ground of his race or religion.

"ARTICLE 17

"The Administration of Palestine may organise on a voluntary basis the forces necessary for the preservation of peace and order, and also for the defense of the country, subject, however, to the supervision of the Mandatory, but shall not use them for purposes other than those above specified save with the consent of the League. For such purposes, no military, naval or air forces shall be raised or maintained by the Administration of Palestine.

"ARTICLE 18

"The Mandatory shall be entitled at all times to use the roads, railways and ports of Palestine for the movement of armed forces and the carriage of fuel and supplies.
“The Mandatory shall see that there is no discrimination in Palestine against the nationals of any State member of the League of Nations (including companies incorporated under its laws) as compared with those of the Mandatory or of any foreign State in matters concerning taxation, commerce or navigation, the exercise of industries or professions, or in the treatment of merchant vessels or civil aircraft. Similarly, there shall be no discrimination in Palestine against goods originating in or destined for any of the said States, and there shall be freedom of transit under equitable conditions across the mandated area.

Subject as aforesaid and to the other provisions of this mandate, the Administration of Palestine may, on the advice of the competent Department, impose such taxes and customs duties as it may consider necessary, and take such steps as it may think best to promote the development of the natural resources of the country and to safeguard the interests of the population. It may also, on the advice of the Mandatory, conclude a special customs agreement with any State the territory of which in 1914 was wholly included in Asiatic Turkey or Arabia.

The Mandatory shall adhere on behalf of the Administration of Palestine to any general international conventions already existing, or which may be concluded hereafter with the approval of the League of Nations, respecting the slave traffic, the traffic in arms and ammunition, or the traffic in drugs, or relating to commercial equality, freedom of transit and navigation, aerial navigation and postal, telegraphic and wireless communication or literary, artistic, or industrial property.

The Mandatory shall co-operate on behalf of the Administration of Palestine, so far as religious, social and other conditions may permit, in the execution of any common policy adopted by the League of Nations for preventing and combating disease, including diseases of plants and animals.

The Mandatory shall secure the enactment within twelve months from this date, and shall ensure the execution of a law of Antiquities based on the following rules. This law shall ensure equality of treatment in the matter of excavations and archaeological research to the nationals of all States members of the League of Nations.

“Antiquity” means any construction or any product of human activity earlier than the year A. D. 1700.

The law for the protection of antiquities shall proceed by encouragement rather than by threat.

Any person who, having discovered an antiquity without being authorized to do so, as referred to in paragraph 5, reports the same to an official of the competent Department, shall be rewarded according to the value of the discovery.

No antiquity may be disposed of except to the competent Department, unless this Department renounces the acquisition of any such antiquity.

No antiquity may leave the country without an export license from the said Department.

Any person who maliciously, or negligently destroys or damages an antiquity shall be liable to a penalty to be fixed.

No clearing of ground or digging with the object of finding antiquities shall be permitted, under penalty of fine, except to persons authorised by the competent Department.

Equitable terms shall be fixed for expropriation, temporary or permanent, of lands which might be of historical or archaeological interest.

Authorisation to excavate shall only be granted to persons who show sufficient guarantee of archaeological experience. The Administration of Palestine shall not, in granting these authorisations, act in such a way as to exclude scholars of any nation without good grounds.

The proceeds of excavations may be divided between the excavator and the competent Department in a proportion fixed by that Department. If division seems impossible for scientific reasons, the excavator shall receive a fair indemnity in lieu of a part of the find.

English, Arabic, and Hebrew shall be the official languages of Palestine. Any statement or inscription in Arabic on stamps or money in Palestine shall be repeated in Hebrew, and any statement or inscription in Hebrew shall be repeated in Arabic.

The Administration of Palestine shall recognize the holy days of the respective communities in Palestine as legal days of rest for the members of such communities.

The Mandatory shall make to the Council of the League of Nations an annual report to the satisfaction of the Council as to the measures taken during the year to carry out the provisions of the mandate. Copies of all laws and regulations promulgated or issued during the year shall be communicated with the report.

In the territories lying between the Jordan and the eastern boundary of Palestine as ultimately determined, the Mandatory shall be entitled, with the consent of the Council of the League of Nations, to postpone or withhold application of such provisions of this mandate as he may consider inappropriate to the existing local conditions, and to make such provision for the administration of the territories as he may consider suitable to those conditions, provided that no action shall be taken which is inconsistent with the provisions of articles 15, 16, and 18.

The Mandatory agrees that if any dispute whatever should arise between the Mandatory and another member of the League of Nations relating to the interpretation or the application of the provisions of the mandate, such dispute, if it cannot be settled by negotiation, shall be submitted to the Permanent Court of International Justice provided for by article 14 of the Covenant of the League of Nations.

The consent of the Council of the League of Nations is required for any modification of the terms of this mandate.

In the event of the termination of the mandate hereby conferred upon the Mandatory, the Council of the League of Nations shall make such arrangements as may be deemed necessary for safeguarding in perpetuity, under guarantee of the League, the rights secured by articles 13 and 14, and shall use its influence for securing, under the guarantee of the League, that the Government of Palestine will fully honour the financial obligations legitimately incurred by the Administration of Palestine during the period of the mandate, including the rights of public service pensioners or gratuities.

The present instrument shall be deposited in original in the archives of the League of Nations, and certified copies shall be forwarded by the Secretary-General of the League of Nations to all members of the League.

Done at London, the 24th day of July, 1922;" and Whereas the mandate in the above terms came into force on the 29th September, 1923; and Whereas the United States of America, by participating in the war against Germany, contributed to her defeat and the renunciation of the rights and titles of her Allies in the territory transferred by them but has not ratified the Covenant of the League of Nations embodied in the Treaty of Versailles; and Whereas the Government of the United States and the Government of His Britannic Majesty desire to reach a definite understanding with respect to the rights of the two Governments and their respective nationals in Palestine:

The President of the United States of America and His Britannic Majesty have decided to conclude a convention to this effect, and have named as their plenipotentiaries:

The President of the United States of America:

His Excellency the Honourable Frank B. Kellogg, Ambassador Extraordinary and Plenipotentiary of the United States at London:

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas Emperor of India:

The Right Honourable Joseph Austen Chamberlain, M. P., His Majesty's Principal Secretary of State for Foreign Affairs:

The United States and His Britannic Majesty having communicated to each other their respective full powers, found in good and due form, have agreed as follows:
ARTICLE 1
Subject to the provisions of the present convention the United States consents to the administration of Palestine by His Britannic Majesty, pursuant to the mandate recited above.

ARTICLE 2
The United States and its nationals shall have and enjoy all the rights and benefits secured under the terms of the mandate to members of the League of Nations and their nationals, notwithstanding the fact that the United States is not a member of the League of Nations.

ARTICLE 3
Vested American property rights in the mandated territory shall be respected and in no way impaired.

A duplicate of the annual report to be made by the Mandatory under article 24 of the mandate shall be furnished to the United States.

ARTICLE 4
Subject to the provisions of any local laws for the maintenance of public order and public morals, the nationals of the United States will be permitted freely to establish and maintain educational, philanthropic and religious institutions in the mandated territory, to receive voluntary applicants and to teach in the English language.

ARTICLE 5
The extradition treaties and conventions which are, or may be, in force between the United States and Great Britain, and the provisions of any treaties which are, or may be, in force between the two countries which relate to extradition or consular rights shall apply to the mandated territory.

ARTICLE 6
Nothing contained in the present convention shall be affected by any modification which may be made in the terms of the mandate, as recited above, unless such modification has been assented to by the United States.

The present convention shall be ratified in accordance with the respective constitutional methods of the High Contracting Parties. The ratifications shall be exchanged in London as soon as practicable. The present convention shall take effect on the date of the exchange of ratifications.

In witness whereof, the undersigned have signed the present convention, and have thereunto affixed their seals.

Done in duplicate at London, this 3rd day of December, 1924

FRANK B. KELOGG [SEAL]
AUSTEN CHAMBERLAIN [SEAL]

HOUSE OF REPRESENTATIVES
FRIDAY, FEBRUARY 20, 1925

Mr. BLANTON. Mr. Speaker, I make the point of no quorum. The SPEAKER (after counting). A quorum is not present. Mr. LONGWORTH. Mr. Speaker, I move a call of the House.

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

(Names not provided)

The SPEAKER. Three hundred and sixty-eight Members have answered to their names; a quorum is present.

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

The motion was agreed to.

The doors were opened.

COOPERATIVE MARKETING BILL

Mr. WILLIAMS of Michigan. Mr. Speaker, I desire unanimous consent of the House to have put in the form of a bill certain amendments that I desire to propose to the bill (H. R. 13248), the cooperative marketing bill coming from the Committee on Agriculture, these amendments consisting of four sections and to stand as part 3, Title I, of the bill.

The SPEAKER. Is there objection?

There was no objection.
Mr. WILLIAMS of Michigan. By unanimous consent of the House I am placing in the Record certain amendments that I wish to propose to the cooperative marketing bill. These amendments consist of four sections, and stand as part 3, Title 1, of the bill, and read as follows:

PART 3.—LICENSED TERMINAL MARKET ASSOCIATION DEFINITIONS

Sec. 41. That a licensed terminal market association, as distinguished from a cooperative terminal marketing association, is any association of persons, firms, or corporations, now or hereafter duly and legally organized, in a corporation form or otherwise, as a terminal market and conducted as an exchange for the handling and sale of perishable agricultural products, as such products may be defined by the Federal cooperative marketing board, and whose membership is open equally to representatives of cooperative buying associations, wholesalers, and other dealers in or large consumers of perishable agricultural products, and which said terminal market associations are licensed by the Federal cooperative marketing board, as hereinafter provided.

Sec. 42. The Federal cooperative marketing board is hereby authorized and empowered upon application therefor to grant a license to the terminal market associations of the character described in the preceding section on the following terms and conditions:

(a) That the articles of association, by-laws, rules, or methods of carrying on business and of electing its officers, the form of contracts between the association and its members, and other features of the organization are in conformity with law and in accordance with the terms of this part 3 of this title.

(b) That the association agrees for itself and its members to adopt and use for the purposes of transactions under this act all standards for perishable agricultural products which have been or may be established or otherwise under the authority of section 19 of the United States warehouse act, approved August 11, 1916, as amended, or by or under the authority of any other act of Congress.

(c) That the association, for itself and its members, agree that all disputes with reference to the grades, standards, condition, or quantity of any perishable agricultural product, or the trade rules and regulations, practices, and customs, in respect of such product occurring between any such association, its members and/or individuals, or the cooperative marketing association or clearing-house association registered under this act and/or its members shall be submitted for determination by arbitration in the manner prescribed by the board, in section 21, subdivision (d), the terms of which are hereby made applicable to licensed terminal market associations as defined in section 41, and that the association and its members will abide by the award thus determined.

(d) That said association shall, subject to the approval of the Federal cooperative marketing board, prescribe in its by-laws or rules such regulations governing admission to membership and continuance of membership bearing upon financial responsibility and reasonable methods of protecting registered cooperative marketing associations or registered cooperative clearing-house associations, or their members, respectively, in derogation under this act with said association or any of its members.

(e) That the association, for itself and its members, will permit the examination of books and records of such association and/or its members by the board with reference to any sale or transaction which may be pertinent to the control of said association or any of its members.

(f) That the association and/or its members will abide by any rule or regulation of the board made to carry out any provision of part 3 of this title.

Sec. 43. (a) If the board finds, after giving not less than 30 days' notice and opportunity for a hearing to a licensed association, that such association is no longer eligible for license under the act or has violated any applicable provision of this act or any regulation of the board promulgated under authority of any such provision, the board may—

(1) Impose any penalty prescribed under this section for such violation; and/or

(2) Suspend, for such period as it may designate, or revoke the license of any such association.

(b) Any licensed association may request revocation of its license and of any license obtained upon application to the board, together with a duly authenticated statement showing that such request for revocation has been authorized by a majority of the members of such association. Such revocation shall take effect 30 days after the receipt of the revocation by the board.

(c) The board may prescribe, for violation of any provision of part 3 of this title or any regulation of the board promulgated under the act, a fine not exceeding $50 for each day during which the violation continues. The board may collect in a civil suit brought in the name of the United States any such penalty which it has imposed in a proceeding under this section and which remains unpaid. The revocation or suspension of the license of an association shall not bar the collection of any penalty imposed upon such association by the board.

Sec. 44. Any association licensed under part 3 of this title shall have the right to use the words "U. S. Licensed Terminal Market Association," or its abbreviation, on its stationery and labels and in its advertisements. No such licensed terminal-market association shall have any rights under this act other than as provided in part 3 of this title, except the right to secure arbitration of disputes as provided for in this act. No such licensed terminal-market association shall have any immunities from the operation or application of any of the acts specified in section 6 of part 2 of this act.

OPERATION OF FERRIES

Mr. DEAL. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record in the case of Mr. Deal, under the 3rd section for the operation of the ferries between Portsmouth and Norfolk, in my district, by the Housing Corporation.

The SPEAKER. Is there objection?

There was no objection.

Mr. DEAL. Mr. Speaker, under an act of the General Assembly of Virginia of January, 1861, the county of Norfolk was authorized to maintain a ferry from Norfolk Town to Portsmouth. As the city of Norfolk, now the City of Norfolk, was carried out of Norfolk County until 1858, when the city of Portsmouth was carried out of Norfolk County and made a separate municipality, at which time, by arbitration, the ferries became the property of the county of Norfolk and have since then been operated jointly by the county of Norfolk and the city of Portsmouth.

In 1801 the city of Portsmouth and the county of Norfolk attempted to lease the ferries but were enjoined from doing so. The ferries were operated as a public service, and the court at that time said that it would not permit the county and city of Portsmouth to lease the ferries and the lease then in force be operated as a public service by private individuals. These salient facts are taken from an opion prepared by Mr. John W. Happer and Mr. Frank L. Crocker, attorneys for the ferries company. I might refer further to the fact that the original act, quoting from the same authority, the court was required to keep three ferries and maintain them by a levy. I have not examined later acts of the General Assembly of Virginia, and the opinion to which I have referred does not go into detail as to the rights of operating these ferries for profit.

My impression, however, is that no competitive ferry can be operated within a reasonable distance of the present ferries, all of which suggest that the said ferries were given a monopoly and, therefore, should not be operated for profit, but in the general interest of the public. For many years, however, with the increased traffic, and with no increase of tolls, there has been a continuing increase of revenue, so that at each termination of a lease new leases have been sold for periods of 10 years at material increasing advances. In 1910, when the last lease was made, the sum of $15,5200 per annum was offered and accepted; and they were operated presumably at a profit, with no increase of tolls until 1918, when, as a war measure, the Federal Government took over these ferries and the lease then in force from the lessors and amended the contract with the city of Portsmouth and county of Norfolk, in which it was agreed that the Government would continue to pay the same annual rental, make such additions and improvements as might be necessary, keeping an account thereof against the city of Portsmouth and county of Norfolk, or the ferries company; and providing further that at the expiration of three years after a proclamation of peace the ferries should be returned to their rightful owners and that there should be an appraisal of the betterments only to those properties made by the Government, and the Government should appoint two of the appraisers, the city of Portsmouth and the county of Norfolk two, and that these four should select one. The value of such betterments, as appraised, should be paid to the Federal Government by the owners of the ferries. It appears that the Government spent in additions to the plant $1,300,000, approximately, during the war and at the peak of high prices.

The ferry slip was built, at considerable expense, which, owing to a mistake of the Government engineers, was too small to
admit of the entrance by such boats as were necessary for the service. There was no clause to that effect. There was no intimation that any person, or all persons, a full opportunity to be heard before an impartial committee to which the bill was referred, or, in the interest of profit, for the Federal Government; so that citizens using this ferry have been required to contribute to an unwarranted profiteering by the Federal Government.

During the past four years the Government has increased its charges for passenger service 100 per cent, and for freight service 300 per cent. Within my district in Portsmouth and the county of Norfolk—of this body. Naturally, it was in the nature of an attack on the housing of the public. Letter follows.

The citizen, or citizens, seeking such an authorization can only do so through a Representative having the right to introduce a bill before Congress. The Representative of the district in which the authorization and project is proposed, is naturally he to whom such projectors would go and request the introduction of a bill. It is patently right and proper that a Representative should present matters referred to him for such introduction, and if he did not introduce such matters so referred to him by his constituents, the constitutional right of appeal would not avail. Had the city of Portsmouth and the county of Norfolk been the projectors and have presented to me a request for the introduction of such a bill, I certainly should not have gone to the city council of the city of Norfolk or of Suffolk and consulted with them as to whether or not I should introduce the bill, even though it would still have placed the press and me in the hands of those important centers almost entirely within the hands of the city of Portsmouth and the county of Norfolk—a power which might be utilized to the detriment of a majority of the people in the district—but would have promptly introduced it, knowing full well that any or all objections might be heard before a disinterested committee of Congressmen.

It should further be borne in mind that the Ferries Co. have not given to me their full confidence in connection with this matter. I do not claim that they were called upon to do so. Indeed, if they felt that they could handle the situation in Washington without any assistance, and so desired, they acted entirely within their rights.

The impression under which I was placed, however, was that the Ferries Co. desired the return of their properties, and my belief is that they have been induced to this position of such a bill in Congress it is recorded in the Journal of its proceedings and in the Congressional Record. It is open to the HOUSE and is generally noted by reporters, particularly those representing the locality affected. I had no thought of entering into a discussion of this question, leaving the merits or demerits to be discussed by others, until some definite action was taken from the city manager of Norfolk, dated February 6, in which it was stated that the officials of Portsmouth and Norfolk County—naturally and properly felt that they should have been given a chance to present their views before the bill was introduced.

And that—

It is the prevailing opinion here that the purpose of this bill, as previously stated, is to frighten prospectiveidders and thus materially reduce the amount for which the ferries would lease, in case their owners decide to lease them again.

Whether rightfully or wrongfully, I felt that these comments, as well as the general tone of the letter, implied a purpose on the part of the city of Norfolk to wipe out any interest in the Norfolk and the county of Norfolk—that I originated and timed the introduction of the bill to consummate that event and that it would be considered the third but most important interest involved, viz., the general public. I would point out that every citizen has a legal right to petition and appeal and to enter into any legitimate business, even to the building of toll roads, toll bridges or toll ferries, as the citizens of Norfolk or of Suffolk and consulted with them as to whether or not I should introduce the bill, even though it would still have placed the press and me in the hands of these important centers almost entirely within the hands of the city of Portsmouth and the county of Norfolk—a power which might be utilized to the detriment of a majority of the people in the district—but would have promptly introduced it, knowing full well that any or all objections might be heard before a disinterested committee of Congressmen.

It should further be borne in mind that the Ferries Co. have not given to me their full confidence in connection with this matter. I do not claim that they were called upon to do so. Indeed, if they felt that they could handle the situation in Washington without any assistance, and so desired, they acted entirely within their rights.

The impression under which I was placed, however, was that the Ferries Co. desired the return of their properties, and my belief is that they have been induced to this position of such a bill in Congress it is recorded in the Journal of its proceedings and in the Congressional Record. It is open to the HOUSE and is generally noted by reporters, particularly those representing the locality affected. I had no thought of entering into a discussion of this question, leaving the merits or demerits to be discussed by others, until some definite action was taken from the city manager of Norfolk, dated February 6, in which it was stated that the officials of Portsmouth and Norfolk County—naturally and properly felt that they should have been given a chance to present their views before the bill was introduced.

And that—

It is the prevailing opinion here that the purpose of this bill, as previously stated, is to frighten prospectiveidders and thus materially reduce the amount for which the ferries would lease, in case their owners decide to lease them again.

Whether rightfully or wrongfully, I felt that these comments, as well as the general tone of the letter, implied a purpose on the part of the city of Norfolk to wipe out any interest in the Norfolk and the county of Norfolk—that I originated and timed the introduction of the bill to consummate that event and that it would be considered the third but most important interest involved, viz., the general public. I would point out that every citizen has a legal right to petition and appeal and to enter into any legitimate business, even to the building of toll roads, toll bridges or toll ferries, as the citizens of Norfolk or of Suffolk and consulted with them as to whether or not I should introduce the bill, even though it would still have placed the press and me in the hands of these important centers almost entirely within the hands of the city of Portsmouth and the county of Norfolk—a power which might be utilized to the detriment of a majority of the people in the district—but would have promptly introduced it, knowing full well that any or all objections might be heard before a disinterested committee of Congressmen.

It should further be borne in mind that the Ferries Co. have not given to me their full confidence in connection with this matter. I do not claim that they were called upon to do so. Indeed, if they felt that they could handle the situation in Washington without any assistance, and so desired, they acted entirely within their rights.

The impression under which I was placed, however, was that the Ferries Co. desired the return of their properties, and my belief is that they have been induced to this position of such a bill in Congress it is recorded in the Journal of its proceedings and in the Congressional Record. It is open to the HOUSE and is generally noted by reporters, particularly those representing the locality affected. I had no thought of entering into a discussion of this question, leaving the merits or demerits to be discussed by others, until some definite action was taken from the city manager of Norfolk, dated February 6, in which it was stated that the officials of Portsmouth and Norfolk County—naturally and properly felt that they should have been given a chance to present their views before the bill was introduced.

And that—

It is the prevailing opinion here that the purpose of this bill, as previously stated, is to frighten prospectiveidders and thus materially reduce the amount for which the ferries would lease, in case their owners decide to lease them again.

Whether rightfully or wrongfully, I felt that these comments, as well as the general tone of the letter, implied a purpose on the part of the city of Norfolk to wipe out any interest in the Norfolk and the county of Norfolk—that I originated and timed the introduction of the bill to consummate that event and that it would be considered the third but most important interest involved, viz., the general public. I would point out that every citizen has a legal right to petition and appeal and to enter into any legitimate business, even to the building of toll roads, toll bridges or toll ferries, as the citizens of Norfolk or of Suffolk and consulted with them as to whether or not I should introduce the bill, even though it would still have placed the press and me in the hands of these important centers almost entirely within the hands of the city of Portsmouth and the county of Norfolk—a power which might be utilized to the detriment of a majority of the people in the district—but would have promptly introduced it, knowing full well that any or all objections might be heard before a disinterested committee of Congressmen.

It should further be borne in mind that the Ferries Co. have not given to me their full confidence in connection with this matter. I do not claim that they were called upon to do so. Indeed, if they felt that they could handle the situation in Washington without any assistance, and so desired, they acted entirely within their rights.

The impression under which I was placed, however, was that the Ferries Co. desired the return of their properties, and my belief is that they have been induced to this position of such a bill in Congress it is recorded in the Journal of its proceedings and in the Congressional Record. It is open to the HOUSE and is generally noted by reporters, particularly those representing the locality affected. I had no thought of entering into a discussion of this question, leaving the merits or demerits to be discussed by others, until some definite action was taken from the city manager of Norfolk, dated February 6, in which it was stated that the officials of Portsmouth and Norfolk County—naturally and properly felt that they should have been given a chance to present their views before the bill was introduced.

And that—

It is the prevailing opinion here that the purpose of this bill, as previously stated, is to frighten prospectiveidders and thus materially reduce the amount for which the ferries would lease, in case their owners decide to lease them again.

Whether rightfully or wrongfully, I felt that these comments, as well as the general tone of the letter, implied a purpose on the part of the city of Norfolk to wipe out any interest in the Norfolk and the county of Norfolk—that I originated and timed the introduction of the bill to consummate that event and that it would be considered the third but most important interest involved, viz., the general public. I would point out that every citizen has a legal right to petition and appeal and to enter into any legitimate business, even to the building of toll roads, toll bridges or toll ferries, as the citizens of Norfolk or of Suffolk and consulted with them as to whether or not I should introduce the bill, even though it would still have placed the press and me in the hands of these important centers almost entirely within the hands of the city of Portsmouth and the county of Norfolk—a power which might be utilized to the detriment of a majority of the people in the district—but would have promptly introduced it, knowing full well that any or all objections might be heard before a disinterested committee of Congressmen.

It should further be borne in mind that the Ferries Co. have not given to me their full confidence in connection with this matter. I do not claim that they were called upon to do so. Indeed, if they felt that they could handle the situation in Washington without any assistance, and so desired, they acted entirely within their rights.

The impression under which I was placed, however, was that the Ferries Co. desired the return of their properties, and my belief is that they have been induced to this position of such a bill in Congress it is recorded in the Journal of its proceedings and in the Congressional Record. It is open to the HOUSE and is generally noted by reporters, particularly those representing the locality affected. I had no thought of entering into a discussion of this question, leaving the merits or demerits to be discussed by others, until some definite action was taken from the city manager of Norfolk, dated February 6, in which it was stated that the officials of Portsmouth and Norfolk County—naturally and properly felt that they should have been given a chance to present their views before the bill was introduced.

And that—

It is the prevailing opinion here that the purpose of this bill, as previously stated, is to frighten prospectiveidders and thus materially reduce the amount for which the ferries would lease, in case their owners decide to lease them again.
I do not know that it was the intention of the Ferries Co. to make such a lease, though not denied when I mentioned the matter to its representatives; but certainly a conversation along that line would naturally lead to the inference of a desire or intention to the return of the ferries. The effect of this situation is to fasten upon the public the burden of tying indefinitely the high tolls and large profits incident thereto.

In view of these facts, and representing the people of the entire district, comprising 520,000 persons, as against the wish of the ferry operators in the matter, my money for the construction of the bridge which they claim may be against the traffic using these highways at the mouth; and in the case of other purposes, for consideration in the House, as in Committee of the Whole.

The SPEAKER. The gentleman from Iowa asks unanimous consent to consider in the House as in Committee of the Whole the bill H. R. 12101, the legislative appropriation bill. Is there objection?

Mr. BLANTON. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from Iowa if the gentleman is going to give us time to consider the bill introduced on one or two propositions, and especially the salary increase amendment, to which we have objections.

Mr. DICKINSON of Iowa. It is my purpose to present the first 12 amendments in this bill on the floor, if there is no objection on the part of the gentleman from Colorado [Mr. Taylor] or any other Member of the House.

Mr. BLANTON. Will the gentleman give us time to be heard on the salary increase amendment before a vote is taken? It will be entirely within his control.

Mr. DICKINSON of Iowa. Oh, yes.

Mr. BLANTON. And the gentleman will give us time to be heard on it?

Mr. DICKINSON of Iowa. Liberal time.

Mr. FROTHINGHAM. Mr. Speaker, reserving the right to object, may I ask if there will be an opportunity given to be heard on the proposed salary increase, or will that be put through without debate?

Mr. DICKINSON of Iowa. We will have debate on it.

Mr. FROTHINGHAM. If those who oppose it will have an opportunity to be heard?

Mr. DICKINSON of Iowa. Yes.

Mr. RANKIN. Reserving the right to object, Mr. Speaker, why does the gentleman wish to put the other amendments on the floor? Why not have them voted on separately?

Mr. DICKINSON of Iowa. There is no objection to them. They are satisfactory to everyone.

The SPEAKER. Is there objection?

There was no objection.

DIVISION OF LANDS AND FUNDS OF THE OSAGE INDIANS

Mr. SNYDER. Mr. Speaker, I present a conference report, for printing under the rules, on the bill (H. R. 5726) to amend the act of Congress of March 3, 1924, entitled "An act in aid of the Osage Indians of the Oklah034a and other tribes of Oklahoma and the State of Virginia, and of the United States, who may be interested, against the traffic using these highways at the expense of the city of Norfolk, and of the people of the State of Virginia and of the United States, who must pay for the construction of these highways.

Every argument advanced against the building of a bridge is in reality an argument in favor of the bridge. It was not my purpose, and is not now, to take a partisan position in this matter, my only purpose being to defend my position against the charge of inconsideration and injustice.

I met the request of the ferries company by taking the bridge matter in order that there might be hearings upon the subject. This, of course, meant that it could not be accorded the same weight with the result that the committee reported favorably the bill and Congress has authorized the project. I had no more interest or feeling in the bridge than in the Lafayette River Dam, but in the line of duty I introduced the bill, expecting to stand or fall with the result that the committee reported favorably the bill and Congress has authorized the project. I had no more interest or feeling in the bridge than in the Lafayette River Dam project. They both came to me in the line of duty and were acted upon accordingly.

LEGISLATIVE APPROPRIATION BILL

Mr. DICKINSON of Iowa. Mr. Speaker, I ask unanimous consent to take from the Speaker's table 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, for consideration in the House, as in Committee of the Whole.

Mr. BLANTON. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from Iowa if the gentleman is going to give us time to consider the bill introduced on one or two propositions, and especially the salary increase amendment, to which we have objections.

Mr. DICKINSON of Iowa. It is my purpose to present the first 12 amendments in this bill on the floor, if there is no objection on the part of the gentleman from Colorado [Mr. Taylor] or any other Member of the House.

Mr. BLANTON. Will the gentleman give us time to be heard on the salary increase amendment before a vote is taken? It will be entirely within his control.

Mr. DICKINSON of Iowa. Oh, yes.

Mr. BLANTON. And the gentleman will give us time to be heard on it?

Mr. DICKINSON of Iowa. Liberal time.

Mr. FROTHINGHAM. Mr. Speaker, reserving the right to object, may I ask if there will be an opportunity given to be heard on the proposed salary increase, or will that be put through without debate?

Mr. DICKINSON of Iowa. We will have debate on it.

Mr. FROTHINGHAM. If those who oppose it will have an opportunity to be heard?

Mr. DICKINSON of Iowa. Yes.

Mr. RANKIN. Reserving the right to object, Mr. Speaker, why does the gentleman wish to put the other amendments on the floor? Why not have them voted on separately?

Mr. DICKINSON of Iowa. There is no objection to them. They are satisfactory to everyone.

The SPEAKER. Is there objection?

There was no objection.

DIVISION OF LANDS AND FUNDS OF THE OSAGE INDIANS

Mr. SNYDER. Mr. Speaker, I present a conference report, for printing under the rules, on the bill (H. R. 5726) to amend the act of Congress of March 3, 1924, entitled "An act in aid of the Osage Indians of the Oklahoma and for other purposes."

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, its Chief Clerk, announced that the Senate had passed without amendment the following bill:

H. R. 157. An act to authorize the more complete development of the Osage Indian Reservations, and for other purposes.
The message also announced that the Senate had passed bill and Joint resolutions of the following titles, in which the concurrence of the House of Representatives was requested:

H. R. 5929. An act to provide for the appointment of a leader of the Army; and
S. J. Res. 195. Joint resolution 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; and
S. J. Res. 187. Joint resolution providing for the cooperation of the United States in the sesquicentennial exhibition commemorating the signing of the Declaration of Independence, and for other purposes.

The message also announced that the Senate had passed the following order:

Ordered, That the House of Representatives be requested to return to the Senate the bill (H. R. 7881) to convey to the city of Astoria, Ore., a certain strip of land in said city.

ENROLLED BILLS SIGNED

Mr. ROSENBLOOM, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills and joint resolution of the following titles, when the Speaker signed the same:

H. R. 669. An act to compensate the Chippewa Indians of Minnesota for timber and interest for the use of national forests during the calendar year 1925; and
H. R. 2859. An act to consolidate certain lands within the Snoqualmie National Forest;
H. R. 2716. An act to amend paragraph 29 of section 24 of the Judicial Code, as amended by act of November 23, 1921, entitled "An act to reduce and equalize taxation, to provide revenue and for other purposes"; and
H. R. 2730. An act to authorize the sale of lands in Pittsburgh, Pa.;
H. R. 2857. An act granting public lands to the town of Silverton, Colo., for public park purposes;
H. R. 4114. An act authorizing the construction of a bridge across the Colorado River near Lee Ferry, Ariz.;
H. R. 4522. An act to provide for the completion of the topographical survey of the United States;
H. R. 4825. An act for the establishment of industrial schools for Alaskan native children, and for other purposes;
H. R. 5612. An act to authorize and regulate the height of buildings in the District of Columbia, approved June 1, 1910, as amended by the act of December 30, 1910; and
H. R. 11253. An act 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.;
H. R. 11445. An act to amend the national defense act; and
H. R. 11500. An act to amend an act entitled "An act authorizing the construction, maintenance, and operation of a private drawbridge over and across Lock No. 4 of the canal and locks, Willamette Falls, Clackamas County, Ore., etc." amended May 21, 1921.
H. R. 11214. An act 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; and
H. R. 11253. An act 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.;
H. R. 11445. An act to amend the national defense act; and
H. R. 11500. An act to amend an act entitled "An act to consolidate national forest lands";
H. R. 11600. An act granting consent of Congress to the Missouri, Illinois & Kentucky Railroad Co., its successors and assigns, to construct a bridge across the Mississippi River at or near Cairo, Ill., and for other purposes;
H. R. 11602. An act to authorize the exchange of certain patented lands in the Rocky Mountain National Park for Government lands in the park; and
H. R. 3412. Joint resolution to authorize the appointment of an additional commissioner on the United States Lexington-Concord Sesquicentennial Commission;

PURCHASE OF UNAPPROPRIATED PUBLIC LANDS

Mr. SINNOTT. Mr. Speaker, I present a conference report, for printing under the rules, on the bill (H. R. 8822) granting to certain claimants the preference right to purchase unappropriated public lands.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments to the bill (H. R. 8822) granting to certain claimants the preference right to purchase unappropriated public lands, 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 amendments of the Senate numbered 1, 2, 4, 5, and 6, and agree to the same.

Mr. Speaker, the House recede from its disagreement to the amendment of the Senate numbered 3 and agree to the same with an amendment as follows: After the word "corporation" insert a colon and the following proviso: "Provided further, That..."
proposed salary increase amendment, I would not object.

Of the original request?

Chief, clerk, who shall perform the duties of

Is there objection?

so that question need not be put.

numbers in the bill.

having placed valuable

upon in conference, protects the existing rights of any settler

surveys to be bounded

the lands sought to

or having reduced the same to

meandered area and who acquired

the lands sought to

be

was

amendment No. 3 authorizes the Commissioner of the

improvement upon

laws.

to contract liability in the Library.

This act shall not be construed as in any

amendment No. 8: Page 22, strike out all of lines 1 and 2, and line 3 through the word "Representatives," and insert in lieu thereof the words "1924, $45,000, of which $25,600 shall be disbursed by the Secretary of the Senate and $20,000 by the Clerk of the House of Representatives."

Senate amendment No. 9: Page 22, after line 18, insert a new line, as follows:

"For surgical treatment of trees on the Capitol Grounds, $5,000.

Senate amendment No. 10: Page 24, after line 2, insert as a new paragraph the following:

"For extension and changing of electric wiring of the attic floor to provide necessary electric lighting for the storage rooms, $1,000; for concrete floor for the attic story, $15,750; for new revolving door for ground floor, southwest corner, Senate Office Building, $1,759; in all, $18,500."

Senate amendment No. 11: Page 27, line 12, after the figures "$75,000," insert the word "and," authority is hereby given to enter into a contract or contracts or otherwise incur obligations not in excess of this sum."

Senate amendment No. 12: Page 31, line 10, strike out the figures "$104,498" and insert in lieu thereof the figures "$370,110.""

Mr. DICKINSON of Iowa. Mr. Speaker, these 12 amendments are mostly changes on the part of the Senate employees. It involves the guard question, which is the Stengle amendment, and I want to say to the gentleman from New York that the salary of the individual is retained at $1,940, and the number now employed in the Library. I understand that that is satisfactory to the gentleman from New York.

The next amendment of importance is the authorization for contract liability in the bill. Only $34,000 is to be provided in the bill, but it gives them contract authority for the entire amount of $745,000. The House conferees see no objection to these amendments. Does the gentleman from Colorado wish any change in these amendments?

Mr. TAYLOR of Colorado. They are satisfactory to the minority members.

Mr. DICKINSON of Iowa. Mr. Speaker, I ask a vote for the minority.

The question was taken, and the first 12 amendments were agreed to.

The Clerk read as follows:

Page 39, after line 9, insert:

"That section 4 of the legislative, executive, and judicial appropriation act, approved February 26, 1907, as amended, is amended to read as follows:

"That on and after March 4, 1925, the compensation of the Speaker of the House of Representatives for the use of the floor of the Senate and the heads of the executive departments who are members of the President's Cabinet shall be at the rate of $15,000 per annum each, and the compensation of Senators, Representatives in Congress, Delegates from Territories, and Resident Commissioners from the Philippine Islands shall be at the rate of $10,000 per annum each."

Mr. DICKINSON of Iowa. Mr. Speaker, I move that the House concur in the Senate amendment, and I yield five minutes to the gentleman from Illinois [Mr. MADDEN].

The SPEAKER. We are considering this in the House as in Committee of the Whole.

Mr. MADDEN. Mr. Speaker, I ask for recognition.

The SPEAKER. The gentleman from Illinois is recognized for five minutes.

Mr. MADDEN. Mr. Speaker, the question of whether a man can afford, as a Member of Congress, to work for $7,500 a year is one for him personally to decide. It is not a question of whether he has money enough out of which he can contribute to any loss that may accrue as the result of his services. It is a question of what the service is worth, and whether the Members of Congress are entitled to the same sort of treatment in the matter of pay as other people who may be employed by the Government.

Since 1907—when our last increase in pay went into effect—there has been added to the annual pay roll by giving further increases in pay to all branches of the Government, $550,000,000. Included in this sum is the amount in the new postal pay bill which the House approved. That is the charge now, $350,000,000 more per annum than it was in 1907. Take, for instance, the $100,000,000 to the men engaged in the Postal Service. The clerks in that service and supervisory officials have had their pay increased 104 per cent.

Mr. HUDSON. Exclusive of the $85,000,000 in the pending bill.

Mr. MADDEN. Exclusive of the percentage increase under the $85,000,000 provided in the pending bill, the Army off-
cor's pay has been increased, the naval officer's pay has been increased, and everyone, everywhere, has had an increase in pay.

Nobody denies that every man who serves in Congress, if he has done enough, if he has earned enough, if he has made his mark, Congress should be a fit subject for the poorhouse. [Applause.]

Now, if a man has an income out of which he can contribute to prevent his going to the poorhouse when he finishes his term, the question is, Ought he to be required by the American people to do it?

Mr. BUTLER. He ought to go before he comes. [Laughter.]

Mr. MADDEN. Yes; he ought to go before he comes. I would like to ask this question of the Appropriations Committee, to the judgment of every man here. It is an individual question. Every man will have to act on his own responsibility. He can tell best whether he can afford it. As a Member of the House, it is my judgment that the American people are not destitute of securing anybody's services for less than it actually costs him to live.

Now, every man here knows that in addition to having to live on his income, he must defray his election expenses. Sometimes this is as much as he gets, and sometimes more. If he does not undertake to say as to that, What I do undertake to say is that although I do not want it, I do think that I ought not to stand here as a stumbling block in the way of the membership of the House on the right to determine that question for themselves.

Mr. BYRNS of Tennessee. Mr. Speaker, this is a matter which affects the individual membership of the House, and as the gentleman from Illinois has just said, each Member understands his own situation, and, of course, will act upon his own individual responsibility. But I can not permit this amendment to be considered without entering a very earnest protest against it. I have consistently, ever since I have been a Member of the House, and a member of the Committee on Appropriations, opposed every unnecessary expenditure, and I do not regard this as either a proper or necessary expenditure.

I think that we should think of the people back home, those whose taxes make it possible to run this Government, and I do not believe that at this time when the people are being taxed both by the National Government and in their home, and municipalities more than ever before in the history of the country Congress ought to add to that burden by the increase of their own salaries.

Another fundamental objection to the adoption of this amendment is that it proposes to increase the salaries for the next Congress, Members to which were elected last November and a Congress to which most of us were reelected.

If, in a direct and specific violation of the spirit of rule 8, section 1, which provides that Members shall not be required to vote upon bills or measures in which they have a pecuniary interest, Section 369 of Jefferson's Manual is, in my judgment, a principle that the individual Member has a matter involving his private interest. I think that if the time has come, as many contend, that the salaries of Members should be increased, we ought to make that provision apply to two years hence for the Seventieth Congress and permit the people back home to have a voice in the question as to who shall represent them at the increased salary.

Mr. TUCKER. Will the gentleman yield?

Mr. BYRNS of Tennessee. Very briefly.

Mr. TUCKER. I want to know if this amendment is open to amendment, for I am opposed to the whole amendment, and it looks as if I am going to have a chance to express that fact, and I want to express it now.

Mr. BYRNS of Tennessee. It is subject to an amendment, but I do not know whether an amendment would be adopted on it. I do wish to say, gentlemen, I am opposed to increasing the salaries even for the Seventieth Congress at this time. I would prefer that Members should return home, discuss the matter with their people and get their views, and then let the Members of Congress express, in that way, a matter involving their private interest. I think that if the time has come, as many contend, that the salaries of Members should be increased, we ought to make that provision apply to two years hence for the Seventieth Congress and permit the people back home to have a voice in the question as to who shall represent them at the increased salary.

Mr. TUCKER. Will the gentleman yield?

Mr. BYRNS of Tennessee. I want to know if this amendment is open to amendment, for I am opposed to the whole amendment, and it looks as if I am going to have a chance to express that fact, and I want to express it now.

Mr. TUCKER. I want to know if this amendment is open to amendment, for I am opposed to the whole amendment, and it looks as if I am going to have a chance to express that fact, and I want to express it now.

Mr. BYRNS of Tennessee. It is subject to an amendment, but I do not know whether an amendment would be adopted on it. I do wish to say, gentlemen, I am opposed to increasing the salaries even for the Seventieth Congress at this time. I would prefer that Members should return home, discuss the matter with their people and get their views, and then let the Members of Congress express, in that way, a matter involving their private interest. I think that if the time has come, as many contend, that the salaries of Members should be increased, we ought to make that provision apply to two years hence for the Seventieth Congress and permit the people back home to have a voice in the question as to who shall represent them at the increased salary.

Mr. TUCKER. Will the gentleman yield?

Mr. BYRNS of Tennessee. Very briefly.

Mr. TUCKER. I want to know if this amendment is open to amendment, for I am opposed to the whole amendment, and it looks as if I am going to have a chance to express that fact, and I want to express it now.

Mr. BYRNS of Tennessee. It is subject to an amendment, but I do not know whether an amendment would be adopted on it. I do wish to say, gentlemen, I am opposed to increasing the salaries even for the Seventieth Congress at this time. I would prefer that Members should return home, discuss the matter with their people and get their views, and then let the Members of Congress express, in that way, a matter involving their private interest. I think that if the time has come, as many contend, that the salaries of Members should be increased, we ought to make that provision apply to two years hence for the Seventieth Congress and permit the people back home to have a voice in the question as to who shall represent them at the increased salary.

Mr. TUCKER. Will the gentleman yield?

Mr. BYRNS of Tennessee. Very briefly.

Mr. TUCKER. I want to know if this amendment is open to amendment, for I am opposed to the whole amendment, and it looks as if I am going to have a chance to express that fact, and I want to express it now.

Mr. BYRNS of Tennessee. It is subject to an amendment, but I do not know whether an amendment would be adopted on it. I do wish to say, gentlemen, I am opposed to increasing the salaries even for the Seventieth Congress at this time. I would prefer that Members should return home, discuss the matter with their people and get their views, and then let the Members of Congress express, in that way, a matter involving their private interest. I think that if the time has come, as many contend, that the salaries of Members should be increased, we ought to make that provision apply to two years hence for the Seventieth Congress and permit the people back home to have a voice in the question as to who shall represent them at the increased salary.

Mr. TUCKER. Will the gentleman yield?

Mr. BYRNS of Tennessee. Very briefly.

Mr. TUCKER. I want to know if this amendment is open to amendment, for I am opposed to the whole amendment, and it looks as if I am going to have a chance to express that fact, and I want to express it now.

Mr. BYRNS of Tennessee. It is subject to an amendment, but I do not know whether an amendment would be adopted on it. I do wish to say, gentlemen, I am opposed to increasing the salaries even for the Seventieth Congress at this time. I would prefer that Members should return home, discuss the matter with their people and get their views, and then let the Members of Congress express, in that way, a matter involving their private interest. I think that if the time has come, as many contend, that the salaries of Members should be increased, we ought to make that provision apply to two years hence for the Seventieth Congress and permit the people back home to have a voice in the question as to who shall represent them at the increased salary.

Mr. TUCKER. Will the gentleman yield?

Mr. BYRNS of Tennessee. Very briefly.

Mr. TUCKER. I want to know if this amendment is open to amendment, for I am opposed to the whole amendment, and it looks as if I am going to have a chance to express that fact, and I want to express it now.

Mr. BYRNS of Tennessee. It is subject to an amendment, but I do not know whether an amendment would be adopted on it. I do wish to say, gentlemen, I am opposed to increasing the salaries even for the Seventieth Congress at this time. I would prefer that Members should return home, discuss the matter with their people and get their views, and then let the Members of Congress express, in that way, a matter involving their private interest. I think that if the time has come, as many contend, that the salaries of Members should be increased, we ought to make that provision apply to two years hence for the Seventieth Congress and permit the people back home to have a voice in the question as to who shall represent them at the increased salary.

Mr. TUCKER. Will the gentleman yield?
If you fix it at $7,500 it is my absolute judgment, and it should be fixed by our members for whom the salary, while necessary, is not a sacrifice that other Congressmen draw, but what I am urging you to do is to agree to the amendment but to let the salary remain as it was when the Sixty-ninth Congress was elected.

The amendment Drayton first offered a position to a man who is earning $15,000 or $20,000 or $25,000 a year will come here if you will allow him a salary to enable him to maintain something like the standard his family is accustomed to, and $10,000 will do that. He will not come here and live according to a standard that he is not accustomed to, sacrifice his business future, and put away the chance of laying aside a sum to take care of the necessities of old age, if the United States Government can not meet him half way and pay a salary commensurate with the work and responsibilities assumed and the sacrifices entailed.

Can we talk of economy, and frankly I frequently disagree with gentlemen on the other side of the House who insist on what I consider the worst kind of economy, the economy which consists in getting the second and third best at second and third rates. The present economy in high salaries that will enlist the most competent service. [Applause.]

There is nothing that has offended my knowledge and experience more than the argument, which I have repeatedly heard on this floor, in favor of paying miserable, picayune salaries to second-rate men, instead of the United States Government paying the best men and not forcing them to remain in private life. [Applause.] What we want in Congress are men above the average; men that are coming to the front in their communities. We can get them for much less than private enterprise, but we can not afford to push this advantage too far. To-day we are losing our good men. We shall lose more, and unless something is done the time may not be distant when we shall be getting $5,000 men for our $7,500.

Mr. BLACK of Texas. Mr. Speaker, I offer an amendment. The SPEAKER. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. BLACK moves to concur in Senate amendment No. 13 with an amendment: On line 13 strike out the figures "1925" and insert the figures "1927."

Mr. BLACK of Texas. Mr. Speaker, the House of Representatives being a representative body, I do not believe that we can pass any measure which we must not expect the people to approve. I believe that is a sound rule of legislation to follow. In the first place, under the circumstances, and considering the present financial condition of the country and the general complaints at the overhead expenses of Government, I do not believe that the people will approve the passage of this salary increase; and I am certain that if Congress does concur in this amendment it ought to adopt my amendment to postpone its effective date until March 4, 1927.

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

Mr. BLACK of Texas. I yield.

Mr. RANKIN. I agree with the gentleman from Texas, that the Senate amendment providing for these salary increases ought not to be adopted. This is a day of declining prices, and there is no time for this legislation. Besides, every Member knew what these salaries were before the election, and did not protest then. But does not the gentleman think it would be better just to take the Senate amendment or refuse to concur and leave this matter as it now stands? Of course, I would rather see the amendment of the gentleman from Texas adopted than to see the House concur in the Senate amendment, but it is an opinion of the that we ought to just defeat, or refuse to concur in the Senate amendment and leave the law as it is.

Mr. BLACK of Texas. Well, I will listen to the gentleman from Texas, but I respectfully suggest that I found to vote against this proposition to concur, just as he intends to do. But we can not strike out the Senate amendment. Parliamentary procedure would not permit us to do that. We either have to vote
the motion up or down to concur in the amendment. The Congress that has already been elected for the Sixty-ninth Congress was not elected upon any issue of increase of salary and I dare say it was not discussed in any of the States; and therefore, if adopted at all, the Senate amendment ought not to be made effective until the 4th of March, 1927.

Mr. BLACK of Texas. Does not the gentleman, the asserted policy of the House, the gentleman from Kentucky.

Mr. BLACK of Texas. Yes; I yield to the gentleman from Kentucky.

Mr. BARKLEY. Without regard to the merits of the proposition, how does the principle laid down by the gentleman, that the Members of this incoming Congress ought not to vote to increase their salaries, affect the Senate, which is a continuing body, and two-thirds of which will be in office at the beginning of the next session?

Mr. BLACK of Texas. I do not undertake to speak for the Senate, and I want to say to the gentleman—

Mr. BARKLEY. But if the gentleman's principle is correct, it should not take effect for six years.

Mr. BLACK of Texas. I am not undertaking to impeach or question the motives of any gentleman who votes upon this proposition, but I do say that if it is to become a law it should take some effective until March 4, 1927. The Sixty-ninth Congress has already been elected, and those of us who will be Members of it will assume office March 4, 1925, and I contend we should not determine upon this salary until the people have opportunity to pass upon it in some way.

Mr. MOORE of Virginia. Will the gentleman yield?

Mr. BLACK of Texas. Yes; I yield my friend from Virginia.

Mr. MOORE of Virginia. In view of the arguments which have been made here, does not the gentleman think that if we are to take this step we should take it entirely in the open and have a roll call upon the proposition?

Mr. BLACK of Texas. I agree absolutely with the gentleman from Virginia. In the first place, we ought not to take up the matter as a rider on an appropriation bill. It is the asserted policy of the House, the gentleman from Kentucky. That is a wise policy as many precedents which could be cited will prove. If Congress is to make this exception in its policy, then Members of the House ought to be willing to go on record and place our vote in the Congressional Record. We should not subject ourselves to the criticism that we in any way dodged the issue.

Mr. BLANTON. Will the gentleman yield?

Mr. BLACK of Texas. Yes. I yield to my colleague from Texas.

Mr. BLANTON. The gentleman spoke of the Senate. The present salary was fixed by the Senate and the Senator Burrus was the only Senator who voted against this salary raise when the Senate passed it the other night. Had two or three Senators made a determined fight against it they could have stopped it. For they could have forced the floor he can hold in his present body. As his economic endurance lasts. May I ask my distinguished colleague this question, whether it is not a fact, this being new legislation on an appropriation bill, that if any Senator had made a point of order against it he could have knocked it out?

Mr. BLACK of Texas. That is my understanding of the rules of the Senate.

Mr. CLELLER. Will the gentleman yield?

Mr. BLACK of Texas. Yes.

Mr. CLELLER. I just want to state to the gentleman that he was wrong when he said this question did not enter into any campaign. I introduced a bill providing for an increase in the Members' salaries last year and that was used in my campaign.

Mr. BLACK of Texas. I dare say it was an issue in very few campaigns. I stand corrected as to the gentleman's own campaign.

In my own campaign for reelection from the first congressional district of Texas I pledged my constituents to make a consistent fight for economy in public expenditures. I feel that to vote myself an increase in salary would be a violation of that pledge, both in letter and in spirit. Therefore I will vote against the salary increase and will demand a record vote upon it.

Mr. TILSON. Mr. Speaker and gentlemen of the House, if it is right to pass an amendment increasing the salary of Members of Congress, it is right to pass it now. If it is right to pass it now how do we dare say that the work of a Member of Congress and the necessary expense of maintaining the position have fully doubled, while the purchasing power of the salary has shrunk in consequence of that time that would hold the facts and meet the situation like honest, courageous men?

The SPEAKER. The time of the gentleman from Connecticut has expired.
Mr. McSWAIN. Mr. Speaker, I am opposed to any salary increase at this time, and am opposed to the manner in which this vote is now about to be forced, and I entirely agree with the mainy expression of noble sentiments just uttered by the gentleman from Kentucky (Mr. Johnson). The objection of increasing salaries now, I know, is based on the expense of living in Washington with a family, modestly though it be. I am the man who threatened four years ago to stretch my tent on the Capitol grounds to escape the exes

Mr. Speaker, I can not escape from the fact that the Constitution has made us judges of the propriety of such salary that would be paid to ourselves, and I do not think we should sign our names because we are in a delicate responsibility. I can not overlook the fact, and the country will not overlook the fact, that we have established rules for increasing all manner of salaries, must first be introduced and referred to the appropriate committee, and after consideration by the committee to be reported to the House and the Senate act on it line by line and word by word. That is the way we have been considering the bill for the raise of the salaries for postal employees for the last four years. They will think it strange that the Members of Congress, knowing the technical parliamentary rules, have worked those rules to escape all this long burdensome preliminary public discussion, and here to-day, like a bolt of thunder from a clear sky, are about to vote upon this Senate amendment to increase the salaries of Senators and Representatives.

I believe this amendment could never have originated in the House, because some of us are opposed to this way of raising salaries, and could have made the point of order under our rules that this bill was unauthorized. If this bill was unauthorized, the proposed salary increase would have gone out. We can not escape from the fact that this increase has never been considered by a committee of the Senate or the House. I am not very familiar with the Senate rules, but I do not see how this amendment could ever have passed that body except by unanimous consent. I now declare that it shall not pass this body by unanimous consent, not only opposed to this amendment and opposed to the manner of bringing it up, but I propose to rise and demand that a record roll call shall be taken, and I hope that there will be enough Members in this House to agree with me to constitute the necessary one-fifth required by the Constitution.

The $7,500 now received, supplemented by the revenues from some property that we have, enables us to live decently and pay my life-insurance premiums and taxes. If a bill were introduced in the regular way and were properly considered with a provision that it should not become operative until 1927 so that there may intervene there would be a different question before this body. But we should not permit ourselves, being Judges in our own cause and knowing the parliamentary game, to raise the salaries of Members already elected. I believe the amendment was not the result when the bonus bill was under consideration, I explained to the House that I was pledged to vote for the bonus, but because I came within its provisions I have fasted and refused to take the mark of the temple, and yet I am bound by that law, and I am bound by the fact that my Government in war at $2,400 per year and since the war at $7,500, and I propose to keep the record straight, and I shall never vote for any measure and be the recipient of any benefits thereunder. The gentleman from Connecticut (Mr. Taft), who has just made a speech in favor of the amendment, says the question is, “What is best for our country in the long run?” And I think that is the test. But there is no need for me, if the long future that we believe awaits our country for this haste in raising congressional salaries. Therefore, I must oppose with every means in my power this increase at this time and in this way.

Mr. JOHNSON of Kentucky. Mr. Speaker—

Mr. LONGWORTH. Will the gentleman yield a moment?

Mr. JOHNSON of Kentucky. Yes.

Mr. LONGWORTH Mr. Speaker, I ask unanimous consent that all Members may have five legislative days within which to extend their remarks in the Record on this subject.

Mr. JOHNSON of Kentucky. Mr. Speaker, in view of the right to object, I think one ought to have an opportunity to express his views before he votes on this question. I shall not vote in this way to increase our salaries. There is no time now to be in the benefit of this proposition, but I do wish to register my opposition to the manner in which it has been prepared and brought before us. The method of presenting it in the Senate and now in the House is, in my judgment, unauthorized, unauthorized and not in accordance with orderly procedure. Without opportunity to speak of the merits of the proposition a Member should at least be given a chance to say that he opposes this way of doing business, to express his opposition before he votes and not simply be permitted to insert something in the Record after the matter has been disposed of. Just think of the contempt in which Congress could be held at the session of the Congress last June when it could have been brought up in a regular, orderly, becoming way, and is presented now in anything but an orderly becoming way, if in fact its presentation and consideration are in violation of the rules. If I had any intention of voting an increase of our salaries, I certainly would not vote at this time or in this kind of proceeding.

Mr. BUTLER. Mr. Speaker, there are many of us in the same position.

The SPEAKER. Is there objection?

Mr. MCLAUGHLIN of Michigan. I object, Mr. Speaker.

Mr. JOHNSON of Kentucky. Mr. Speaker, I think two or three gentlemen have pitched the discussion of this matter upon the question as to whether or not a Member of Congress can live on $7,500 a year. I think that is a false premise. Anybody who threatened four years ago who threatened four years ago who threatened four years ago that we could not be able to come back here and find a place to live. That is but one of several items that has to be considered.

Mr. JOHNSON of Kentucky. Mr. Speaker, I think two or three gentlemen have pitched the discussion of this matter upon the question as to whether or not a Member of Congress can live on $7,500 a year. I think that is a false premise. Anybody who threatened four years ago that we could not be able to come back here and find a place to live. That is but one of several items that has to be considered.

Mr. JOHNSON of Kentucky. Mr. Speaker, I think two or three gentlemen have pitched the discussion of this matter upon the question as to whether or not a Member of Congress can live on $7,500 a year. I think that is a false premise. Anybody who threatened four years ago that we could not be able to come back here and find a place to live. That is but one of several items that has to be considered.

Mr. JOHNSON of Kentucky. Mr. Speaker, I think two or three gentlemen have pitched the discussion of this matter upon the question as to whether or not a Member of Congress can live on $7,500 a year. I think that is a false premise. Anybody who threatened four years ago that we could not be able to come back here and find a place to live. That is but one of several items that has to be considered.

Mr. JOHNSON of Kentucky. Mr. Speaker, I think two or three gentlemen have pitched the discussion of this matter upon the question as to whether or not a Member of Congress can live on $7,500 a year. I think that is a false premise. Anybody who threatened four years ago that we could not be able to come back here and find a place to live. That is but one of several items that has to be considered.
home, and the other class is made up of men rich enough to place themselves and serve for but little or no compensation.

The question is, Are gentlemen here to-day too timid to vote for a proposition for which, down in their hearts, they favor? [Applause.] Mr. Speaker, I do not think this is the case. It has passed and the salary is available, there will be a foot race among some of those who are opposing it to get to the Treasury first to get their money. [Applause.]

If there be any who may say that my services here have not been worth more to the country than $7,500 a year, I would remind them that John W. Yerkes, an eminent Kentucky lawyer, said that I, as chairman of the Committee on the District of Columbia, beat him out of a hundred thousand-dollar fee when I was largely instrumental in saving about $3,000,000 which his client, the B. & O. Railroad, was about to take from the Treasury. Again, I would answer, that through my efforts $2,000,000, wrongfully withheld by the District of Columbia, at last found its way into the Federal Treasury.

I see before me the faces of many Members through whose individual efforts millions have been saved.

If they, even if I, had been paid as lawyers are paid, the annual compensation would not be $7,500—but perhaps ten or twenty times as much.

Every two years duty to family drives some of our best men out of this Chamber.

The congressional salary should be sufficiently large to permit them to remain. It should be large enough to induce the very best men to come to Congress.

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

Mr. DICKINSON of Iowa. Mr. Speaker, I move the previous question on the motion and all amendments thereto. The previous question was ordered.

The SPEAKER. The question of the amendment offered by the gentleman from Texas [Mr. BLACK].

Mr. CANNON. Mr. Speaker, I desire to present a point of order.

The SPEAKER. The gentleman will state it.

Mr. CANNON. Mr. Speaker, I make the point of order that under Rule VIII no Member of the House who is a Member elect of the Sixty-ninth Congress is entitled to vote on a motion to reconsider the motion to reconsider, and that it is the duty of the House and the function of the Speaker to enforce that rule.

The rule provides that Members shall be excused from voting on any question in the event of which they have a direct personal or pecuniary interest. It is one of the oldest rules of the House, adopted in 1789 at the first session of the First Congress, and that particular clause has remained unaltered through every revision of the rules down to the present Congress.

Its application to the pending question can not be questioned. Every Member elect of the Sixty-ninth Congress voting on the question of increasing the amount of his salary for the next two years. The interest is neither contingent nor speculative. It is not intangible or indefinite. It is a direct, personal, pecuniary interest of exactly $5,000. This long-established and salutary rule undoubtedly applies, and if the precedents of the House are to be followed, will preclude any Member whose credentials are now on file with the Clerk of the House as a Member elect of the Sixty-ninth Congress from voting either on the amendment or on the final passage of the bill.

The SPEAKER. The Chair thinks that provision of the Constitution is in conflict with the other provision of the Constitution which says that the House shall fix its own salaries, and the Chair is of opinion that the universal practice has been to hold that the Chair, not being a Member of Congress, is entitled to that point of order.

Mr. BACON. Mr. Speaker, I demand the yeas and nays.

The SPEAKER. The gentleman from New York demands the yeas and nays. Thirty-five gentlemen have arisen, not a sufficient number.

Mr. BLANTON. I demand a division.

The SPEAKER. The gentleman from Texas demands a division.

The House divided, and there were 62 ayes and 278 noes. So the amendment was rejected.

The SPEAKER. The question is on the motion of the gentleman from Iowa to make the increase $7,500, and the Chair has just stated that this has not been sufficient compensation. [Mr. Johnson] The yeas and nays will rise. [After counting.] Sixty-one Members have arisen, not a sufficient number.

Mr. BLANTON. I ask for the other side.

The SPEAKER. There is not a sufficient number according to the vote that which the Chair has just made. The yeas and nays are refused.

Mr. BLACK of Texas. Mr. Speaker, I demand a division.

The House divided; and there were 237 ayes and 55 noes.

The motion of Mr. Staley of Iowa to concur in the Senate amendment was agreed to.

Mr. DICKINSON of Iowa. Mr. Speaker, I ask unanimous consent to reconsider the vote by which the motion was agreed to to take the Table and that motion on the Table.

The SPEAKER. The gentleman from Iowa asks unanimous consent to reconsider the vote by which the motion was agreed to and lay that motion on the Table. Is there objection?

Mr. BLANTON. I object.

Mr. DICKINSON of Iowa. Mr. Speaker, I move to reconsider the vote by which the motion was agreed to and lay that motion on the Table.

The question was taken; and on a division (demanded by Mr. BLANTON), there were 229 ayes and 49 noes. So the motion to reconsider was laid on the Table.

SALARY INCREASES TO MEMBERS OF CONGRESS

Mr. LONGWORTH. Mr. Speaker, I renew my request that Members have five legislative days in which to extend their remarks in the Record on this amendment.

The SPEAKER. The gentleman from Ohio asks unanimous consent that Members have five legislative days in which to extend their remarks in the Record on this bill. Is there objection?

There was no objection.

Mr. TREADWAY. Mr. Speaker, I agree with the gentleman who has just previously spoken on the measure that the question of salary increase for Members of Congress is one that each individual must settle according to his own conscience and his conception of the merits of the proposition. For my part I am opposed to the increase at the present time. The present is a time for continued economy in governmental expenditures, and we can not divorce ourselves from the fact that in this increase of over $1,000,000 we, as Members of Congress, will be the beneficiaries.

Secondly, Members of the present House, who were reelected last November, were candidates for the positions anxious to secure the support of the voters with the distinct knowledge that the question of salary increase for Members of Congress is one that each individual must settle according to his own conscience and his conception of the merits of the proposition. For my part I am opposed to the increase at the present time. The present is a time for continued economy in governmental expenditures, and we can not divorce ourselves from the fact that in this increase of over $1,000,000 we, as Members of Congress, will be the beneficiaries.

Secondly, Members of the present House, who were reelected last November, were candidates for the positions anxious to secure the support of the voters with the distinct knowledge that the question of salary increase for Members of Congress is one that each individual must settle according to his own conscience and his conception of the merits of the proposition. For my part I am opposed to the increase at the present time. The present is a time for continued economy in governmental expenditures, and we can not divorce ourselves from the fact that in this increase of over $1,000,000 we, as Members of Congress, will be the beneficiaries.

Secondly, Members of the present House, who were reelected last November, were candidates for the positions anxious to secure the support of the voters with the distinct knowledge that the question of salary increase for Members of Congress is one that each individual must settle according to his own conscience and his conception of the merits of the proposition. For my part I am opposed to the increase at the present time. The present is a time for continued economy in governmental expenditures, and we can not divorce ourselves from the fact that in this increase of over $1,000,000 we, as Members of Congress, will be the beneficiaries.

Secondly, Members of the present House, who were reelected last November, were candidates for the positions anxious to secure the support of the voters with the distinct knowledge that the question of salary increase for Members of Congress is one that each individual must settle according to his own conscience and his conception of the merits of the proposition. For my part I am opposed to the increase at the present time. The present is a time for continued economy in governmental expenditures, and we can not divorce ourselves from the fact that in this increase of over $1,000,000 we, as Members of Congress, will be the beneficiaries.

Secondly, Members of the present House, who were reelected last November, were candidates for the positions anxious to secure the support of the voters with the distinct knowledge that the question of salary increase for Members of Congress is one that each individual must settle according to his own conscience and his conception of the merits of the proposition. For my part I am opposed to the increase at the present time. The present is a time for continued economy in governmental expenditures, and we can not divorce ourselves from the fact that in this increase of over $1,000,000 we, as Members of Congress, will be the beneficiaries.

However justified an increase may be in the future, I feel that I made a distinct engagement with the Federal Government through my constituency to serve to-day in the Sixty-ninth Congress at a stipulated price and should not, at this time, ask for a change in the conditions under which I was elected. I am therefore opposed to the amendment whereby the salaries of Members of Congress are increased.

Mr. WILLIAMSON. Mr. Speaker, I can not give my assent to the rider tacked onto the legislative appropriation bill by the Senate whereby it is proposed to increase the salaries of Members of Congress from $7,500 to $10,000 annually. It is true that most of us enjoyed a larger income before we came here than $7,500 a year and that our expenses here are greatly in excess of what they are in the districts we represent, notwithstanding the fact that few of us have either as commodious or comfortable living quarters as we enjoy in our home States.

To those of the character and ability required to perform the kind of services which Members of Congress annually would not be adequate compensation if money alone were to be considered. There is another factor which enters in which should not be overlooked and that is the opposition we always have in the main our compensation must come from that satisfaction which comes to every man because of services well and unselfishly rendered to his fellowmen. If this does not appeal to us as a measure of compensation I concede that many of us can not afford to stay here at the present salary. The gentlemen from Kentucky [Mr. Johnson] has just said that at the present salary the only ones who can afford to come to Washington as Members of Congress are those who are
either rich so that they can draw upon resources from their private fortunes or those incapable of earning anything at home. I do not believe that the gentleman is willing to state that this body is made up of that kind of men at the present time nor that it has been made up of that kind at any time in its existence. It is certainly fair to presume that the people will continue to elect men equally well qualified in the future. If this is done the average of services rendered by the people's representatives will continue to be high.

It has been too long customary to stay within his congressional salary, but it can be done if his campaign expenses are kept within due bounds. If his services here are of such a nature as to entitle him to the approval of his constituents he should not be required to expend large sums in his campaigns for reelection.

With the hard conditions which have prevailed within our own State during the last few years and the continued failure of our own people to increase the salaries of our State officials I do not feel justified in supporting the Senate amendment.

Mr. FROTHINGHAM. Mr. Speaker, I was glad to be assured by the gentleman from Iowa in charge of this bill in answer to my question that this proposition to increase salaries is not coming to a vote without some opportunity for those against it to voice their objections.

In the time was long enough for all who wished to get recognition, and I desire to put these few words on record as my reasons for opposing the proposition now before the House.

The objection to voting to increase one's own salary seem to me fundamental even if permitted by the rules of this House.

It seems to me the arguments presented here by the gentleman from Tennessee go to the root of the whole matter. Let us remember, too, that this proposition was attached to an appropriation bill in the Senate and never has had a hearing before any committee of this House. Let us realize that we are not only voting to raise the salary for those of us who are to represent the people of the district we leave here March 4, when that Congress begins, and do not expect to return to Washington for more than a few months of the next Congress.

Mr. JONES. Mr. Chairman, we are to vote on the question of increasing our own salaries. Those who have charge of the measure have determined that the debate thereon shall be limited.

I am opposed to the increase for three reasons, all of which I consider good and sufficient.

In the first place, there is a demand, a righteous demand, for economy throughout the country, and, in my judgment, we have the expediency. I think, therefore, no salary should be increased except in cases of absolute necessity.

Again, while the present salary is not a large one, it carries with it a position of honor and distinction, which offers great opportunities for service.

The number of Members of the House is too large. It should be reduced to not more than 350 instead of 433 as at present. Until the number of Members is reduced, there should be no increase in salary.

For these reasons I shall vote against the proposed increase, and shall join in a request for an eye and no vote on the measure. I regard the entire proposal as unnecessary.

Mr. LOZIER. Mr. Speaker, since I entered Congress I have consistently voted on every occasion for measures that would, in my opinion, promote economy in the expenditure of public funds. By my vote and vote I have urged radical reenforcement in governmental expenses, and that unless this Nation made a sincere and honest effort to practice economy, we should quit paying economy.

We get nowhere by talking economy unless we coin our professions into acts of real economy. As an abstract or concrete proposition, there is much argument in favor of raising the salaries of Senators and Representatives. In view of the excessive, unreasonable, and extortionate cost of living in Washington, but under present conditions I do not favor the Senate amendment to this legislative appropriation bill which increases the salary of Senators and Representatives in Congress. Until this Nation has recovered from the effects of the World War; until our industrial, commercial, and agricultural classes have been economically rehabilitated; until the farmers and wage earners are restored to the economic status under which they have labored for years, Members of the House and Senate should not, in my opinion, act on any proposal for the increase of their salaries. We can not consistently advocate a reduction of expenses in other departments of our Government, if we vote this increase in the expenses of the legislative department.

I believe the last increase in the salaries of Senators and Representatives was in 1907, since which time the cost of living has increased tremendously, probably doubled, and relatively a salary of $10,000 now will hold that of 1907 salary in 1909. I concede that salaries of all other Government officers and employees have been tremendously increased since 1907; and comparatively speaking, the salaries of Members of Congress are lower than the salaries of any other officers of the Government. But while this is true, I still think we should not vote this increase.

Salaries of other officers and employees of the Government have been increased so reasonably, that does not justify us in increasing our salaries at a time when the Nation, in order to get rid of its war indebtedness, should rigidly adhere to a policy of retrenchment and economy in governmental expenses. If Congress has gone too far in raising the salaries of other officers and employees of the Government, we do not get back on the right track by voting ourselves an increase of salaries, which under my view of present-day conditions, should not be done.

I realize that there is force in the argument that the present salary of Senators and Representatives in Congress is too low to attract the best talent in our Nation, and if, in my opinion, it frequently the ablest men in a district or State earn so much more in private or professional life that they can not afford to enter the Senate or House. In this way the public may be lost the benefit of many good men. But I think for the present the safe and saner policy is not to incur this additional expense. I think the Congress should be willing to go along and be satisfied with the present salary of $12,000. This is a sum sufficient to adequately attract the best talent in the Congress. If Congress refuses this increase in salaries, it will be practicing real economy, and will thereby translate our professions into actual and sincere practice of economy. For the reasons stated, I shall vote against this salary increase.

Mr. BOX. Mr. Speaker, for several days it has been known to Members of the House that it is proposed to increase the salaries of Members of the House of Representatives and of the Senate from $7,500 to $10,000 per annum, and to increase the salaries of Cabinet members, the Speaker of the House, and the President of the Senate from $12,000 to $15,000 per annum.

The proposition had already been added to an appropriation bill by the Senate. It was known among Members here for some days beforehand that this was contemplated, and that it was planned to avoid calling a roll of individual votes on the proposition. Forseeing that the proposition would be handled so as to limit debate, I, on yesterday, obtained leave to extend my remarks in the Record so that I might briefly discuss this objectionable amendment.

This morning, when it was certain that the item was coming up, I sought for time within which to discuss the amendment on the floor but failed to obtain it. When this amendment had been discussed very briefly, and when apparently the Members had an opportunity to discuss it, the gentleman in charge of the bill on the Republican side was recognized by a poltroon and moved the previous question, which motion was adopted. This had the effect of closing the very brief debate on the subject.

I therefore take advantage of this, my only available method of stating my position in opposition to this proposal to increase my own salary and that of other Members and other officials to the extent named.

The salary paid to Members of Congress, while not as large as to those who do not acquaint themselves with the very high cost of living here, in my judgment should not be increased as proposed. We are continually talking of reducing Government expenses and go on increasing them, and has been true of appropriations for the executive departments and other branches of governmental activity. Now, we are proposing to increase our own salaries, those of Senators, Members of the House, and the salaries mentioned to the total not quite $2,000,000. I have uniformly opposed and voted against the propositions involving increased Government expenses and consequently an increased taxation. I propose to present myself and my colleagues the same rule which I have applied to the beneficiaries of other appropriations. I believe that this increase is unjustified.

It is peculiarly unfortunate that we are voting an increase of salary beginning March 4 next, which will inure to the personal benefit of every Member of the present Congress who has been reelected, as I have, to the Sixty-ninth Congress, to the
extent of $2,500 per annum. In passing on this issue between us, I am quite sure we are the judges between ourselves and
them. We should be very sure that we are right before doing it, and that our personal interest is not influencing us to do what
is unjustified. This action is in itself unjustified, because it unnecessarily benefits the few at the expense of the many and
aggravates the evil of it. In judging a question between ourselves and the
people of America, we had better make a mistake against ourselves
than to wrong them.

Mr. BLACK, my senior in service here, with my knowledge and with
the support of the House and several Texas colleagues, I am
opposed to the amendment. I am proposing to make this increase effective March 4, 1927, so that we would not be so certainly and immediately
the interested beneficiaries of our own action. If he had suc
cceeded in getting that amendment adopted, on which he did not,
I still would have opposed the proposition, because I am op
tosed to the increase; but if the increase is to be made, I
would much prefer to see it become effective two years hence
than now, for then I would know that neither I nor other Members
would receive the increase for a two-year term to
which we have already been elected.

More unfortunate still was the proposal to cut off the debate
and to avoid making a record vote on the question. If gentle
men believe that this increase ought to be made under these circumstances, they ought to be willing to vote it and let the
people know what they are doing. I have voted against
proposals of this kind before, and what I could in conference with
colleagues in opposition to it, and have made every effort to get a
benevolent record of the vote on the question.

I am one of those who supported the demand for the ayes
and noes, as most of my colleagues know. In an action in
volving a question between us and the American people conce
cemment is the last thing desirable on the part of the Ameri
can Congress. I sincerely regret that a sufficient number of
my colleagues did not support the demand for the ayes
and noes to enable each Member of the House to vote according to
his judgment, have his vote known, and meet whatever respons
sibility arose.

Mr. LAGUARDIA. Mr. Speaker, I voted for the legislative
salary increase.

Mr. CONNALLY of Texas. Mr. Speaker and gentlemen of the
House, on yesterday, anticipating that there would to-day
come before the House the amendment of the Senate increasing
the compensation of Senators and Representatives, effective
March 4, 1925, and having no assurance that the House
opposed to express my views to-day in opposition to
the amendment, I secured consent to extend my
voting time to provide an opportunity to express my views on the amendment, the increase certain.

Mr. CONNALLY. I am in favor of the amendment of the gentleman from Texas [Mr. BLACK] making the provision effective March 4, 1927, in
stead of March 4, 1925. If the Black amendment is adopted, the House will not be placed in the attitude of voting for an in
crease for the Sixtieth Congress to which Members have already been elected. The increase would not become effective until
after the next election. Therefore, if the Black amendment is adopted I shall then vote against the increase as amended, since I am opposed to the increase in any form.

This is a measure upon which the House should act by a
roll-call vote and not simply by a rising vote. For that reason
I shall vote for a roll call. We should in a case affecting our
own salaries leave the Recess clear as to where we stand and
how we act.

Gentlemen will find that if their action is criticized more
criticism will be leveled at the failure to have a roll call than
we could better evidence his attitude toward this increase by a
record vote. I joined in the demand for a roll call and record
vote, and then voted against the increase. I was opposed to
voting in increase of my own salary in the next Congress.

Mr. BLACK. I felt I would better represent the views of the people of my
district on this subject by voting against said increase. I did not believe the depressed conditions in the agricultural
district, that I am trying to represent, would justify my voting for this increase, and I opposed it, thus representing my own position
and the supposed attitude of my constituents. The increase of
4, expense of biennial elections, the cost of which is as large as
the annual increase in salaries provided in this bill just
passed. I favor also a change in the law requiring Congress to meet in January after election in November without wait
ing 13 months before consideration of the matters in the public
mind and discussed prior to election, and not wait for new
issues to be injected by great influences while the voice of the people is forgotten. These changes by constitutional amend
ments would benefit the general public and be helpful to Rep
resentatives in Congress without any increase in salary, and in
this connection I express the hope that the Norris joint resolu
tion for a constitutional amendment, proposing Congress to meet
in January after the November elections, that has already
passed the Senate, may be taken up and passed by the House
of Representatives before adjournment of Congress. Such a
resolution I introduced that the business of Congress. This change is essential, if popular government is to live and be effective in the future.

Mr. TAYLOR of Tennessee. Mr. Speaker and gentlemen of the House, I think it is palpable that ample time was not
permitted for every Member of the House to express himself as
merits of this measure to increase the salaries of Mem
bers of Congress. I am glad, however, that general permission
has been granted to the Members of the House to extend
either the increase in salary. consideration by our body. I gave out this statement to make
Mr. BLACK. I shall vote for
the Black amendment is adopted I shall then vote for a roll call. We should in a case affecting our
own salaries leave the Recess clear as to where we stand and
how we act.

This is a measure upon which the House should act by a
roll-call vote and not simply by a rising vote. For that reason
I shall vote for a roll call. We should in a case affecting our
own salaries leave the Recess clear as to where we stand and
how we act.

Gentlemen will find that if their action is criticized more
criticism will be leveled at the failure to have a roll call than
we could better evidence his attitude toward this increase by a
record vote. I joined in the demand for a roll call and record
vote, and then voted against the increase. I was opposed to
voting in increase of my own salary in the next Congress.
the increase at this time. We are pledged to a policy of economy and reduction of taxation, and elected knowing that the average salaries were to be $7,500, and it is not fair to our constituents to vote an increase at this time. Ample time should have been given by the House for a full discussion on the amendment for this increase. I could not decide at the time the matter the House raised the question of the House to state my opposition to this increase. In fairness to all the people of the United States a record vote should have been allowed on this important measure.

Mr. Speaker, I have three reasons for not voting for the pending measure increasing salaries at this time:

First, because it violates an implied pledge to my constituency. I, with all Republicans, having made a campaign upon the issue of economy.

Second, because it will increase the cost of Government, with the consequent increase of the burden of taxation.

Dismissing for the moment the first reason, permit me to call attention briefly to the record:

The increase in cost of Government, Federal, State, and municipal, has shamed the prophecy of the pessimist. At the present time the cost of our Federal Government for one year exceeds the entire cost of Government from 1790 to 1861. The increases in the cost of State and municipal governments have been likewise prodigious.

The Republic in 1789 we had a foreign and domestic debt amounting to $54,000,000 and State debts amounting to $25,000,000, an aggregate of about $80,000,000. When Alexander Hamilton proposed that the Government assume the State debt it was the boldest. In that age $50,000,000 was a stupendous sum.

On the theory that no nation is any stronger than its public credit, the Secretary of the Treasury insisted upon the assumption of the debt. It was done, and the financial integrity and credit of the Republic was established. At that time the wealth of the Nation was not much more than $2,000,000,000. To-day we spend more money in the operation of the Government in one year than the entire wealth of the thirteen colonies in 1776. Decade after decade we have increased the cost of Government until the stupendous amount staggers the imagination as well as the taxpayers. The cost of the Civil War was about three and a quarter billion dollars. We are spending practically that amount every year in current expenses in time of peace. At a time, too, when agriculture has not yet recovered from the shock of war, and industry, shatttered and disorganized by the war and the sudden advent of peace, must bear the great burden of taxation.

No doubt, as a general proposition, the Government is economically administered; but considering the needs of agriculture and industry, it is no time to add to their burdens by such increases of salaries. These increases may be just, and there is no doubt that men are here at a sacrifice from their businesses and their homes, but that is the test of patriotic service.

I do not know how it is in other States, but in my State (Kansas) there have been two sets of wants—agricultural and industrial, slumbering and as yet unsatisfied. The war and the taxes of the Civil War were about $1,000,000,000,000. Our country where the population is much congested, and our industries are depressed, is paying a greater head tax than the manufacture and commerce of the United States: while the higher wages are paid industrial workers, the reasons for better salaries for Members of Congress are quite apparent. On account of the alleged inadequacy of the salaries of Congressmen many strong and able Members, including both business and professional men, are withdrawing from Congress and returning to private life, thereby depriving the country of their valuable services; yet, too often, in the name of patriotism, we are, in my judgment, very good reasons why the matter of raising the salaries of Cabinet officers, Members of Congress, and others might very appropriately be deferred until some more suitable time in the future. The agricultural section of our country in the mid-West has suffered a great depression generally since the late war, and while in some sections of the country, for the present, conditions are improved, yet not sufficiently so in my judgment to warrant such a raise in the salaries of Members of Congress as is provided in House bill 1201. Such a raise in salaries, in my judgment, is not in harmony and accord with the economy and retrenchment policy of the Government. For these reasons I have voted against the appropriation for the salaries of the members of the Cabinet and Congressmen as provided in said bill, H. R. 1201.

Mr. TUCKER. Mr. Speaker, in the eastern part of our country where the population is much congested, and our industries are depressed, our country where the population is much congested, and our industries are depressed, and with a cost of living high and wages depressed, both State and municipal officers, and where higher wages are paid industrial workers, the reasons for better salaries for Members of Congress is quite apparent. On account of the alleged inadequacy of the salaries of Congressmen many strong and able Members, including both business and professional men, are withdrawing from Congress and returning to private life, thereby depriving the country of their valuable services; yet too often, in the name of patriotism, we are, in my judgment, very good reasons why the matter of raising the salaries of Cabinet officers, Members of Congress, and others might very appropriately be deferred until some more suitable time in the future. The agricultural section of our country in the mid-West has suffered a great depression generally since the late war, and while in some sections of the country, for the present, conditions are improved, yet not sufficiently so in my judgment to warrant such a raise in the salaries of Members of Congress as is provided in House bill 1201. Such a raise in salaries, in my judgment, is not in harmony and accord with the economy and retrenchment policy of the Government. For these reasons I have voted against the appropriation for the salaries of the members of the Cabinet and Congressmen as provided in said bill, H. R. 1201.

Mr. BARTLETT. Mr. Speaker, with Members of the House know that I voted against the passage of the Senate proposal contained in its amendment to the legislative appropriation bill for Increase in the salaries of Members of Congress and other officials, and that I also voted against the previous question, cutting off debate, and was one of those who stood up and sought to have a roll-call vote upon such Senate amendment, I also desire to have the official Record of this House reflect my opposition to the salary increase proposal and to say that I do not think that the House should indorse the action of the Senate. Certainly every Member of the House, irrespective of his views, was entitled to be heard upon this matter. The Secretary of the Treasury insisted upon the assumption of the State debt. It was done, and the financial integrity and credit of the Republic was established. At that time the wealth of the Nation was not much more than $2,000,000,000. To-day we spend more money in the operation of the Government in one year than the entire wealth of the thirteen colonies in 1776. Decade after decade we have increased the cost of Government until the stupendous amount staggers the imagination as well as the taxpayers. The cost of the Civil War was about three and a quarter billion dollars. We are spending practically that amount every year in current expenses in time of peace. At a time, too, when agriculture has not yet recovered from the shock of war, and industry, shattered and disorganized by the war and the sudden advent of peace, must bear the great burden of taxation.

No doubt, as a general proposition, the Government is economically administered; but considering the needs of agriculture and industry, it is no time to add to their burdens by such increases of salaries. These increases may be just, and there is no doubt that men are here at a sacrifice from their businesses and their homes, but that is the test of patriotic service.

I do not know how it is in other States, but in my State (Kansas) there have been two sets of wants—agricultural and industrial, slumbering and as yet unsatisfied. The war and the taxes of the Civil War were about $1,000,000,000,000. Our country where the population is much congested, and our industries are depressed, is paying a greater head tax than the manufacture and commerce of the United States: while the higher wages are paid industrial workers, the reasons for better salaries for Members of Congress is quite apparent. On account of the alleged inadequacy of the salaries of Congressmen many strong and able Members, including both business and professional men, are withdrawing from Congress and returning to private life, thereby depriving the country of their valuable services; yet too often, in the name of patriotism, we are, in my judgment, very good reasons why the matter of raising the salaries of Cabinet officers, Members of Congress, and others might very appropriately be deferred until some more suitable time in the future. The agricultural section of our country in the mid-West has suffered a great depression generally since the late war, and while in some sections of the country, for the present, conditions are improved, yet not sufficiently so in my judgment to warrant such a raise in the salaries of Members of Congress as is provided in House bill 1201. Such a raise in salaries, in my judgment, is not in harmony and accord with the economy and retrenchment policy of the Government. For these reasons I have voted against the appropriation for the salaries of the members of the Cabinet and Congressmen as provided in said bill, H. R. 1201.
alone is the only power that can increase the salaries of its Members is clearly indicated in the term to which the Constitution of the United States refers. If not true during the sessions of Congress would now be in existence.

To my mind, the question is whether the salary is adequate or not for the services rendered by the Members of Congress. If adequate, as I have willed it to be done in the present, every opportunity to discuss it, and not be pushed through without a roll call and without the opportunity of every Member to have it known how he voted on the measure. My own views on this subject are so perfectly reflected by one whose honored name I bear that I shall content myself with inserting the remarks of Judge Henry St. George Tucker, of Virginia, on the public increasing the "compensation of Members" in the Fourteenth Congress, first session, Friday, March 8, 1816, as follows:

Mr. Tucker said that as the yeas and nays were called on the passage of the bill, he felt it his duty to state in a few words the reasons which induced him to vote against it in committee and would lead him to adhere to that vote. He did so because he did not wish to shrink from a candid expression of his opinion. He believed, with the present day of Ministers of Congress ought to be such as to enable not the rich only but men of merit, however moderate their circumstances, to take a seat in this House. It was the true republican principle, for otherwise the Government would degenerate into a court. But though such were his opinions on the subject, without deciding whether a per diem allowance or annual compensation were preferable, he could not vote for any bill which gave additional compensation to himself. He had been elected under the expectation that he should answer the expectations of his constituents; he thought himself justified in increasing it. Gentlemen had termed this a squaemish delicacy. He had from his childhood been taught on all occasions of this kind that it was safer to err on the side of life. He had therefore voted in the negative, though he would have had no objection to an increase of the allowance to Members if its operation were postponed to a future Congress.

It is of interest to his descendants to know that Judge Tucker would never take or receive the increase in his salary, but the bill has now become the "compensation of Members" 1816 to his credit for 108 years.

Mr. HUDSON. Mr. Speaker, I am convinced of the justice of the proposition before us to increase the salary of the Members of the Congress and also the members of the Cabinet. I should be glad to see a record vote on the amendment. That not being possible, I take this opportunity to put in the records of the House for action, I want to say that I voted against the amendment to the legislative appropriation bill increasing the salaries of Cabinet officers, Senators, and Representatives.

Mr. BACON. Mr. Speaker, in view of the fact that there was no record vote on the provision increasing the salaries of Members of Congress, I desire to avail myself of the permission granted Members to extend their remarks in the Recess to state my position on the amendment in the form of a rider to the legislative appropriation bill increasing our own salaries. This measure passed the House with merely limited debate and without a record vote. Only a few Members had from the very necessity of the war and while they have increased the salaries of Members and Senators, they are entitled to know how I voted on this important measure. I also wish to record my opposition to the action of Congress in putting through an increase in their own salaries without being willing to go on record as to their position in the matter.

I believe, and think I can fairly state, that my vote against this increase was entirely consistent with the principles of a real economy program. Furthermore, I have long thought that the salaries of many Federal employees, especially those in the Customs, Immigration, and Postal Services, were inadequate, and therefore I could not think it fitting that I should vote to increase my own salary at this time, even though I am willing to concede that present congressional salaries are probably also inadequate.

As there is no other way, I am simply taking this means of recording my vote on this proposition.

Mr. ALMON. Mr. Speaker, the Senate added an amendment to the legislative appropriation bill increasing the salaries of Members of Congress, Senators, and Representatives.

Mr. WILLIAMS of Michigan. When the proposal to increase the salaries of Members of Congress from $7,500 to $10,000 a year came up I voted for it because I believed the increase fully justified. During the consideration of the subject a proposal was made by way of amendment to have this increase go into effect March 4, 1827. I would have preferred to have this amendment carry and accordingly voted for it. We need at least $10,000 men in Congress. It is obviously a matter for each district to decide as to whether it is sending men to Congress of that type.

Mr. KVALE. Mr. Speaker, I voted against the amendment increasing the salaries of Cabinet officers, Senators, and Representatives. I have consistently opposed the manner in which measures carrying appropriations are rushed through the House. But even with a full and free discussion of such legislation I should have voted against it. With a denial by this Congress of practically every concession I have asked for the people I represent, a denial of simple justice to them, I could not think it fitting that I should vote to increase my own salary at this time, even though I am willing to concede that present congressional salaries are probably also inadequate.

As there is no other way, I am simply taking this means of recording my vote on this proposition.

Mr. GREEN. Mr. Speaker, as I cast my vote against the Senate amendment increasing the salaries of the Members of Congress, I have a proper sense of the weight which impels me to place in the Recess my reasons for such action. My course in this respect does not imply any criticism of the Senators who saw fit to approve this measure. I am convinced of a different situation from most of the Members of the House. In the first place, I have never so much as intimated publicly that I favored such a measure, although I had often said in private conversations that I con-
sidered the salary insufficient; and that, in view of all the expense in maintaining a family consisting of a wife and one or more children would not receive any more net at the end of the year than a clerk who got $4,000. It is, I think, quite natural then, and therefore quite something that the people back home do not realize, but which can easily be demonstrated.

If the motion of the gentleman from Texas [Mr. BLACK] to make the salary committee of 1927 have been in order to secure the necessary appropriations to carry on the Government. If I voted for the measure I would expose myself to the just reproach that I was opposed to such procedure in a general way, but when my own personal interests were involved I was ready to change my course for my own benefit. I did not vote for this.

Mr. CLARKE of New York. Mr. Speaker, I am convinced that the membership of the House of Representatives is too large, the pay too small. I, therefore, vote for the increase in pay and express my regret at the indirect way the measure passed. I voted the same way at the last session of Congress to provide for the necessary election expenses, a Member having a family can easily be demonstrated.

Mr. Speaker, during my service in Congress I have had occasion to vote against the measure because I knew how I voted and the reasons therefor. I voted against an increase in the salaries of Senators and Representatives of the United States such as care to appear except as I was, in many instances, compelled to in order to secure the necessary appropriations to carry on the Government. I voted for the measure I introduced at the last session of Congress to modify the rule of the House such a roll call and such a record of the yeas and nays on the passage of a bill can not be had unless one-fifth of the Members of Congress from 7,500 to 10,000 a year. It is not so much what we are proposing to do as the manner of doing it, which seems to me objectionable. I am well aware of all the reasons that might under other circumstances justify this increase. Indeed, under other conditions I might feel justified in giving it my support. But this comes too suddenly. Through a sort of amendment to the rules of the House in 1927, a provision was made that the salary expense of the Members of Congress from 7,500 to 10,000 a year. I regret that I did not feel that I could consistently vote on a matter which so directly involved my own interests as the bill did when that motion was lost.

There was, besides this, another feature that compelled me to vote against the measure if I was to be at all consistent. I have repeatedly—in fact, in season and out of season—criticized the action of the Senate in putting riders containing legislative provisions on appropriation bills, and have said it was an entirely wrong method of legislating which I never could approve except as I was, in many instances, compelled to in order to secure the necessary appropriations to carry on the Government. If I voted for the measure I would expose myself to the just reproach that I was opposed to such procedure in a general way, but when my own personal interests were involved I was ready to change my course for my own benefit. I did not vote for this.

Mr. Speaker, the one test of the attitude of a Member of Congress on the salary increase is the vote of the Representative of any district is not worth $10,000, the district should find a $10,000 man and send him here.

Mr. WAINWRIGHT. Mr. Speaker, I am constrained to object to this sudden proposal for an increase in the salaries of Members of Congress from 7,500 to 10,000 a year. It is not so much what we are proposing to do as the manner of doing it, which seems to me objectionable. I am well aware of all the reasons that might under other circumstances justify this increase. Indeed, under other conditions I might feel justified in giving it my support. But this comes too suddenly. Through a sort of amendment to the rules of the House in 1927, a provision was made that the salary expense of the Members of Congress from 7,500 to 10,000 a year. I regret that I did not feel that I could consistently vote on a matter which so directly involved my own interests as the bill did when that motion was lost.

There was, besides this, another feature that compelled me to vote against the measure if I was to be at all consistent. I have repeatedly—in fact, in season and out of season—criticized the action of the Senate in putting riders containing legislative provisions on appropriation bills, and have said it was an entirely wrong method of legislating which I never could approve except as I was, in many instances, compelled to in order to secure the necessary appropriations to carry on the Government. If I voted for the measure I would expose myself to the just reproach that I was opposed to such procedure in a general way, but when my own personal interests were involved I was ready to change my course for my own benefit. I did not vote for this.

Mr. Speaker, the one test of the attitude of a Member of Congress on the salary increase is the vote of the Representative of any district is not worth $10,000, the district should find a $10,000 man and send him here.

Mr. KNUTSON. My attention has been called to an item appearing in one of the Twin City papers to the effect that my colleague [Mr. LAUGHLIN and myself voted for the Senate amendment to the legislative appropriation bill which provided for an increase in the salaries of Senators and Representatives of $2,000 per annum. Mr. Speaker, the truth of the matter is that neither Mr. LAUGHLIN nor myself supported this measure. He and I talked the matter over before the vote was taken and we were both of the opinion that for us to vote for the adoption of the amendment at this time that it might destroy the excellent body which was then in the attitude of a Member of Congress on a bill under consideration, it is not worth $10,000, the district should find a $10,000 man and send him here.
is not the time to consider this question in any of its phases. I, therefore, voted against the passage of the salary increase provision. I hold that the time is not opportune for a roll call and record vote. I also voted for the amendment to make this legislation take effect two years hence, if passed. My judgment is that whether the seniority of legislatures on this subject it is better public policy that such legislation should be made to take effect in a new Congress later to be elected by the people.

In thus expressing the views and attitude I maintained at the passage of this measure, I concede to the legislatures who voted the other way the same conscientious motives and judgment which I claim for myself.

Mr. AYRES. Mr. Speaker, after the amendment to increase the salaries of United States Senators and Members of the House, as well as Cabinet members and the Vice President, had been tack on to the legislative appropriation bill as a rider, I knew it would have to be considered in the House. I then gave out an interview clearly stating my position on this question. I stated:

[Topeka Capital, February 19, 1925]

"If there is justification for such an increase, as contended by some," said Representative Ayres, "the present is not an opportune time. Therefor, or should be, a united effort to retracement and reduction of taxes. In any event, a measure of this kind should be presented in the open and regular way, fully considered and discussed, and not in the manner it is being engineered. I am bitterly opposed to the proposition of however adjure it to its defeat."

There also appeared in the Kansas City Times, of the issue of February 19, 1925, the following:

**AGAINST CONGRESS PAY Hike**

**STRONG ANTAGONISM IS COMING TO LIGHT IN THE HOUSE**

Strong opposition is developing in the House to the movement in Congress to put through legislation in the closing days of the session increasing salaries of Senators and Representatives and Cabinet officers.

The proposal, which has been adopted by the Senate, is embodied in an amendment to an appropriation bill, and when the amendment comes to a vote an effort will be made to pass it without a roll call, thus avoiding a vote on the salaries of Members on record.

Representative Ayres of Kansas announced today he would vote against the salary increase. In commenting upon the amendment he said:

"If there be justification for such increases, as some Members contend, the present is not an opportune time for such legislation. There should be united effort in Congress for retracement in Government expenditures and reduction of taxes. In any event a proposal of this kind should be submitted in the regular way and in the open way it could be discussed fully. I am opposed to it, and believe it will be defeated."

It was reported tonight an effort might be made in the House tomorrow to accept the Senate amendment.

I do not intend to discuss the question of whether there should or should not be an increase in salaries. The main question is, Could the country at this time afford it? Furthermore, do every Member of each branch of Congress know what the salary would be in the Sixty-ninth Congress when he was seeking the votes of his people to elect him as a Member of that Congress. If not satisfied with that salary, I feel it was his duty to have said so in the campaign and then his constituents could have decided the question for him.

As I said in that interview, this question should not have been presented in this manner. It should have been brought up and presented in the usual and orderly way. It have been presented by the proper committee, under the rules of the House, giving ample time and opportunity for each Member to have expressed his opinion and a chance to have cast his vote either for or against it, and to have had that vote made a matter of record. This was not done, and because of that fact alone, if for no other reason, I would be opposed to the amendment and do what I could to defeat it, and I feel justified in making this statement.

Along with some 50 others I stood up and voted for a roll call vote, in view of the overwhelming majority for this measure the proponents should not have hesitated to have allowed a roll call, giving all a chance to be recorded. It was very evident at the time it was submitted for a vote that there was no hope of its passage in salaries effective as did 60 others. Members, it would show better taste at least to amend it, making the increased salary effective in the Seventieth Congress, or in 1927, instead of the next Congress, but that amendment was overwhelmingly defeated.

I appreciate this salary question is a matter which affects the individual Member and on him alone rests the responsibility of his acts regarding it. It was a question for each individual Member of Congress to decide for himself. I am convinced of the soundness of my vote and in taking the position I did in voting against this measure and I have every reason to believe this is what any constituents expected me to do under such circumstances.

Mr. HARRISON. Mr. Speaker, I voted against the salary increase, believing that such a vote would reflect the majority sentiment of the district I represent.

I voted for the Black amendment which would have deferred the increase, if granted, until 1927. This amendment would have met the ethical questions raised and would have fully answered the adverse criticisms concerning snap judgment and lack of consideration.

Mr. ROMJUE. Mr. Speaker, I think it is a matter for each Member of this House to decide for himself as to how and which way he should vote on this and on any and all other legislative matters coming before this body to be voted upon. I accord to every Member the right of free exercise of his own judgment and assume the same privilege for myself.

In other words, one's own conscience and judgment should guide and deter him from the passage of such legislation as this, to his duty to the country, to their constituency, and to themselves.

It is as natural for men to differ in their opinions as it is for the sun to shine. I am not ready to cut my colleagues to a man simply because he differs with me as to our views on public questions.

I shall not welcome the day when I should think all men wronged myself. I am sure some Members of this body vote for salary increases for Cabinet members and for Members of the Senate and House honestly and conscientiously believing they should do so.

I am opposed to and voted against this salary increase because of the reason that I believe such legislation should not under all the circumstances be enacted.

The bridge no doubt would be, when built, a magnificent structure. But how are we as a Nation to get out of debt? For myself, I am satisfied we must not spend money where it cannot and legitimately be avoided.

In keeping with these views I recently voted against an appropriation of $14,000,000 to build a bridge across the Potomac River at Washington, D. C., to connect the Lincoln Memorial with Arlington Cemetery.

Holding these views, I cast my vote against the salary increase.

Mr. HARRISON. Mr. Speaker, without a word of criticism of the gentlemen who feel it proper to vote for the proposition to increase the salaries of the Members of Congress and of the Cabinet officers, I take the only method afforded of briefly stating my own objections to the proposition.

(1) I consider this proposition inconsistent with the presents of the present administration. The proposition to give adjusted compensation to the soldiers who fought our battles was vetoed on the ground that patriotic service was not remunerated in dollars and cents. The proposition to increase the postal salaries of some very poorly paid postal clerks was vetoed on the ground that it carried no increase of taxation to pay for the expenditure. I feel that some consideration should be given by the Members of Congress in their own case to render patriotic service without too close an analysis of pecuniary compensation. Many of the highest officers of this Government, because of duty, serve at salaries which are very meager in comparison with their earning capacity in private life, and this bill carries no increase of taxation to pay for the expenditure.

(2) I consider the time very inopportune. Many of us have just been reelected to Congress on the present salaries. I never heard of the suggestion seriously considered before the election day. Further, this measure was an issue wholly foreign to any question raised in the campaign. I therefore think it should be left to the next Congress to consider and pass upon the matter in the proper legislative method.

I am therefore opposed to the measure. As a proposition it should not have been brought before Congress as a rider on an appropriation bill without opportunity for full considera-
tion and discussion by Members of the Senate and of the House.

There can be no question but that the compensation of a Congres-
sman at the present salary imposes a sacrifice on most Members of the House, but it seems to me that this has been voluntarily assumed and should be cheerfully borne, especially in view of the demands for increased compensation in industry, which is the livelihood of the great body of my con-
stituents.

Mr. BOWLING. Mr. Speaker, I voted for the amendment to the legislation bill increasing the salaries of Senators and Representatives.

Mr. GARDNER of Indiana. Mr. Speaker, the House has voted on concurrence in the Senate amendments to the legisla-
tive appropriation bill to increase the salaries of the Cabinet officers, President of the Senate, Speaker of the House, Senators, and Representatives. There was no record vote taken on this amendment. I am writing for those who care to, to know how I vote on all ques-
tions coming up for passage. I feel that the people are enti-
tled to this information if they care for it, and for that rea-
son I am making this statement. I do not care to discuss the merits of the amendment, nor do I want to criticize the vote cast by any other Member of Congress on this amendment. I have expressed myself, both publicly and privately, as being in favor of economy and against increasing the burdens of taxa-
tion. And when I voted against the proposed increase, I did so because I felt that it was a consistent vote with the principles I have always advocated and a vote in the interest of the people.

Mr. THATCHER. Mr. Speaker, I have opposed the Senate amendment to the legislative appropriation bill which provides for an increase in the salaries of Members of the House and Senate. Robins being elected and elected a rising vote and was sustained in opposition to the passage of the amendment in the House and in favor of a roll call upon such passage. Be-
cause the majority in the House in favor of the amendment was so overwhelming as to preclude a roll call and a record vote, I desire in this way formally to record my opposition to the proposed increase and to give, briefly, some reasons for my opposition.

I have no criticism for those who have favored the increase, especially those who openly proclaimed their position. Candor and courage always command respect. I deem it unfortunate, however, that there was no roll call upon the question. The fact that record votes have been denied will, I fear, subject Congress to the charge that its Members fear to have their con-
stituents know how they voted, and that, therefore, the increase is not a proper one. Had there been record votes, and if there-
upon the proposed increase had been adopted, any criticism of the increase would have been less severe, and, in my judgment, less merited.

As an abstract proposition I fully concede the force and merit of the arguments made in favor of the proposed increase. The compensation of most of our Federal officials and employees has been substantially increased in the past few years because of the increased cost of living due to the disastrous effects of the War; but no increase has yet been provided for Members of Congress. Measured by every reasonable standard, I concede that the present salary of the Members is hardly an adequate one. I believe, however, that the "right thing" should be done in the "right way." In my judgment, it would be appropriate for Members of this Congress who will be Mem-
bers of the Sixty-ninth Congress to vote for an increase in the compensation of Members to become effective at the date after the expiration of the Sixty-ninth Congress; but, how-
ever much of those who are Members of the Sixty-eighth Congress, if they will be Members of the Sixty-ninth Congress may feel the need for the proposed increase, I have believed it to be unwise and inappropriate for us to vote it. I believe that public opinion opposes the action of official inc-
creases, and I am one of those who feel it a duty to express that opinion. Many State constitutions contain explicit inhibitions against the increase of the compensation of any State, county, or municipal officer during his term of office. My own State—Kentucky—has in its constitution such a provision. This prin-
ciple was also recognized by Congress at the very beginning of its existence when, in 1789, the House adopted a rule providing that its Members shall be excused from voting on any question in which they have a personal or special personal or pecuniary interest. This rule has never been changed and is included in the present rules of the House. I have always considered the policy maintained by the rule and by the indicated constitutional provisions to be wise and, notwithstanding any personal considerations involved, I must adhere to that opinion.

Mr. GARB. Mr. Speaker, the proposed amendment increases the salary of Members of Congress from $7,500 to $10,000 per year. It is a matter of universally acknowledged fact that the House, the Vice President, and Cabinet Members shall receive an increase of $12,000 to $15,000 per year.

The positions of the Members of Congress and of the Cabinet are voluntarily sought and accepted by each Member at the then-existing salaries, which were agreed and implied agreement between the people as the employer and the member as the employee. In substance that agreement was: The rendition of certain services in consideration for the then-existing sal-
aries. This agreement should be carried out by the respective parties. The employer has no right to discharge the employee; neither has the employee a moral right to arbitrarily raise his salary.

Being the direct beneficiary, he is not qualified to act in an impartial representative capacity.

Voting to increase one's own salary is like a Judge sitting in his own cause. The amendment offered does not apply only to the Congress to be elected two years hence presented an entirely different proposition than the one now being considered. When the people selected their Representa-
tives for the Sixty-ninth Congress, their budget contained a salary of $7,500 annually for each Member. Had they been informed of the increase now proposed to be made, they might have refused our employment and selected others of higher ability to represent them. The increase in the present salaries would have given them the opportunity of making their selection from a higher quality of services.

Under conditions prosperous, times good, expenses cut down, and taxes reduced and the proposed increases made to the people with their approval and the present compensation shown to be inadequate, an increase in salary for the Congress yet to be elected might be a request worthy of consideration. Under present conditions it is not.

Therefore shall not vote against the amendment. Because the present compensation is inadequate to meet the high cost of living is unfulfilled justification.

There are 6,500,000 farmers producing necessary foodstuffs who have been unable to meet their expenses during the last four years, and yet they are not asking for a price fixing bill to increase their wages, although with equal propriety and merit they have every moral, legal, and political right to do so.

Mr. COOK. Mr. Speaker, I do not desire to discuss the merits of the question of whether the present salaries of Mem-
bers of Congress are adequate, I only desire to represent the people with their approval and the present compensation shown to be inadequate, an increase in salary for the Congress yet to be elected might be a request worthy of consideration. Under present conditions it is not.

Therefore shall not vote against the amendment. Because the present compensation is inadequate to meet the high cost of living is unfulfilled justification.

Mr. TAYLOR of West Virginia. Mr. Speaker, as a member of the West Virginia Legislature in 1921 I consistently voted against all salary increases asked for elective State and county officers who, in the campaign just preceding, had made a solemn contract with the people to serve them for a definite term at a definite salary. My constituents felt that the public servants to ask for an increase was to break faith with the people who had honored them. The country had but recently been overwhelmed by the majority voted to go back to normalcy, and it is thus that the 1923 Members who
voted against increasing the salaries of Senators and Representatives.

Mr. SUFFIELD. Mr. Speaker, having lived almost continuously in Washington during the past six years of my service as a Member of Congress, I have found from experience that it is most difficult, if not indeed impossible even by simple and most economical living, for a Member of Congress to maintain a family on the miserable sums to live on as his constituents would have him live, and occupy such a station as they are entitled to have him occupy on $7,500 per annum. I do not speak this as adding to my official duties and have no income other than my salary. I believe this is true of a majority of the Members of the House of Representatives.

In order that there may be no question as to my position, I am opposed to any amendment of the salaries of Senators and Representatives from $7,500 to $10,000 a year, and in view of the fact that no record vote was had, I have taken advantage of the opportunity to extend my remarks to say that I voted for the amendment.

Mr. BECK. Mr. Speaker, I take this method of voicing my opposition to increasing salaries of Members of Congress at this time, because the motion for the previous question cut me off from doing so on the floor of the House. I voted for the previous question as salaries of postal employees because they are the most faithful and poorly paid employees in the service of the Government. I have voted for some other increases in salaries than that for increases in the increase in the salaries of Senators and Representatives from $7,500 to $10,000 per annum, until the producers of wealth in this country are able better to stand it. I moved for a roll call on this salary increase, which was denied, and I voted against this increase itself. I voted for and opposed to the way it was brought in as a rider on the legislative bill from the Senate. The legislative bill itself was one that had to become a law and the Senate took advantage of this fact to increase it. I am opposed to that method of securing any kind of legislation.

Mr. ROBINSON of Iowa. Mr. Speaker, permission having been granted Members to extend their remarks and explain their vote in the bill in the proposed amendment, I take this opportunity of saying that there being no opportunity for me to express myself at the time the vote was taken, I desire to state my position thereon.

I am opposed to the increase of salaries of Members of Congress at this time. I do not, however, believe that a salary of $10,000 is too large for a Member of Congress, but I do believe that this very responsible and important position fully justifies a salary of that amount. Seven thousand five hundred dollars was established as the salary about 18 years ago and has not been increased, although it is true that during that period of time there have been large increases in salaries of others in public life. The living and the requirements of the Congress have very largely increased during that time, with the result that the net salary at the present time is probably lower than that of any other position of like importance.

My opposition to the proposed increase of the salary of Members of Congress is based upon the following:

I do not approve the method of procedure followed. If we are to have a salary increase it should be done only after full consideration and discussion and with a record vote. The present proposal for increase comes to us from the Senate as an amendment to an appropriation bill; was passed by the Senate without discussion and without a record vote.

The objection to voting to increase our own salaries seems to me very obvious.

The great Middle West section of our country, from which I come, is still suffering severely from depression. Agricultural conditions are not good, but are below normal. Incomes are small. It is not a time of increasing salaries, but rather a time of utmost economy, and I believe my district would prefer for me to save salaries and represent the people at less expense. I have consistently voted for economy in all public expenditures. I have never voted against and opposed some measures, such as the bridge bill, that I would have favored under better financial conditions.

For these reasons I voted for an amendment to the proposed increase of salary making it not effective until March 4, 1927, at which date a new Congress will have been elected and enter upon its service. This would give us four years to do the thing in time in the event that we are not satisfied with the result which has been raised for the last 18 years, since the date of the last increase, in 1907. Since that date the purchasing power of the old salary, $7,500, has been reduced to less than $3,000. A salary of $10,000 now is in greater purchasing power 4 or 5 years, so there is no deceiving about it and it's a very definite and real economy, either implied or expressed, of those who voted for the increase, and in no sense do I question their motive or judgment, for I realize that the net salary of a Member of Congress does not provide for him and his family the comforts that most of us enjoy at home, and that at least a part of our influence under many conditions may result from the proper use of public service well rendered. For the reasons already stated, and others that will suggest themselves, I have felt under obligation to vote against the increased pay at the present time, because of the need of the needs of the Members of Congress, and especially because business and agricultural conditions in my home State call for rigid economy and carefulness.

Mr. BROWNE of New Jersey. Mr. Speaker, 'What price competition?' is a subject which separates us from all but a small minority of the people of this country in some considerable difference of opinion. That the present compensation is inadequate can hardly be denied, and it is also true that the wages of Senators and Members of the House is the only income that has not been increased in the last 18 years, a hundred per cent during the last 15 years, or since the present schedule was put into effect. That these facts are appreciated is shown by the overwhelming anonymous majority which put over this increased pay amendment in so rapid and remarkable a way. I voted for this amendment because I believe that if the laborer is worthy of the hire the hire should be worthy of the laborer. Many opposed this measure, though it is possible, if not probable, that this opposition would have been less had its proponents really expected to succeed. The reasons given for this opposition were partly along the lines of the old-fashioned economic theory and partly due to the modesty of those Members who felt embarrassment in voting more pay for themselves. Such modesty in Congress is as refreshing as it is unusual. As for economy, there are those, myself included, who do not believe the more saving of money is always an economical measure, though in this I admit we disagree with some high—perhaps the highest—officials in the service of the Nation.

To my mind, Mr. Speaker, it is true economy to pay good men good wages and demand good work, and this is true whether these men be members of the Cabinet, Members of the Congress, or postal employees. A Member of the Congress is either worth $10,000 to the country or he is worth nothing at all. If he is worth the money the Government should pay it; if he is worth nothing his district or State should not send him. Representatives are the real representatives of the public.
Of course, I realize the truth of the contention that the salaries of many Government employees, the wages of organized labor, and the necessary cost of living have increased a hundred per cent since the present congressional salaries were fixed. Yet the situation with the agricultural classes and with millions of the business people in many of the States which represent has grown harder all the while. Their cost of living has increased just as ours has; their tax burdens have grown heavier; and their income has increased little, if any.

These things being true, as a Congressman, I should not be willing to waive our own claims and, if need be, to sacrifice our rights until a better economic balance is reached.

The greatest strength and the only safety that any government has is a contented and loyal constituency. Just now we have perhaps the most serious situation at this point that our country has known for many years. Large numbers of our people really feel that the Federal Government is abusing rather than protecting their rights, and that officialdom in Washington is more interested in itself than in the general welfare. If I think this is a mistaken impression, but all the more it behooves us to do nothing to encourage it. Certainly we can afford to make any reasonable sacrifice rather than run the risk of losing color to this impression by voting this bill.

All Government officials must accept their pay largely in something besides money. Perhaps all of the men in the Cabinet, for instance, and certainly many of the men in this Congress, would command larger salaries if turned elsewhere. Their devotion year after year to Government work indicates that they themselves place a higher value on the privilege of service than on gold. It would be folly to try to make Government salaries compete in dollars and cents with commercial salaries. And it would be wrong, because it would be a perversion of the ideal of public service. The salary of a public official ought to be sufficient, considering the demands on him, to provide for him and his family as the average American is provided for, but it ought not to be disproportionately more.

Anyway, if we are to legislate on this subject, we ought to make it effective two years hence, when the raise in salary would not apply to the terms to which we have already been elected; or, better, wait until the matter can be canvassed before the people in a political campaign and the public is given a chance to speak on the subject.

Mr. BLANTON. Mr. Speaker, this Senate amendment proposing to increase congressional salaries is a legislative matter and should come only from a legislative committee. It has no business whatever on this legislative appropriation bill. The Senate has improperly attached this proposal to this appropriation bill as a legislative rider. It has not been made in the House of Representatives, when this bill originated before us for framing and passage, the amendment would have been out of order. Had any Member then proposed to attach this salary increase as a rider to this bill, I would have made a point of order against it and kept it out of the bill.

Mr. OLIVER of Alabama. Mr. Speaker, no appropriation bill carrying new items, or substantial increases in items herefore regularly appropriated for, should be allowed to pass without a record vote showing how each Member voted thereon. It is my opinion that the rules of the House should make this mandatory as to any bill increasing the pay of its Members.

Mr. LOWNIEY. Mr. Speaker, I can not vote for the amendment providing for increase of the salaries of Congressmen and Members of Congress. I have a very serious conviction that it ought not to pass.
in my own State of Texas from 18 to 18, and in exactly the same percentage and proportion it would have reduced the Congressmen in the other States. Counting their salaries, mileage, stationery, and clerical help, my amendment would have saved the Government $1,572,000 annually, besides also saving the tremendous expense of furnishing these surplus 331 Congressmen with offices and furniture. And if we would eliminate 331 Members and reduce the membership from 435 to 364, we would then have an active, wide-awake, ever-present, interested, able, and efficient legislative body prepared to keep in close touch with and to digest and assimilate all legislation, good and bad, so voluminously brought before us. The present House with 435 Members is entirely too large and unwieldy. But a point center was primarily made against my amendment which defeated it. We all should have been willing to take our chances of being the ones eliminated in our home States, and let the fittest survive.

I am wholly dependent upon my salary. I have no private income. I am giving all my time to the people. I engage in no pet projects, and to the business correspondence of my constituents.

Furthermore, I am unwilling to vote to increase my own compensation when nothing substantial is being done or is in contemplation by Congress to relieve the economic discriminations against agriculture. I feel that the farmers of this country are in greater need of economic relief than are the Members of Congress.

Mr. BRAND of Georgia. Mr. Speaker, I did not vote for the amendment providing for increase of the salaries of Representatives and Senators to $10,000. I voted against the proposition to increase our salaries.

The Speaker, in submitting the proposition to the House for a vote, announced that all who were in favor of the increase in salaries will rise and remain standing until they were counted, and all who were opposed to the provision increasing their salaries will make it known by rising and remaining standing until counted.

Every Member of Congress present, all persons in the galleries of the House, and the Washington correspondents of daily newspapers from all portions of the United States, listened as Mr. Blanton, the proprietor of the Press gallery at the time the vote upon this proposition was taken, witnessed this vote.

There was no opportunity for me to express myself at the time the vote was taken except by rising in my place and standing until counted by the Speaker when he requested Members who were opposed to the increase in their salaries to rise and remain standing until counted.

Of the total membership in the House, consisting of 435 Members, brief speeches were made by only 11 Members, 5 of whom were Republicans and 6 Democrats. These five Republicans and one Democrat spoke in favor of the amendment to increase the salaries, and the other five Democrats spoke against this amendment, there being only 30 minutes' time allotted for debate upon this proposition.

Having given the opportunity to make a speech upon the subject at the time the vote was taken I have availed myself of the privilege granted Members to extend their remarks so that the people whom I have the honor to represent and all others interested may officially know that I voted against the amendment proposing an increase in the salaries of Congressmen and Senators.

Evening Session

Mr. LONGWORTH. Mr. Speaker, I ask unanimous consent that to-night between 8 and 11 o'clock it shall be in order to consider bills unobjectioned to on the Private Calendar.

The SPEAKER. The gentleman from Ohio asks unanimous consent that to-night it shall in order to consider bills unobjectioned to on the Private Calendar. Is there objection?

Mr. BLANTON. Reserving the right to object, I would not object to any night next week, but for the rest of this week I will object.

Mr. LONGWORTH. I will say that we will probably not have a night next week.

Mr. ALLEN. I object.

Mr. BLANTON. Here is the gentleman from West Virginia who also objects.

Mr. LONGWORTH. Any gentleman who wants to stop the consideration of the Private Calendar for the session can take the responsibility.

Mr. BLANTON. I have been here on the floor of the House at both day and night sessions every hour that the House has been in session since we started the session.

Mr. LONGWORTH. The gentleman takes the responsibility of blocking the Private Calendar for this session.
Mr. BLANTON. I am ready to take that responsibility. There are many bad bills involving millions on the calendar, and we have little chance to defeat them at night sessions.

SENATE BILLS REFERRED

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

S. 3824. An act to provide for the appointment of a leader of the Army Band; to the Committee on Military Affairs.

S. 4077. An act to authorize the President in certain cases to mediate with the Soviet of the Union; to the Committee on Foreign Affairs.

S. 4228. An act for the relief of Oscar A. Plumlee, administrator of the estate of G. S. Varnum, postmaster at Cliftonwood, Va.; to the Committee on Claims.

S. 4230. An act providing for the sale and disposal of public lands within the area herefore surveyed as Boulder Lake, in the State of Wisconsin; to the Committee on Public Lands.

S. 4231. An act for the relief of James Doherty; to the Committee on Claims.

S. 4234. An act for the relief of Roy A. Durling; to the Committee on Naval Affairs.

S. 4231. An act for the relief of Francis J. Young; to the Committee on Claims.

S. 4230. An act to authorize the building of a bridge across the Sauk River in South Carolina; to the Committee on Interstate and Foreign Commerce.

S. 4219. An act to authorize the building of a bridge across the Congaree River in South Carolina; to the Committee on Interstate and Foreign Commerce.

S. 4218. An act to authorize the building of a bridge across the Catawba River in South Carolina; to the Committee on Interstate and Foreign Commerce.

S. 4212. An act to authorize the building of a bridge across the Broad River in South Carolina; to the Committee on Interstate and Foreign Commerce.

S. 4213. An act to authorize the building of a bridge across the Sauk River in South Carolina; to the Committee on Interstate and Foreign Commerce.

S. 4214. An act to authorize the building of a bridge across the Savannah River, between South Carolina and Georgia; to the Committee on Interstate and Foreign Commerce.

S. 4217. An act granting the consent of Congress to the Susquehanna Bridge Corp. 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.; to the Committee on Interstate and Foreign Commerce.

S. 4225. An act to extend the times for commencing and completing the construction of a bridge across Detroit River within or near the city limits of Detroit, Mich.; to the Committee on Interstate and Foreign Commerce.

S. 4229. An act 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.; to the Committee on Interstate and Foreign Commerce.

S. 4229. An act to authorize the Secretary of the Treasury to prepare a medal with appropriate emblems and inscriptions commemorative of the Norse-American centennial; to the Committee on Claims.

S. 4229. An act to provide for the exchange of certain lands now owned by the United States, in the towns of Newark, Del., for other lands; to the Committee on Public Buildings and Grounds.

S. 4224. An act for the relief of Ishmael J. Barnes; to the Committee on the Public Lands.

S. 4228. An act authorizing the construction of a bridge across the Colorado River near Blythe, Calif.; to the Committee on Interstate and Foreign Commerce.

S. 2441. An act for the relief of R. Clyde Bennett; to the Committee on War Claims.

S. 2418. An act to authorize the Rock Creek and Potomac Parkway Commission to dispose of certain parcels of land; to the Committee on Public Buildings and Grounds.

S. 2414. An act authorizing the Court of Claims of the United States to hear and determine the claim of H. C. Erickson; to the Committee on Claims.

S. 2613. An act to provide for retirement for disability in the Lighthouse Service; to the Committee on Interstate and Foreign Commerce.

S. 4106. An act for the relief of the Royal Holland Lloyd, a Netherlands corporation, of Amsterdam, the Netherlands; to the Committee on Claims.

REGULATING THE SALE OF MILK, CREAM, AND ICE CREAM

Mr. REED of West Virginia. Mr. Speaker, I call up the conference report on the bill (S. 2803) to regulate within the District of Columbia the sale of milk, cream, and ice cream, and for other purposes,
The conference report and statement were read, as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the bill (H. R. 145) to regulate within the District of Columbia the sale of milk, cream, and ice cream, 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 House recede from its amendment numbered 1.
That the Senate recede from its disagreement to the amendment of the House numbered 2, and agree to the same.

Amendment numbered 1: That the Senate recede from its disagreement to the amendment of the House numbered 1, and agree to the same with an amendment as follows: In lieu of the word "failed" the word "mend" the Senate joint resolution concerning labor of persons under the age of 18, which is the second to the bill (H. R. 145) for the establishment of migratory bird refuges, and so forth.

Amendment numbered 2 strikes out the word "supply of any firm, corporation, partnership, or mutual association," in section 3, and inserts the words "cream, or ice cream supplied by any person." The Senate agrees to this amendment.

Amendment numbered 3 relates to the proposed amendment to the Constitution concerning labor of persons under the age of 18, which failed of passage.

Amendment numbered 4 strikes out the word "fifty," in line 9, page 8, and inserts the word "twenty." The conference recommends the figure "forty."
So the motion was agreed to. The Clerk announced the following pairs:

Mr. Jones with Mr. Gallivan.
Mr. Reed of New York with Mr. Ross.
Mr. Free with Mr. Garner of Texas.
Mr. Scott with Mr. Sikes.
Mr. Ward of New York with Mr. Kindred.
Mr. Lindsay with Mr. Lindsay.
Mr. Roach with Mr. Tague.
Mr. Pelman with Mr. Sullivan.
Mr. Wurtsch with Mr. Lilly.
Mr. Zillman with Mr. Kenworthy.
Mr. Woods with Mr. Kuns.
Mr. Brund of Ohio with Mr. Lee of Georgia.
Mr. Fairchild with Mr. Kerr.
Mr. Britten with Mr. Johnson of West Virginia.
Mr. Prevar with Mr. Hughes.
Mr. Hoch with Mr. Rogers of New Hampshire.
Mr. Fredericks with Mr. Salmon.
Mr. William E. Hull with Mr. Fullbright.
Mr. Vincent of Michigan with Mr. Quayle.
Mr. Freeman with Mr. Donnellan.
Mr. Hersey with Mr. O'Sullivan.
Mr. Fuller with Mr. Buckly.
Mr. Anderson with Mr. O'Brien.
Mr. Larsen of Minnesota with Mr. Logan.
Mr. Eysen of Iowa with Mr. Ward of North Carolina.
Mr. Nelson of Wisconsin with Mr. McNulty.
Mr. Vail with Mr. Wolf.
Mr. Peavy with Mr. Bercez.
Mr. Melches with Mr. Jones of South Carolina.
Mr. Curry with Mr. Morris.
Mr. Kendall with Mr. Cahn of Florida.
Mr. Dempsy with Mr. Bankhead.
Mr. McEvoy with Mr. McDuffie.
Mr. Lehmbach with Mr. Favrot.
Mr. Anthony with Mr. Howard of Oklahoma.
Mr. Begg with Mr. Johnson of Kentucky.
Mr. Porter with Mr. Connor of New York.
Mr. McKeen with Mr. Oliver of Alabama.
Mr. Sweet with Mr. Sabath.
Mr. Frenier with Mr. Rutland.
Mr. Rogers of Massachusetts with Mr. Spear.
Mr. Seger with Mr. Tydings.
Mr. Funk with Mr. Steatori.
Mr. Fenn with Mr. Carwe.
Mr. Bruemmer with Mr. Tison of Louisiana.
Mr. Wyant with Mr. Corning.
Mr. Martin with Mr. Parks of Arkansas.
Mr. Newton of Missouri with Mr. Reed of Arkansas.
Mr. Wirtz with Mr. Greenwood.
Mr. Vare with Mr. Jacobstein.
Mr. Hull of Iowa with Mr. Sherwood.
Mr. Welsh with Mr. Longford.
Mr. Boyce with Mr. Sears of Florida.
Mr. McLeod with Mr. Sumner of Texas.
Mr. Yates with Mr. Wilson of Mississippi.
Mr. Motley of Ohio with Mr. Logan.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. DARROW). A quorum is present, the Doorkeeper will open the doors.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 745, with Mr. Luxe in the chair. The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 745, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 745) for the establishment of migratory-bird refuges to furnish in perpetuity homes for migratory birds, the establishment of public shooting grounds to preserve the American system of free shooting, the provision of funds for establishing such areas, and the furnishing of adequate protection for migratory birds, and for other purposes.

The CHAIRMAN. The Clerk will again report the pending amendment.

Mr. JONES. Mr. Chairman, I ask unanimous consent to withdraw my amendment.

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

Mr. JONES. Mr. Chairman, I move to strike out the last word. Mr. Chairman, on page 6 of this bill there is a provision that the fund which is to be collected from this license system. According to this section 9 not less than 45 per cent of this fund must be used for enforcing the migratory-bird laws and only 45 per cent for the purchase and lease of lands. I shall offer an amendment, wherein we reach that, to increase the amount that is to be expended for Government preserves and sanctuaries from 45 to 65 per cent and to reduce the amount that is to be used for enforcement purposes to 35 per cent. Now, gentleman, I think that amendment, or some similar amendment, should be agreed to.

According to the estimate made by the various game protective associations there are about five or six million sportsmen in the United States. If half of these pay their $4 fee there will be a fund of about $3,000,000, and according to the terms of the bill 45 per cent of that fund must be paid for game wardens and for the enforcement of the provisions of the act. That will employ a great number of game wardens and that great number running around over the country might bring the entire law into disrepute.

Mr. TINCHER, will the gentleman yield?

Mr. JONES. In a moment. Now, the bill seems scheduled to go through, and I think, as a matter of reason and common sense, 25 per cent of this fund ought to be enough to spend for enforcement. I yield to the gentleman from Kansas.

Mr. TINCHER. The gentleman does not mean to say that the fund has to be spent. It is limited to that amount.

Mr. JONES. It says "not less than 45 per cent thereof" for enforcing the migratory-bird treaty act, the Lacey Act, and so forth. It would be different if it said "not more than," but it says "not less than 45 per cent" of this fund shall be expended in the enforcement of these acts. Now, it ought to say "not more than," or it ought to be limited to a smaller percentage.

Mr. ANTHONY. I think the gentleman's contention is right in regard to the "more or less" proposition.

Mr. BLANTON, Mr. Chairman--

Mr. TREADWAY. Is not the gentleman arguing a little ahead of time?

Mr. BLANTON, Mr. Chairman, I want to commend the gentleman from Texas for convincing the chairman in charge of this bill that the bill is improperly written and ought to be amended in a vital particular. If he can convince so distinguished a gentleman from Kansas, he might convince the other fellows who belong to this body, and since they have raised their salaries here, Mr. Chairman, they ought to be here to pass on this bill, and I make the point of order that there is no quorum present.

Mr. JONES. I will say I did not vote for the increase.

The CHAIRMAN. The Chairman will count.

Mr. JONES. I will ask the gentleman to withdraw the point of no quorum. The gentleman from Kansas says he agrees to my proposition.

Mr. BLANTON. I want the membership to hear the gentleman.

Mr. TREADWAY, Mr. Chairman, the gentleman is not talking on the paragraph before the House. It is the next paragraph.

Mr. JONES. I hope the gentleman will withdraw his point. Mr. BLANTON. Oh, yes; we want a quorum, Mr. Chairman. I am sincere in wanting a quorum.

Mr. ANTHONY. Mr. Chairman, I move a call of the House, and on that motion I ask for tellers.

The CHAIRMAN. A call of the House is not permitted in committee.

Mr. TINCHER. I move that the committee rise, and on that I ask for tellers.

The CHAIRMAN. The gentleman from Kansas moves that the committee rise, and on that motion he asks for tellers.

Tellers were ordered.

The committee again divided; and the tellers (Mr. HAUGEN and Mr. BLANTON) reported that there were—yes 6, noes 101. So the motion was rejected.

The CHAIRMAN. The vote discloses the presence of a quorum.

Mr. JONES. Mr. Chairman, I do not care to discuss the proposition further since the chairman of the committee has agreed to the principle of the amendment, so I do not care at the time of the House in further discussion of the proposition. If this amendment or some similar amendment is adopted, it will materially help the bill.

Mr. HAUGEN. Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto do now close.

Mr. DEAL. I object.

Mr. HAUGEN. I ask unanimous consent, Mr. Chairman, that all debate on this amendment and all amendments thereto be now closed.

Mr. DEAL. I object.

Mr. BLANTON. The gentleman from Virginia has objected, Mr. Chairman.

Mr. HAUGEN. I ask unanimous consent then, Mr. Chairman, that all debate on this amendment and all amendments close in 10 minutes. Is there objection?

There was no objection.
Mr. WHITE of Kansas. Mr. Chairman, I offer an amendment.

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

The Clerk read as follows:

Amendment offered by Mr. WARR of Kansas: Page 5, line 17, after the word "stake," insert "or upon any land adjoining or contiguous thereto subject to the owner's consent."

Mr. WHITE of Kansas. Mr. Chairman and gentlemen of the committee, I offer this amendment because I think it is a very important one and a very proper one. We have a situation over in the Missouri Valley— you might call it the Middle West, and call it now as different from most of the States of the Republic. If we could have an open season continuing for 12 months we would actually have only about three or four days in the spring and fall, during the period of the migration of the birds in the spring to the North and in the fall back to the South, in which we could shoot any migratory birds.

If you will allow me, gentlemen, I wish briefly to state that over there we do not have a great amount of water naturally. That State was pretty dry even before prohibition. But we have a good many artificial ponds, reservoirs, and lakes, covering usually from an acre to 5 or 10 acres of surface. Now, the purpose of this amendment is that a farmer's boy, standing by the wall of his father's reservoir, shooting a duck that rises up from the surface of the pond, where the birds have stopped temporarily to feed and rest, and that duck lighting across the wild neighbors' property, ought not to be considered a violator of the law, ought not to be subject to arrest.

Now, there is no conflict of disposition out there at all about this law. The few men out there and the few boys in whose minds 'there is no question of the neighbor?

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

Mr. WHITE of Kansas. Exactly.

Mr. McKOWN. The gentleman's idea is that he should not be required to pay for a Federal license if he has the consent of the neighbor?

Mr. WHITE of Kansas. Exactly.

Mr. McKOWN. In some of the States you must have the consent of the owner even if you do have a license.

Mr. WHITE of Kansas. Yes; I think that is all right. I think there should be a law. There is a good deal of perturbation in the minds of these boys and their parents. They have some respect for the law, and their parents want them to obey the law. They are schoolboys, the sons of farmers in Kansas and Nebraska and Oklahoma and Colorado, and this will not affect the beneficent purposes of this bill. I think the amendment should be adopted. I think I have said enough to show you it should be adopted, and I ask you to support it.

[Applause.]

Mr. PEERY. Mr. Chairman, I offer an amendment by way of substitute to the amendment offered by the gentleman from Kansas [Mr. White]. It is an amendment to the amendment. The CHAIRMAN. The Clerk will report the amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. Peery: Page 5, line 3, strike out the whole of section 7 on said page, and in lieu thereof insert the following:

"Sec. 7. That each person who at any time shall take any migratory bird, or nest or egg thereof, included in the terms of the convention concluded between the United States and Great Britain for the protection of migratory birds, dated September 16, 1916, upon any land of the United States which heretofore has been or which hereafter may be acquired, set apart or reserved as a bird or game refuge or public preserve under this act, shall first procure a license issued as provided by this act, and then may take any such migratory bird, or nest or egg thereof, only in accordance with regulations adopted and approved pursuant to the migratory bird treaty act (act of May 11, 1918, Stat. L. p. 755) or as otherwise expressly directed in this act."

Mr. PEERY. Mr. Chairman and gentlemen of the committee, the purpose of the amendment which I offer by way of substitute to the amendment of the gentleman from Kansas [Mr. WARR] is to eliminate from this bill the requirement for a license fee to anyone except those who seek to hunt upon the area covered by the refuge.

Mr. WHITE of Kansas. Mr. Chairman, will the gentleman yield?

Mr. PEERY. Yes.

Mr. WHITE of Kansas. My attention was diverted for a moment, and I did not get the purport of the gentleman's amendment. Does it affect in any way the amendment I have offered?

Mr. PEERY. My amendment is simply this, to eliminate all license fees to any one throughout the country who wants to hunt migratory birds except those who want to hunt on the game refuges. It leaves it open so that no one will have to take out a Federal license to hunt in the State of Kansas, for example, unless he seeks to hunt on the game refuge.

Mr. WHITE of Kansas. Then it would be germane, so far as I can see.

Mr. PEERY. Mr. Chairman, I am in sympathy with the general purpose of this legislation. In order that you may appreciate my viewpoint, you will, I am sure, pardon me if I tell you that when I left home to come to the present session of Congress I favored bird dogs, one an English setter, the other a white-and-tan pointer, both of good lineage, both handsome dogs. More than once some of their habits have brought me in for friendly but firm admonition at the hands of my good wife, but it has always been with the golden dog. Now in Kansas, boys with guns and go with these dogs into the forests and fields I feel amply repaid for any of the troubles which their keep and possession bring to me. And when at the close of this session I return home I believe that the birds will be among my earliest callers. Every spring the robins foregather on my front lawn. Many times have I counted more than 20 there at one time. There they woo their mates and build their nests in hedges. Nothing can be done to prevent their coming and I fancy that in some way they divine they are welcome visitors.

Mr. WILLIAMSON. Will the gentleman yield?

Mr. PEERY. Yes.

Mr. WILLIAMSON. Does the gentleman think that with the amendment submitted by the gentleman from Kansas [Mr. WARR] and the amendment submitted by the gentleman from Virginia this bill will afford any adequate protection at all to migratory birds?

Mr. PEERY. Yes.

Mr. WILLIAMSON. I am coming to that, and I will refer to it just a moment.

Soon after the entry of our country into the World War there appeared a picture that had a peculiar appeal to me. It was the picture of an American home with the son clad in his uniform, and the old setter dog is seen fol­ lowing him to the gate with uplifted paw shows his eager­ ness to go with the master. The young master with affection expresses the mute appeal with the words, "Not this time, old pal." Life in God's great outdoors makes us better men. It cultivates a spirit of freedom and of right. It helps to make of us true sportmen, and we need true sportmen for every problem of life.

Many of my friends with whom I have enjoyed the pleasures of a hunt have urged my support of this game refuge bill. And so I approach the consideration of this measure in sympathy with the main purpose of the bill. I favor the preservation of our wild life in America. I favor the protection of our migratory birds. I favor the establishment of proper sanctuaries for our migratory birds.

But I am also the official Representative of one of the congressional districts in a State that has played no insignificant part in the history of our country, and whose philosophy and traditions have at all times sought to preserve one of the fundamental principles upon which our form of government is founded, namely, that there are not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States, respectively, or to the people.

The bill now under consideration involves an application of this fundamental principle and is of far-reaching importance in the present-day political life.

In my brief discussion of this bill I shall attempt two things: First, I shall present my objections to the present bill; and
Second. I will in a general way outline what I believe would be the effect of the bill for the accomplishment of our common object.

The bill means a further encroachment of the Federal Government upon the rights of the States. It means that the Federal Government shall be charged with the enforcement and administration of the laws of the United States. It means the further centralization of power in the Federal Government at Washington. It means the further extension of the powers of the Federal Government.

The bill provides for the establishment of a commission, to be known as the Migratory Bird Refuge Commission (sec. 1.) It provides (sec. 3) that the Secretary of Agriculture is authorized to purchase or rent such areas as have been reserved by the States for the purpose of the breeding and self-perpetuation. A Federal bureau once obtained is rarely relinquished. A Federal bureau once established rarely acquires the art of extension of the phases of Federal bureaucracy. The result will be that in enforcement of the game laws, this bill will create new offices of Federal game wardens or their deputies, throughout the States.

The bill provides new civil and criminal penalties. After the passage of the bill it may happen that the States yield some of their reserved rights to the Federal Government. One instance is in the control and enforcement of prohibition, some phases of which can not be enforced by the States. In such cases it becomes reasonably necessary that the States yield to the Federal Government some of the rights reserved to them, in order to provide for the common good and welfare of all. We should, however, before yielding these rights on the part of the States to the Federal Government, be very sure that a real necessity exists therefor.

The distinguished minority leader [Mr. Garret] some days ago, in his great speech on the proposed Wadsworth-Garret amendment, announced the true rule in this language:

"I think the sound rule of action may be found in the policy of leaving all powers that can be as well exercised through State agency to be there exerted, and extending the arm of the Federal Government only to those things and themes which the States can not--I do not mean, will not, I mean can not--reach."

There is a tendency on the part of some to extend the arm of the Federal Government to activities where it will be merely more convenient for the Federal Government, or, as they claim, more effective for the Federal Government, to exercise its discretion. This principle is for all time, and in all ways,缔结 to and to which I referred above. Many are asking the question "Where and when will it end? What, if anything, will be left to the States?"

The gentleman from Arkansas [Mr. Randolph] in his speech in favor of this bill made the statement that people in this State had a more wholesome regard for Federal laws and the Federal agencies for the enforcement of those laws than they had the State laws and the State enforcement of State laws and argued for the passage of this bill on that ground, but, gentlemen, I have not yet come to that point, and I hope I never will. I believe that the States are capable of enforcing their laws and that the Federal Government should not intrude on the part of the States in favor of the Federal Government. I believe that "the best governed people are the least governed people." It is worth considering the advantage and convenience in policy to add Federal laws where State laws that meet the situation already exist. It is unsound economics and bad business to enact laws that provide duplication of agencies. It is unwise to produce a division of responsibility. The result oftentimes is a lax enforcement of the law on the part of both agencies. Oftentimes it results in absolute failure of enforcement.

This bill means a duplication of license taxes. Most of the States are already levying license taxes for the privilege of hunting. We have such a license tax already in Virginia. This bill proposes to add an additional Federal license tax for the privilege of hunting migratory birds anywhere in the United States.

We are told that the bill is backed by the sportsmen of the country, and that the sportsmen of the country would not back anything that was not a good bill. The gentleman from Massachusetts [Mr. Treadway] told us that there was a strong propaganda throughout the country favoring the passage of this bill. The gentleman from Arkansas [Mr. Randolph] would have us believe that the cost of providing these game refuges and shooting grounds under the bill will be borne by the sportsmen throughout the country. Ah, just there is the joker in this bill. There is a tremendous propaganda behind the bill. It is the cleverest sort of propaganda, the kind that is so arranged that the other fellow pays the greater part of the cost.

The bill may be and is backed by certain sportsmen, yet under the bill as drawn the sportsmen who will get the greater benefits from the passage of the bill are not good enough sportsmen to pay their share of the cost. [Mr. Randolph] has it in the title of his speech on this bill, referred to this tendency. All of us know from experience that when you once establish a new bureau in Washington it readily acquires the art of extension of government powers over the rights and powers of the States. There is already a demand on the part of many that this bill will result in the duplication of laws already in existence and add to the cost of enforcement of the migratory birds within their borders. The bill provides that no person shall take any migratory bird or nest or egg thereof upon any such area except in accordance with the rules and regulations to be made and promulgated by the Secretary of Agriculture. It provides that no person shall at any time or upon any land in the United States hunt or take any migratory bird or nest or egg thereof without first obtaining such Federal license, the only exception being that such license shall not be required of any person or any member of his family to hunt such migratory bird on any land owned or occupied by him as his place of permanent abode.

Most of the States already have game laws for the protection of the migratory birds within their borders. The State will be less likely to require their area to be covered by Federal law, if the Federal laws are already enforced in our State. There is a wholesome public sentiment favoring the preservation of our fish and game which is helpful in enforcing State laws. Furthermore, this bill will result in the duplication of laws already in existence and in the duplication of the agencies for the enforcement of the law. When we now have these Federal governments of the game laws, this bill will create new offices and add Federal game wardens for the enforcement of the new Federal game laws. There will be a duplication of agencies and a division of responsibilities.

The man who makes two blades of grass to grow where only one grew before may be and is a benefactor to his day and generation, but not so of the legislator who makes a new law where there already exists a law.

The bill provides new civil and criminal penalties. After providing criminal penalties for the violation of sections 6, 11, and 12 of the act, it provides that any person who shall violate any of the provisions of the act shall be liable to the States in the sum of $5 for the first violation and in the sum of $25 for each subsequent violation to be collected in a civil action, and provides that the gun or firearm carried used by any such person shall be liable and may be seized by any United States game warden or deputy game warden until such liability is discharged. The result will be that in addition to having State game wardens looking after the proper enforcement of the game laws of the respective States we would have Federal game wardens or their deputies, throughout the States, spying and prying around for any supposed violators of the Federal game laws.

Gentlemen, we have already come to the point in our national life where thoughtful students of our Government are coming to view with alarm the continued tendency of the Federal Government to encroach upon the rights and powers of the States. There is already a demand on the part of many that this tendency be stopped. This protest is voiced on both sides of the aisle now. The gentleman from Massachusetts [Mr. Treadway] told us that there was a strong propaganda throughout the country favoring the passage of this bill. The gentleman from Arkansas [Mr. Randolph] would have us believe that the cost of providing these game refuges and shooting grounds under the bill will be borne by the sportsmen throughout the country. Ah, just there is the joker in this bill. There is a tremendous propaganda behind the bill. It is the cleverest sort of propaganda, the kind that is so arranged that the other fellow pays the greater part of the cost.

The bill may be and is backed by certain sportsmen, yet under the bill as drawn the sportsmen who will get the greater benefits from the passage of the bill are not good enough sportsmen to pay their share of the cost. [Mr. Randolph] has it in the title of his speech on this bill, referred to this tendency. All of us know from experience that when you once establish a new bureau in Washington it readily acquires the art of extension of government powers over the rights and powers of the States. There is already a demand on the part of many that this tendency be stopped. This protest is voiced on both sides of the aisle now. The gentleman from Massachusetts [Mr. Treadway] told us that there was a strong propaganda throughout the country favoring the passage of this bill. The gentleman from Arkansas [Mr. Randolph] would have us believe that the cost of providing these game refuges and shooting grounds under the bill will be borne by the sportsmen throughout the country. Ah, just there is the joker in this bill. There is a tremendous propaganda behind the bill. It is the cleverest sort of propaganda, the kind that is so arranged that the other fellow pays the greater part of the cost.

The bill may be and is backed by certain sportsmen, yet under the bill as drawn the sportsmen who will get the greater benefits from the passage of the bill are not good enough sportsmen to pay their share of the cost. [Mr. Randolph] has it in the title of his speech on this bill, referred to this tendency. All of us know from experience that when you once establish a new bureau in Washington it readily acquires the art of extension of government powers over the rights and powers of the States. There is already a demand on the part of many that this tendency be stopped. This protest is voiced on both sides of the aisle now. The gentleman from Massachusetts [Mr. Treadway] told us that there was a strong propaganda throughout the country favoring the passage of this bill. The gentleman from Arkansas [Mr. Randolph] would have us believe that the cost of providing these game refuges and shooting grounds under the bill will be borne by the sportsmen throughout the country. Ah, just there is the joker in this bill. There is a tremendous propaganda behind the bill. It is the cleverest sort of propaganda, the kind that is so arranged that the other fellow pays the greater part of the cost.

The bill may be and is backed by certain sportsmen, yet under the bill as drawn the sportsmen who will get the greater benefits from the passage of the bill are not good enough sportsmen to pay their share of the cost. [Mr. Randolph] has it in the title of his speech on this bill, referred to this tendency. All of us know from experience that when you once establish a new bureau in Washington it readily acquires the art of extension of government powers over the rights and powers of the States. There is already a demand on the part of many that this tendency be stopped. This protest is voiced on both sides of the aisle now. The gentleman from Massachusetts [Mr. Treadway] told us that there was a strong propaganda throughout the country favoring the passage of this bill. The gentleman from Arkansas [Mr. Randolph] would have us believe that the cost of providing these game refuges and shooting grounds under the bill will be borne by the sportsmen throughout the country. Ah, just there is the joker in this bill. There is a tremendous propaganda behind the bill. It is the cleverest sort of propaganda, the kind that is so arranged that the other fellow pays the greater part of the cost.

The bill may be and is backed by certain sportsmen, yet under the bill as drawn the sportsmen who will get the greater benefits from the passage of the bill are not good enough sportsmen to pay their share of the cost. [Mr. Randolph] has it in the title of his speech on this bill, referred to this tendency. All of us know from experience that when you once establish a new bureau in Washington it readily acquires the art of extension of government powers over the rights and powers of the States. There is already a demand on the part of many that this tendency be stopped. This protest is voiced on both sides of the aisle now. The gentleman from Massachusetts [Mr. Treadway] told us that there was a strong propaganda throughout the country favoring the passage of this bill. The gentleman from Arkansas [Mr. Randolph] would have us believe that the cost of providing these game refuges and shooting grounds under the bill will be borne by the sportsmen throughout the country. Ah, just there is the joker in this bill. There is a tremendous propaganda behind the bill. It is the cleverest sort of propaganda, the kind that is so arranged that the other fellow pays the greater part of the cost.
to pay this license. Of that number I doubt if there would be
one-tenth of 1 per cent who would be able to avail themselves
of the privilege of hunting in these game refuges or shooting
grounds. Yet every man, woman, or boy who even "attempts
to shoot a bird anywhere in the United States must pay
this Federal license tax of $1 per year; and the professional
sportsman of large income and ample means pays no more for
the privilege in these Federal shooting grounds than the fellow
huntsman who will never be able to go there because of the
expense.
It has been aptly stated on the floor that this bill, as drawn,
is rich man's bill.
If I were viewing the proposed law from the Democratic side
of the aisle [Mr. TRICHER] chides us on the Democratic side of the Isle with the statement that in the Democratic platform adopted at the New York convention our party, in a favor of the policy, has paid attention to the protection and conservation of migratory birds, the establishment of game preserves, and the protection and conservation of wild life and argues that because of this platform declaration we should support the present bill.
I was one of those who spent a goodly portion of the sum
in attendance upon the somewhat hectic ordeal Incident to that
conversion and am willing to abide by the party declaration
on this question; but it by no means follows that we are
obliged to favor the creation of take of the game which
enriches the general principle with such obnoxious features and
provisions and carries provisions that utterly violate some of
the fundamental principles of our party policy.
Mr. Chairman, I might remind him that he, in company with his Republican brethren at their last national convention held in Cleveland, declared in favor of a resolution to this effect: 'Let the law pay the greater part of the cost. Under the income-tax law the man of large wealth and income pays more in proportion than the poor man. In that way the professional sportsman with a large income of the cost of this law. Impose no general license tax, except
upon those who hunt in the game refuges. Let the man back home continue to exercise the privilege to hunt subject alone to the usual checks and balances.'
Let the Federal Government have Federal game wardens to
patrol the game refuges to be acquired and owned by it, but
not elsewhere.
Let the States make and enforce the game laws everywhere
throughout their own borders, except upon the areas to be so
acquired and held by the Federal Government.
To my mind this general plan will simplify the proposition.
It will preserve our fundamental philosophy of reserving to
the States the rights which properly belong to them and
yielding to the Federal Government on the part of the States
the right to use the funds collected from the Federal game
refuges. In this way the duplication of laws will be avoided,
the duplication of agencies for the enforcement of the law will
likewise be avoided. We would also escape duplication of
taxes. The law could be enforced in an economical and common-sense way. The law will commend itself to the public
and will be capable of enforcement.
It is my privilege when I was a student of law at Wash­ington and Lee University to receive instruction from a Virginia gentleman who was for a number of years a distin­guished Member of the lower House of Congress, Hon. John Randolph Tucker. May I say of him with reverent affection that he was one of the most delightful and one of the greatest men I ever knew. He was the father of our present dis­tinguished and beloved colleagues from Virginia [Mr. TUCKER]. One of the quaint expressions often used by him in his teaching and which sank deep into my memory was this, "Shinny on your own side." I think we may to-day very pertinent apply this expression to the relation between the Federal Government and the States. Let the Federal Government "shinny" on its own side. Let it not, upon the argument of mere convenience or caprice, take unto itself the exercise of any of the rights reserved to the States and where it should continue inviolate in the
States. And let the State governments "shinny" on their own
side in the enforcement of laws which they should enforce.
The amendment offered by me to section 7 of the bill seeks
to finish this very important purpose. If a Federal license of the bill is made to conform thereto, we may accomplish a
righteous object in a righteous way. We will not do so by
passing the bill in its present form.
CHAIRMAN. Mr. Chairman, the gentleman from Virginia has expired.
Mr. FEENY. Mr. Chairman, I ask for three minutes more.
The CHAIRMAN. Time for debate has expired. The question comes on the second section offered by the gentleman from Virginia.
Mr. HUDSPETH. Mr. Chairman, may we have the amendment again reported?

The CHAIRMAN. Without objection, the amendment will be again reported.

Mr. ANTHONY. Mr. Chairman, I rise to ask recognition in opposition to the amendment.

The CHAIRMAN. The time for debate on this section and all amendments thereto has expired.

Mr. ANTHONY. But, Mr. Chairman, no time has been allowed in opposition to the amendment. I ask unanimous consent that an opportunity to speak for one minute in order that I may speak in opposition to the amendment.

The CHAIRMAN. The gentleman from Kansas asks unanimous consent for one minute. Is there objection?

There was no objection.

Mr. DEAL. Mr. Chairman, I understood that the gentleman from Iowa would accord me five minutes. I objected to his request; but when it was put, I understood I was to have five minutes.

The CHAIRMAN. The parliamentary situation is that all time for debate has now expired on this section and all amendments thereto.

Mr. HAUGEN. Does the gentleman want to address himself to the pending amendment?

Mr. DEAL. I am interested in this amendment and also in one which I probably offer myself.

Mr. HAUGEN. Mr. Chairman, of course, it is not for me to allot the time. I understood the gentleman to ask for time and I regret exceedingly that the gentleman was not granted that permission. The gentleman from Virginia [Mr. PEERY] may proceed for five minutes and the gentleman from Kansas [Mr. ANTHONY] for one minute.

The CHAIRMAN. The request now is that the gentleman from Kansas have five minutes and the gentleman from Kansas [Mr. ANTHONY] one minute. Is there objection?

There was no objection.

Mr. DEAL. Mr. Chairman, if I understand correctly the amendment offered by the gentleman from Virginia [Mr. PEERY] it provides that there shall be no license fees except as to persons who hunt upon the area covered by a game refuge.

Mr. DEAL. I understand. I favor that amendment, because it stops the Federal Government and a little king, who will be the head of the commission, from being granted the right to make rules and regulations which will have the binding force of law, with respect to lands that may be owned hereafter by persons who pay taxes to their own States and license fees for the privilege of hunting.

These lands are not bird refuges and the Federal Government should not be given any jurisdiction nor should the chairman of a commission have the right to make rules and regulations that would control the hunting upon my lands or those of my neighbor.

The members of the feathered tribe that are comprised within the limits of this bill might, and undoubtedly will, ravage the crops of many persons who are engaged in the interest of farming. I know of areas on which it has been necessary to employ guards, with powder and shot, to protect the crops. At certain seasons there are tens of thousands, perhaps hundreds of thousands, of wild geese that invade certain territory within my State and literally destroy our wheat crops by pulling the wheat out of the ground. Now, the gentleman from Kansas wants an exception for his particular State. I want an exception for my State, and I dare say that the conditions in every State in the Union will more or less differ with respect to the interest and hunting conditions of their people.

For that reason I think there should be no Federal game law whatsoever other than providing for refuges, not to be hunted but for the purpose of preserving game life.

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

Mr. ANTHONY. Mr. Chairman, I think that if either of these amendments was adopted, that of the gentleman from Kansas [Mr. WHITTLE], or that of the gentleman from Virginia [Mr. PEERY], it would destroy the effectiveness of the bill. The amendment offered by the gentleman from Kansas [Mr. WHITTLE] would so widen the number of those who would escape the license that there would be but little territory left upon which license fees could be collected. The other amendment would so greatly lessen the number of licenses that would be applied for that it would take the life out of the bill, and it would be but limited funds for the purpose of carrying out the objects of the bill. Both amendments should be voted down.

Mr. McKOWN. Will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. McKOWN. Can a man in the city who owns a farm out in a county hunt on that land without a license?

Mr. ANTHONY. I do not think so; unless he lives on his farm at least part of the time.

The CHAIRMAN. The gentleman from Kansas [Mr. WHITTLE] offered a perfecting amendment; the gentleman from Virginia [Mr. PEERY] offered an amendment in the nature of a substitute for the whole provision as a substitute for the pending amendment, going, however, to the essence of the whole section.

According to the practice of the House, the perfecting amendment should be first put.

Mr. HUDSPETH. Mr. Chairman, may we have the amendment again reported?

The CHAIRMAN. Without objection, the Clerk will again report the amendment offered by the gentleman from Kansas.

The amendment was again reported.

The question was taken; and on a division (demanded by Mr. ANTHONY) there were—ayes 28, noes 62.

Mr. BLANTON. Mr. Chairman, I make the point of no obstruction. The vote demonstrates there is no quorum present.

The CHAIRMAN. The Chair will count. [After counting.]

One hundred and thirty gentlemen present, a quorum.

So the amendment was rejected.

The CHAIRMAN. The gentleman from Virginia [Mr. PEERY] will again report the amendment of the gentleman from Virginia [Mr. PEERY].

The amendment was again reported.

The CHAIRMAN. The question is on the adoption of the amendment.

The question was taken; and on a division (demanded by Mr. PEERY) there were—ayes 29, noes 66.

So the amendment was rejected.

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

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

The Clerk read as follows:

Amendment offered by Mr. DEAL: On page 5, line 13, after the figures "755" and the bracket, strike out the remainder of the paragraph and insert in lieu thereof the following: "Such license, however, shall not be required of any person or any member or friend of his family to take any such migratory bird on any land owned or leased by such person; and nothing in this act shall be construed to exempt any person from complying with the laws of the several States."

The CHAIRMAN. The question is on the adoption of the amendment.

The question was taken; and on a division (demanded by Mr. PEERY) there were—ayes 27, noes 67.

So the amendment was rejected.

The Clerk read as follows:

SEC. 8. That licenses where required under this act shall be issued, and the fees therefor collected, by the Post Office Department, under joint regulations to be prescribed by the Secretary of Agriculture and the Postmaster General. The provisions of the act of January 21, 1914 (38 Stat. L. p. 278), as amended by the act of July 2, 1918 (49 Stat. L. p. 254), shall apply to such licenses and funds received from sales thereof in possession of postmasters.

With the following committee amendment:

On page 6, line 1, strike out the figures "254" and insert in lieu thereof the figures "754."

The committee amendment was agreed to.

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

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

The Clerk read as follows:

Amendment offered by Mr. TREADWAY: On page 5, strike out, la line 22, after the word "Department," the remainder of line 22, and line 23, and insert the following: "under regulations prescribed by the Postmaster General."

Mr. TREADWAY. Mr. Chairman, the object of this amendment is simply to make regular orders given to postmasters. It seems to me we would perhaps some these duties of the employees of the Postal Department should be regulated by a joint board. This in no way affects the efficacy of the section, but is simply to have orders to post-office employees given by
the Postmaster General, rather than by a joint commission of the Senate and the House of Representatives, and the Secretary of Agriculture.

The CHAIRMAN. The question is on the adoption of the amendment.

The amendment was adopted.

The Clerk read as follows:

SEC. 9. That all moneys received for such licenses shall be covered into the Treasury and shall constitute a special fund to be known as the "Migratory bird protection fund," which is hereby reserved, set aside, appropriated, and made available until expended, as follows: Not less than 45 per cent thereof; not less than 25 per cent thereof; not more than 25 shall be spent for enforcement.

Mr. BLANTON. Mr. Chairman, I make a point of order against the amendment that it is in effect an appropriation; the purpose is to take money out of the Treasury. It is not an authorization for an appropriation. I call the Chair's attention to the language: It says, "All moneys received for such licenses shall be reserved and set aside as a special fund in the Treasury to be known as the "Migratory bird protection fund." Now, because it says "to be appropriated by Congress" does not cure the situation. The Chair is one of the best parliamentarians in the House. He was, before he came here, in the Legislature of Massachusetts, and he knows that when you take public money that otherwise would go into the general fund in the Treasury of the United States and set it aside in a special fund such as proposed in this bill that itself is an appropriation of general funds in the Treasury. A distinguished colleague of the present occupant of the chair, Mr. Walsh, who now adorns the seat of the supreme court in the Commonwealth of Massachusetts, raised this very point in the House and was sustained by the present Speaker of the House, when he raised the question that when you take money from a public fund and set it aside it is an appropriation.

The CHAIRMAN. Mr. Chairman, that is practically the same amendment that we were talking about a few minutes ago. Under the terms of the bill not less than 45 per cent would be spent for conservation and not more than 25 shall be spent for enforcement. Under the terms of the bill as it stands now the Treasury would be compelled to spend not less than 45 per cent, whatever might be collected, and it is estimated that there are 6,000,000 eagles who might be collected, and there would be more than a million dollars that this commission would be compelled to expend for enforcement and wardens. I have changed it so that not less than 65 per cent would be spent for game refuges and not more than 25 shall be spent for enforcement. Under the terms of the bill as it reads now the Treasury would be compelled to spend not less than 45 per cent, whatever might be collected, and it is estimated that there are 6,000,000 eagles who might be collected, and there would be more than a million dollars that this commission would be compelled to expend for enforcement and wardens.

Mr. TREADWAY. Mr. Chairman, I offer a substitute for the amendment of the gentleman from Texas, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. Jones to the amendment offered by Mr. TINCHER: Page 6, line 12, after the word "than," strike out the figures "45" and insert in lieu thereof the figures "65"; in line 19, strike out the figures "45" and insert the figures "25"; and in line 19, strike out the word "less" and insert the word "more."

Mr. JONES. Mr. Chairman, that is practically the same amendment that we were talking about a few minutes ago. Under the terms of the bill not less than 45 per cent would be spent for conservation and not more than 25 shall be spent for enforcement. Under the terms of the bill as it reads now the Treasury would be compelled to spend not less than 45 per cent, whatever might be collected, and it is estimated that there are 6,000,000 eagles who might be collected, and there would be more than a million dollars that this commission would be compelled to expend for enforcement and wardens.

Mr. TREADWAY. Mr. Chairman, I do not think the country is suffering any from the fact that the migratory bird bill has been delayed in its passage for two years. I think the bill as it stands now is very much better than the one that was beaten two years ago. I never have been a very keen advocate of the principle of relegating State power to the Federal Government; I am not now. I find, however, that those interested in this legislation have made so much of an
item of it and have stirred up so much interest in it—call it propaganda starting from the Department of Agriculture if you wish, where I think a good deal of it did start, and working on through the various State officials, and so on into the game clubs—that a manufactured sentiment has been created. We all know it by the way in which we receive letters and telegrams, but the sentiment evidently has been established in behalf of provision of this kind, and therefore I shall reverse my position of two years ago and support the bill, largely because I think it is a very much improved bill. Taking out the punishment clause, as has been done since this measure was originally considered, and making it a very severe one in my change of position, and now, with the adoption of such an amendment as I have just offered, it will again make a perfecting provision which I think is vital. I criticized, and severely criticized, two years ago, the establishment of a lot of positions here in Washington under the bill. I would cut that out. I am assured that the friends of the bill do not desire to have established here certain positions which were possible under the original phraseology.

Mr. MONTAGUE. I agree with my friend's position in making that assertion, but does not the law permit that authority?

Mr. TREADWAY. I do not quite agree with my friend from Virginia, that the change of phraseology would permit it, because in my amendment, I will say to the gentleman from Virginia, I strike out the clause "including salaries in Washington." That would leave the language wide open for everything, and I cut it out, as the gentleman will notice.

Mr. PEERY. Will the gentleman yield?

Mr. TREADWAY. I will.

Mr. STEVENSON. Will the gentleman yield?

Mr. TREADWAY. I will.

Mr. STEVENSON. In hearing the gentleman's amendment read, I understood him to put in the words, just before "printing and engraving licenses," the words "and personal service." What does that complete?

Mr. TREADWAY. Simply the clerical employment here to comply with the necessary statute law.

Mr. STEVENSON. Does it not add to rather than take away?

Mr. TREADWAY. No. As it reads in the committee draft it says "including salaries in Washington." That would leave the language wide open for everything, and I cut it out, as the gentleman will notice.

Mr. PEERY. Will the gentleman yield?

Mr. TREADWAY. I will.

Mr. PEERY. Does the gentleman believe this law providing for the collection of these licenses and the enforcement of these penalties, civil and criminal, can be enforced with 40 per cent of the funds derived from the licenses?

Mr. TREADWAY. The friends of the measure claim that more than a million hunters will take out licenses in a year under the provisions of the law, and it is estimated that the number may even reach 2,000,000, and a fund of $2,000,000, 40 per cent of that, is a great deal of money; and in connection with the work of State game wardens certainly it seems to me it would be amply for the enforcement in the areas where game preserves are established.

The CHAIRMAN. The time of the gentleman has expired.

Mr. TREADWAY. I ask for two minutes additional.

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

Mr. TREADWAY. I ask for two minutes additional.

Mr. HAUGEN. Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto close in 15 minutes.

Mr. FRENCH. Reserving the right to object, I want three or four minutes.

Mr. TREADWAY. I make it 15 minutes.

Mr. HAUGEN. I will make it 15 minutes.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that all debate on this section and all amendments thereto close in 15 minutes.

Mr. FRENCH. Reserving the right to object, may I have five minutes?

Mr. TREADWAY. Then I will vote for the gentleman's amendment.
Mr. HILL of Maryland. I do not think you want to put into this bill a misleading and false statement of what the penalties are. If you are going to vote for the bill, you want to know what it is.

The CHAIRMAN. The reading of these amendments has consumed some of the time allotted to debate.

Mr. HILL of Maryland. It is impossible to have the amendments read without taking the time from the debate? I ask unanimous consent that that be done.

The CHAIRMAN. The time was set for the conclusion of the 80 minutes. Is there objection to the reading of the amendments?

Mr. TABER. I object.

The CHAIRMAN. Objection is heard.

Mr. Chairman, ask the Clerk to read, in my time, a short amendment that I plan to offer as a perfecting amendment, after the House shall have disposed of the amendments now pending.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Idaho.

The Clerk reads as follows:

Amendment offered by Mr. French: Page 6, line 4, strike out all the language of the Tinchere amendment and insert in lieu thereof the following:

"The amendments read without taking the time from the debate? I ask unanimous consent that that be done."

The CHAIRMAN. The time was set for the conclusion of the 80 minutes. Is there objection to the reading of the amendments?

Mr. TABER. I object.

The CHAIRMAN. Objection is heard.

Mr. Chairman, ask the Clerk to read, in my time, a short amendment that I plan to offer as a perfecting amendment, after the House shall have disposed of the amendments now pending.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Idaho.

The Clerk reads as follows:

Amendment offered by Mr. French: Page 6, line 4, strike out all the language of the Tinchere amendment and insert in lieu thereof the following:

"The amendments read without taking the time from the debate? I ask unanimous consent that that be done."

The CHAIRMAN. The time was set for the conclusion of the 80 minutes. Is there objection to the reading of the amendments?

Mr. TABER. I object.

The CHAIRMAN. Objection is heard.

Mr. Chairman, ask the Clerk to read, in my time, a short amendment that I plan to offer as a perfecting amendment, after the House shall have disposed of the amendments now pending.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Idaho.

The Clerk reads as follows:

Amendment offered by Mr. French: Page 6, line 4, strike out all the language of the Tinchere amendment and insert in lieu thereof the following:

"The amendments read without taking the time from the debate? I ask unanimous consent that that be done."

The CHAIRMAN. The time was set for the conclusion of the 80 minutes. Is there objection to the reading of the amendments?

Mr. TABER. I object.

The CHAIRMAN. Objection is heard.

Mr. Chairman, ask the Clerk to read, in my time, a short amendment that I plan to offer as a perfecting amendment, after the House shall have disposed of the amendments now pending.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Idaho.

The Clerk reads as follows:

Amendment offered by Mr. French: Page 6, line 4, strike out all the language of the Tinchere amendment and insert in lieu thereof the following:

"The amendments read without taking the time from the debate? I ask unanimous consent that that be done."

The CHAIRMAN. The time was set for the conclusion of the 80 minutes. Is there objection to the reading of the amendments?

Mr. TABER. I object.

The CHAIRMAN. Objection is heard.

Mr. Chairman, ask the Clerk to read, in my time, a short amendment that I plan to offer as a perfecting amendment, after the House shall have disposed of the amendments now pending.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Idaho.

The Clerk reads as follows:

Amendment offered by Mr. French: Page 6, line 4, strike out all the language of the Tinchere amendment and insert in lieu thereof the following:

"The amendments read without taking the time from the debate? I ask unanimous consent that that be done."

The CHAIRMAN. The time was set for the conclusion of the 80 minutes. Is there objection to the reading of the amendments?

Mr. TABER. I object.

The CHAIRMAN. Objection is heard.

Mr. Chairman, ask the Clerk to read, in my time, a short amendment that I plan to offer as a perfecting amendment, after the House shall have disposed of the amendments now pending.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Idaho.

The Clerk reads as follows:

Amendment offered by Mr. French: Page 6, line 4, strike out all the language of the Tinchere amendment and insert in lieu thereof the following:

"The amendments read without taking the time from the debate? I ask unanimous consent that that be done."

The CHAIRMAN. The time was set for the conclusion of the 80 minutes. Is there objection to the reading of the amendments?

Mr. TABER. I object.

The CHAIRMAN. Objection is heard.

Mr. Chairman, ask the Clerk to read, in my time, a short amendment that I plan to offer as a perfecting amendment, after the House shall have disposed of the amendments now pending.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Idaho.

The Clerk reads as follows:

Amendment offered by Mr. French: Page 6, line 4, strike out all the language of the Tinchere amendment and insert in lieu thereof the following:

"The amendments read without taking the time from the debate? I ask unanimous consent that that be done."

The CHAIRMAN. The time was set for the conclusion of the 80 minutes. Is there objection to the reading of the amendments?

Mr. TABER. I object.

The CHAIRMAN. Objection is heard.

Mr. Chairman, ask the Clerk to read, in my time, a short amendment that I plan to offer as a perfecting amendment, after the House shall have disposed of the amendments now pending.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Idaho.

The Clerk reads as follows:

Amendment offered by Mr. French: Page 6, line 4, strike out all the language of the Tinchere amendment and insert in lieu thereof the following:

"The amendments read without taking the time from the debate? I ask unanimous consent that that be done."

The CHAIRMAN. The time was set for the conclusion of the 80 minutes. Is there objection to the reading of the amendments?

Mr. TABER. I object.

The CHAIRMAN. Objection is heard.

Mr. Chairman, ask the Clerk to read, in my time, a short amendment that I plan to offer as a perfecting amendment, after the House shall have disposed of the amendments now pending.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Idaho.

The Clerk reads as follows:

Amendment offered by Mr. French: Page 6, line 4, strike out all the language of the Tinchere amendment and insert in lieu thereof the following:

"The amendments read without taking the time from the debate? I ask unanimous consent that that be done."

The CHAIRMAN. The time was set for the conclusion of the 80 minutes. Is there objection to the reading of the amendments?

Mr. TABER. I object.

The CHAIRMAN. Objection is heard.

Mr. Chairman, ask the Clerk to read, in my time, a short amendment that I plan to offer as a perfecting amendment, after the House shall have disposed of the amendments now pending.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Idaho.

The Clerk reads as follows:

Amendment offered by Mr. French: Page 6, line 4, strike out all the language of the Tinchere amendment and insert in lieu thereof the following:

"The amendments read without taking the time from the debate? I ask unanimous consent that that be done."

The CHAIRMAN. The time was set for the conclusion of the 80 minutes. Is there objection to the reading of the amendments?
The CHAIRMAN. Without objection the Clerk will report the modified amendment.

There was no objection.

The Clerk read as follows:

Modified amendment offered by Mr. Jones: Page 7, line 24, after the word "authorize," insert the words "repealed by this" and insert in lieu thereof "authorised who requests to see it."

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

The amendment was agreed to.

Mr. JOHNSON of Washington. Mr. Chairman, I move to strike out the last word. We will discuss this bill a little more. It is developed now that the title of the bill is a misnomer. It reads, "For the establishment of migratory-bird refuges, to furnish in perpetuity homes for migratory birds, and to provide a basis for the establishment of public shooting grounds." All of those words should be stricken out.

This bill is put forward in the name of conservation. To me it looks like 1 per cent bird conservation and 99 per cent makers of ammunition and shotguns. [Applause.]

Do not make any mistake about it. A great many Members on the floor say that they are indifferent as to the condition of the every hour or chairman, it has to please the other body. The place to show activity is now. [Applause.] You may find in a very few years that the little cabin mentioned here will be hung up, dogs and every bird. Is the neighborhood hunter to come with his old double-barrel shotgun and his old farm coat and join the expert professional hunters who come from Boston, Baltimore, and New York? Will the gentleman yield? We are in agreement with the gentleman, but how can we defeat a bill when it is fathered here by the gentleman's colleague from Kansas [Mr. Anthony], who can carry almost any measure he wants to on the floor.

Mr. JOHNSON of Washington. I do not think the gentleman will want to carry this through. He is willing, I understand, to give up the 1 license scheme. Why should the States give over their dollars? Why should they pay when the States handle the funds they could buy all the bird refuges that they need? [Applause.]

Mr. HAUGEN. Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto close in 12 minutes.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that all debate on this section and all amendments thereto close in 12 minutes.

Mr. PEERY. Mr. Chairman, I move to strike out the last two words.

Gentlemen, I was not fortunate enough to make my position very clear in the few moments I had a while ago, and I ask the indulgence of the committee for just a moment.

The gentleman from Kansas [Mr. Wurtele] or myself should prevail, there would be no money for the establishment of these game refuges. The gentlemen of the House will agree that in Kansas and it is common to both sides of this aisle—that Federal authority is gradually encroaching upon State authority. The gentleman also says there is a propaganda back of this bill promoted by sportsmen for the passage of the bill. Ah, yes, gentlemen, it is propaganda, and it is clever propaganda in that instead of the sportsmen themselves paying the cost of this, they propose to levy it upon every coal miner, upon every laborer and upon every farmer's son who takes a day off and goes out into the woods or fields to hunt anything, [applause] ranging from a woodcock to a woodpecker, so long as it is a migratory bird, and they propose to make every mother's son of them pay a dollar a year for that privilege.

The States are already taxing them for this privilege. This bill proposes a duplication of laws. It plies a Federal law upon a privilege already taxed by the States. I am not opposed to the game refuge, but I am opposed to the privilege of hunting, which is sure to be garnished, that this money shall be taken from the pockets of the men throughout this country who take a day off and go into the fields to hunt. Mr. Chairman. Mr. Chairman. Mr. Chairman.

Mr. PEERY. I regret I cannot yield in the five minutes I have.

My proposition is this: Let the game refuges be bought, but let it be put in just as we pay for the forest reserve, and, instead of sending Federal agents throughout the country to see that these Federal laws are enforced, to see that no farmer's son has hunted a woodcock or a hawk, but without a Federal license, let us leave that to the States and to State game wardens where such enforcement properly belongs, and let only the license provision apply to the area covered by the game refuge. [Applause.] In this way you will simplify the proposition. You will meet the demand of the establishment of game refuges. You will get the question of the proposition that we are willing Federal laws upon State laws. The result is that wherever you have a duplication of law you will not have the enforcement of either law, and that is known to all of us. We should not pass a law that can not be enforced.

My good friend, the gentleman from Massachusetts [Mr. Treadway], said that this law can be enforced with 40 per cent of these license fees that are collected. Taking my own State, what is the situation there? We have a game warden for each county in the State of Virginia and there are 100 counties. If you assume that these game wardens are paid a salary of $1,000 a year, that means that in the States of Virginia the cost of enforcing the game laws in the employment of game wardens alone amounts to $100,000 a year. If you extend this throughout all the States of the Union, you will have all of this fund taken up in the employment of game wardens and in enforcing the law you are enacting here.

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

Mr. LAGUARDIA. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. HAUGEN. Mr. Chairman—

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

Mr. HAUGEN. Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto close in 10 minutes.

Mr. DEAL. I object. I have an amendment to offer and I want to speak upon it.

Mr. HAUGEN. Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto close in 15 minutes.

The CHAIRMAN. The gentleman from Iowa moves that all debate on this section and all amendments thereto be closed in 15 minutes. Is there objection?

There was no objection.

Mr. LAGUARDIA. Mr. Chairman, I am moved by conflicting emotions, as I follow the debate on this bill. First I am elated that all birds are to be protected, and then suddenly I am brought down to find that we are only feeding the birds and concentrating them on one area so that they may be more easily shot. I for one can not understand how it is possible to make a hunting ground out of refuges. The idea seems paradoxical to me.

Mr. BLANTON. Will the gentleman yield?

Mr. LAGUARDIA. No; I will not yield, because I think the gentleman may ask me something in just one moment. What I do not understand exactly is, how is it that in the stress of the gentleman, a few days of the season, in the season of alarm, if the children in the District of Columbia by bringing in a rule for the special consideration of a bill of this kind, if the Rules Committee was in the temper and in the mood to ask the House to consider a bill for conservation, I personally would have preferred that they would have brought in a bill that would have conserved the childhood of the District of Columbia by bringing in a rule for the consideration of the rent bill.

Mr. BLANTON. The rent bill is as dead as Hector.

Mr. LAGUARDIA. The rent bill, after months of hearings, after having been recommended by the President of the United States, is as dead as a bill could be. The gentleman, would have been a conservation measure in the highest and noblest sense of the word.

Mr. SCHAFFER. Will the gentleman yield?

Mr. LAGUARDIA. Yes, Mr. SCHAFFER. Would it not stand a better chance if those in favor of monopoly would get behind the passage of the rent bill.

Mr. BLANTON. The President of the United States is behind it.

Mr. LAGUARDIA. I believe that nothing is more to be desired for the protection of the childhood of the District of Columbia by bringing in a rule for the special consideration of a bill of this kind. As I follow the debate on this bill, I am placed in the position of having to look after the children of the District of Columbia who, by reason of the fact that such a large portion of the earnings of the family must be paid in rent, can not get sufficient nourishment. To look after the children of the city, gentlemen, would have been a conservation measure in the highest and noblest sense of the word.

Mr. SCHAFFER. Will the gentleman yield?

Mr. LAGUARDIA. Yes, Mr. SCHAFFER. Would it not stand a better chance if those in favor of monopoly would get behind the passage of the rent bill.
played in the so-called conservation of bird life, which is only collecting birds to make it easier for them to be shot, the happiness of the childhood of the District of Columbia would be insured. I think that would be spending our time to better advantage than the conservation of birds. I sincerely hope that the District Committee will make the rent bill the first to be considered on the next District day, and, failing that, I hope the Committee on Rules will respond to the prayers of thousands and thousands of families in the District and give us an opportunity to vote on the President's rent bill.

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

The Clerk read as follows:

Page 7, at the end of line 24, add: "That applications for license may be received at any post office in the several States."

Mr. McKEOWIN. Mr. Chairman, it is my opinion that the license of $1 is going to rise and plague you more than any other part of the bill. I think that the people of the country will resent this license fee. But I am sure you will find that they rescued the passage of the migratory bird law before the treaty was made. What I think is that you ought to take the money out of the Treasury of the United States and buy these grounds for them, without levying a license on the people. But if you do insist on this dollar—and, as I say, that will be the one thing that will plague you—if you levy the license you will irritate and cause resentment on the part of the people in the different parts of the country. If you insist on putting the $1 license in you ought to adopt this amendment, because you give the man access to the license without a great deal of trouble. In other words, he can go to the nearest agency and get his license. When a fellow goes out hunting he gets ready to go before he thinks of his license. Speaking from experience and observation, about the last thing he thinks of is getting the license.

Now, you ought to make it convenient if you are going to make a boy buy a license. Let him go to the post office, because that is the nearest agency, and it will save money for the Government. They can make their application to the postmaster for a license. I do not think there ought to be a license; but if you make one, make it convenient for them to get it.

Mr. McWAIN. The gentleman says in his amendment, "may be received in any post office." Ought it not to read, "received and issued by any post office"?

Mr. McKEOWIN. I take it that if he makes application there he would receive his license there. But you ought by all means give him an opportunity to get a license as quickly as he can.

Mr. HILL of Maryland. Does the gentleman mean a pre­scription or a license?

Mr. McKEOWIN. I mean a license. We do not have pre­scriptions in Oklahoma. [Laughter.]

The CHAIRMAN. The question is on the amendment offered by Mr. McKean. The question was taken, and the Clerk announced the noes seemed to have it.

Mr. McKEOWIN. Mr. Chairman, I demand a division; I think we ought to have a rising vote.

The committee again divided; and there were—ayes 41, noes 38.

So the amendment was adopted.

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

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. DEAL: Page 7, line 20, after the word "person," insert "other than the owner or member of his family while upon his owned land."

Mr. ANTHONY. Mr. Chairman, may the Clerk report the amendment again. I did not catch the page or line.

The CHAIRMAN. Without objection the amendment will be again reported.

This was no objection.

The amendment was again reported.

Mr. DEAL. Mr. Chairman, this bill takes from the land­owner an inherent right granted to him by the Constitution of the United States and makes it easier for the entire re­feathered tribe to become extinct rather than that this principle should cease to exist. It was Mr. Madison, I believe, who said the Constitution of Convention, and later when Secretary of State under Mr. Jefferson, that if our republican form of government should fall within itself it would be because of the usurpation of power by its legislative branch.

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

Mr. DEAL. In just a moment. It seems that Congress has determined that it will encroach upon the personal and property rights of its citizens, that confiscation of property has become so common that we cease to treat it seriously any more. I understand this is an amendment that has been suggested. Even the prohibition laws, with all of their viciousness and intolerance, have not got a thing on this bill, gentleman. [Applause.]

Mr. SNELL. I would like to ask the gentleman to say in a word just where the State right is taken away from a man. Any man must obey the game laws of a State and Nation on his own land. This law will in no way interfere with the present law.

Mr. DEAL. It gives the Secretary of Agriculture the right to make rules and regulations concerning his own land after the State has given him a license.

Mr. SNELL. As I understand it, it is in no wise interferes with the laws in any individual State.

Mr. HILL of Maryland. But does it not also create another class of cases in which men can be tried for the same offense by the Federal Government as by the State government?

Mr. DEAL. Why, certainly it does.

Mr. HUDSON. Mr. Chairman, I move to strike out section 10.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 7, line 17, strike out section 10.

Mr. HUDSON. Mr. Chairman and members of the committee, I make this motion not hoping that it will be carried because I assume it would not, because it might entirely wipe out the objects of the bill, but I offer it for this reason. Again and again I have said to my constituents that I would stand for any policy to make our game refuges and for the protection of migratory birds. I stand for the conservation of all life, but I cannot give my vote to a bill that creates another species of licenses. [Applause.]

I understand this does not disturb our game laws within my State. We have a game warden to every county. We have one of the best conservation departments of any State, but the day we create additional game wards in our State, these additional burdens, I fear, will create additional expense upon the average citizen of the United States, and I cannot in good conscience vote for it unless this license feature in some way can be struck out of this bill.

The CHAIRMAN. The time of the gentleman has expired, all time has expired.

Mr. HUDSON. Mr. Chairman, I ask unanimous consent I may proceed for three additional minutes.

The CHAIRMAN. Is there objection? [After a pause.]

The Chair hears none.

Mr. HUDSON. Mr. Chairman, I am interested, as I said, in the matter of the conservation, and I had a great deal of sympathy with the gentleman from New York a moment ago when he said that we can take time on this piece of legisla­tion, but somehow or other we can not have the time in this day to consider the conservation. I do not think of human life. Four hundred thousand employees of this Government have been knocking at the door of this Congress to conserve their lives in their old age, but we can not get their consideration before this House.

Mr. SNELL. Will the gentleman tell me why the District Committee could not bring the rent legislation up in regular order on Monday?

Mr. HUDSON. I am not talking about rent legislation. I am talking about the retirement bill. [Applause.] I want to repeat it again, so that it may go into the records and back to my constituents that I want to preserve the natural resources of the country, but I do not want to vote to go on and levy burdensome taxes on the people in this way.

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

Mr. HUDSON. Yes.

Mr. TINCHER. In the ideal way of preserving your game in Michigan that the gentleman speaks of you have no way of preventing them from migrating in the summer time?

Mr. TINCHER. No, sir.

Mr. TINCHER. Are you going to British Columbia and prevent them from going there?

Mr. HUDSON. We have a treaty with Canada, and they prevent them.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Virginia [Mr. DEAL].

The amendments were read and the Chairman announced that the ayes appeared to have it.

Mr. ANTHONY. A division, Mr. Chairman.

The CHAIRMAN. The gentleman from Kansas calls for a division.
Mr. PEERY. Assume that 4,000,000 people will pay for a license. What percentage of them does the gentleman think would be able to go to these game refuges and shooting grounds? And would they?

Mr. KINCHLOE. That would depend on how many of them are rich enough to lose the time and to pay their expenses out there or go out there in their high-powered automobiles.

Mr. PEERY. Not one-tenth.

Mr. KINCHLOE. I do not think so.

Mr. DEAL. And behind this is a purpose also of controlling the public waters through the Secretary of Agriculture.

Mr. KINCHLOE. Oh, yes; everything will be controlled under this.

Mr. HUGO. Mr. Chairman, I ask unanimous consent that the debate on this section and all amendments thereto close in eight minutes. The CHAIRMAN. The gentleman from Iowa asks unanimous consent that all debate on this section and all amendments thereto be closed in eight minutes. Is there objection?

There was no objection.

Mr. HILL of Maryland. Mr. Chairman and gentlemen of the committee, I ask you to read carefully section 11 of this bill. This section creates a new Federal crime. It creates a new Federal crime which, by a subsequent section, is punishable with a fine of $500 or six months in jail, or both.

I ask you to read that section and see what this new Federal crime is.

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

Mr. HILL of Maryland. Yes.

Mr. WATKINS. Does the gentleman refer to section 12 or section 11?

Mr. HILL of Maryland. I am referring to section 12 or section 11?

Mr. WATKINS. Mr. Chairman, will you now strike out the section of $500 or six months in jail?

Mr. Chairman. Yes.

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

Mr. HILL of Maryland. Yes.

Mr. BLANTON. Mr. Chairman, I thought the gentleman was in favor of license laws and to make them as cheap as possible.

Mr. HILL of Maryland. I do not see how any Member of this House can vote for a bill that contains a penalty of $500 or six months in jail, or both, for leading a man a $1 license when the maximum penalty for doing that is $3.

Mr. BLANTON. Mr. Chairman, I was trying to get a conservation bill out of it.

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

Mr. KINCHLOE. Yes.
that everybody is going to be put in jail, is it? Some fellows escape jail and they escape fines, do they not? do with reference to this bill. The rule by which Congress should pass a law is that they do not pass a damn-fool law expecting it not to be enforced. Congress should pass laws that have sufficient merit in them that all the time? The time of the gentleman from Maryland has expired. Mr. HILL of Maryland. Mr. Chairman, may I have one minute more?

The CHAIRMAN. The time of the gentleman from Maryland has expired. Mr. HILL of Maryland. Mr. Chairman, I move to strike out the last word.

Mr. HILL of Maryland. Mr. Chairman, I move to strike out the last word.

Mr. HUGEN. Will the gentleman yield?

Mr. HILL of Maryland. Certainly.

Mr. HUGEN. Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto close in seven minutes.

Mr. HILL of Maryland. Mr. Chairman, I shall only take two minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HILL of Maryland. Mr. Chairman, I suggest that the distinguished gentleman from Maryland asks unanimous consent to proceed for one additional minute is there objection?

There was no objection.

Mr. HILL of Maryland. Nobody knows better than the gentleman from Maryland how long it has taken to do away with minimum jail sentences, because when you have minimum jail sentences the jury knows that if they convict a man he is going to jail, but under the law the minimum penalty in five years in the penitentiary, which the jury considered excessive. There is only one rational method of applying penalties under the Federal law, and at the present time in most Federal criminal laws there is no minimum. If, in all I have said, I created the impression that there was a minimum, I withdraw the statement. It is a maximum penalty of a fine of $500 or six months in jail, or both, in the discretion of the judge.

The CHAIRMAN. The time of the gentleman from Maryland has again expired. Did the Chair understand the gentleman from Maryland to offer an amendment striking out section 17?

Mr. HILL of Maryland. Yes; I offered an amendment to strike out section 17.

Mr. HUGEN. "Mr. Chairman, should the amendment offered by the gentleman from Maryland be adopted it would be a direct invitation to all the criminals of the country to at once engage in the counterfeiting of these licenses, because there would be no penalty for doing it.

Mr. HILL of Maryland. The gentleman is referring to section 12, while I have been referring to section 11. It would be an invitation to everybody in the country to practice fraud upon the Government of the United States through the misuse of these licenses.

Mr. HILL of Maryland. Will the gentleman yield?

Mr. HUGEN. Yes.

Mr. HILL of Maryland. I suggest that the distinguished Gentleman from Maryland read his bill.

Mr. ANTHONY. I am sorry I am not the author of this bill.

Mr. HILL of Maryland. The gentleman is talking about section 11, which deals with counterfeiting, while I have moved to strike out section 11, which deals with something else.

Mr. ANTHONY. The gentleman protested here the other day against my policy for counterfeiting under section 12. The gentleman would like to so weaken this bill as to make it absolutely ineffective and would condone a fraud against the Government in the way of counterfeiting. I wish the gentleman would try to help us.

Mr. HILL of Maryland. I do not think that that is a fair suggestion about my stand on the bill. However, I think the bill ought to bear out its face what the true penalties are so that when Members of the House read the bill they will know what the penalties are without having to go into the Library and get a couple of big tomes of the size of those on the table in order to find out what the penalties are, which we have had to do with reference to this bill. It is a fundamental provision of criminal jurisprudence that the penalties for violation of any law must be known by the person charged with the violation of the law itself, and not be tucked away in another law passed years ago.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Maryland. The amendment was rejected.

The Clerk read as follows:

Sec. 12. That no person shall imitate or counterfeit any license authorized by this act, or any die, plate, or engraving therefor, or make, print, keep in his possession any such counterfeit license, die, plate, or engraving.

Mr. HUGEN. Will the gentleman yield?

Mr. HILL of Maryland. Certainly.

Mr. HUGEN. Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto close in seven minutes.

Mr. HILL of Maryland. Mr. Chairman, I shall only take two minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HILL of Maryland. Mr. Chairman and gentlemen, I simply want to call your attention to the fact that this section reads as follows:

That no person shall imitate or counterfeit any license authorized by this act, or any die, plate, or engraving therefor, or make, print, keep in his possession any such counterfeit license, die, plate, or engraving.

The penalty imposed for the violation of this section, which creates a new Federal crime, is contained in camouflaged form in section 16 on page 10, and the penalty for counterfeiting a $1 license is a maximum of five years in the penitentiary or a fine of $500 or both. If you gentlemen want to vote for that, all right, I can not follow you.

Mr. WINTER. Will the gentleman yield?

Mr. HILL of Maryland. Yes.

Mr. WINTER. Would not the gentleman's argument be just as good against counterfeiting a one dollar bill?

Mr. HILL of Maryland. Gentlemen, I am not arguing the question of counterfeiting. I am asking that when you pass a criminal law, why do you not put the penalty right where you set the crime in the act and not camouflage it so that you determine to go to some other book in order to know the penalty?

If you want to fill more Federal jails, you can do it, but do it openly. I call your attention to a news item from the St. Louis Post-Dispatch of February 18, 1923, which is as follows:

"JAILS TOO CROWDED TO HOLD BOOTLEGERS—"I'VE REACHED MY LIMIT," JUDGE FARIS SAYS IN LETTING THEM OFF WITH FINES.

A policy of sending Volstead violators to jail instead of fining them has filled to capacity the jails at St. Charles, Union, and Warren- ton, Mo.

In line with this policy, Federal Judge Farls yesterday sentenced six men to these jails and three others, convicted under old internal revenue laws, to Lewisport Penitentiary. To-day, after sending three more to jail, it was learned there was no room for Jacob Kulinich, a second offender, who had pleaded guilty to a Volstead Act violation.

Mr. ANTHONY. I am sorry I can't send you to jail," Judge Farls remarked to the defendant, "I've reached my limit. The jails are full, but perhaps you'll remember to obey this law in the future, aided by this reminder. I'll fine you $500.

The Federal Court for the Eastern District of Missouri has five designated county or city jails to which prohibition violators may be committed. These are at St. Louis, St. Charles, Union, Warrenston, and Ironton. The St. Charles, Union, and Warrenston jails are filled to capacity, the Ironton jail is considered unsatisfactory, and the St. Louis jail is so crowded with other prisoners it has been requested that Federal prisoners be sent elsewhere.

Mr. MONTAGUE. Mr. Chairman, I move to strike out the last word. [Applause.]

Mr. HUGEN. Mr. Chairman, when this bill was before the House in 1923 I felt constrained to oppose it. I do not now discover within its terms any such changes as would justify a modification of the time and penalties entailed in this new act.

I will not enter upon the larger aspects of this bill. It has been suggested here that it is clearly within the constitutional authority of our Government by reason of the treaty with
Canada. I am willing to concede that it is within the authority of that instrument so far as the establishment of game refuges and the protection of game are concerned, but I restate the contention that the establishment of national shooting grounds and the purchase of the territory to be set apart by the Federal Government or within our constitutional authority. But I leave that aside.

I am as much in favor of the conservation of the migratory game of America as any member of this House. In my estimation, the State, if it will, can do a great deal of good and save the lives of the birds. But when the amendment of the gentleman from California was voted down yesterday, an amendment which prohibited shooting of migratory game, no less than 4,000,000 acres of the refuge sanctuaries, it is evident that it was no longer the purpose to conserve game, but to destroy it, and to destroy it at the instant. The few who could take advantage of the special privileges given them by this bill. [Applause.]

A moment ago an amendment was offered that the United States should have some supervision of these privileges by covering into the Treasury the collection of fees provided for in the bill. But this was voted down. So we of this mighty Government must turn over to the so-called hunters of the country the powers of the Government, to be used by them not for the preservation of game for private purposes.

I, for one, cannot subscribe to any such principle or practice. I concur with the gentleman from Kentucky. If you will write into this bill the establishment of refuges and provide that no one shall hunt or disturb these game sanctuaries, I will vote for the bill.

But it is said that the public shooting grounds are for the preservation of game. Of course, what crimes have been committed in thy name! How can the poor people of America get to these public shooting grounds?

Mr. MONTAGUE. Steam yachts and private cars and automobiles. Every one of these game reserves, if adequate to meet the alleged purposes of this bill, is in an isolated community with a surrounding population of negligible numbers. Poor people. Their number within practical communication with these hunting grounds, I repeat, is negligible.

Some gentlemen yesterday explained that these great preserves are already taken up by people that more from zone to zone with the climate and the temperature. The poor man of America can not move from zone to zone to accommodate himself to the rise and fall of thermometers. He has no means. He can hardly hunt now with the present cost of shells and guns and State licenses. What will he do with the burden of Federal licenses or fees and drastic feudal regulations, with fines and imprisonment?

I am in favor as any member of this House for the preservation of the wild, migratory game, I submit that this bill in its administrative features gives extraordinary advantages, extraordinary privileges to the few, and will be abused by the bad and used by the good. 5,000,000 acres are referred to in debate. Those are simply paper figures. I feel like quoting Bismarck—'there are three sorts of lies: lies, damn lies, and statistics.'

Mr. CHAIRMAN. The time of the gentleman from Virginia has expired.

The Clerk read as follows:

SEC. 12. That in all necessary instances, for the purpose of carrying out the provisions of this act, the judges of the several courts established under the laws of the United States, United States commissioners, and persons appointed by the Secretary of Agriculture to enforce this act, shall have, with respect thereto, like powers and duties as are conferred by section 5 of the migratory bird treaty act upon said judges, commissioners, and employees of the Department of Agriculture appointed to enforce said treaty act. All birds or parts, nests or eggs, thereof taken or possessed contrary to this act or to any regulation made pursuant thereto shall be disposed of as seized birds or parts, nests or eggs, thereof are disposed of under the provisions of section 5 of the migratory bird treaty act.

Mr. JOHNSON of Washington. Mr. Chairman, I move to strike out the last word. Mr. Chairman and gentlemen, it will require a little more than a minute to make this amendment. It is true that the march of Federal invasion goes steadily on. The setting up of so-called bird refuges over which mon may hunt on Federal license is just one more advance in the grand Federal movements which we are witnessing. The Department of Agriculture has been voted down by this body. I am afraid we are being misled by the words of the title of the bill. The words "for the establishment of migratory-bird refuges in perpetuity" for migratory birds have an alluring title, and the public has been led to believe that protection of the birds is the main business of the bill, but what are the next words of the title? Read them. They say for the "establishment of public shooting grounds." In other words, to authorize the shooting of migratory birds or the migratory-bird refuges. Ah, gentlemen, either the title makes the bill to be amended or the law to be amended or the treaty to be amended or within our constitutional authority. But I leave that aside.

A large part of the country west of the Missouri River is now in Federal reserve of one kind or another. Unless this bill is amended further than it has been one of these reserves now in the control of the Federal Government and not controlled in any way by the States may have placed upon itself as many of these so-called "cubins" as those who execute this law wish. I am opposed to the establishment of the expense of the cabin. What is named here as a cabin may become a hunter's lodge in a forest reserve and not far from the forest ranger's house. What does the word "cabin" mean? It does not mean a western park; it means the hunter must be far away from his other friends, I live what crimes have been committed in thy name! How can the poor people of America get to these public shooting grounds?

Mr. MCKINLEY. In steam yachts and private cars and automobiles. Every one of these game reserves, if adequate to meet the alleged purposes of this bill, is in an isolated community with a surrounding population of negligible numbers. Poor people. Their number within practical communication with these hunting grounds, I repeat, is negligible.

Some gentlemen yesterday explained that these great preserves are already taken up by people that more from zone to zone with the climate and the temperature. The poor man of America can not move from zone to zone to accommodate himself to the rise and fall of thermometers. He has no means. He can hardly hunt now with the present cost of shells and guns and State licenses. What will he do with the burden of Federal licenses or fees and drastic feudal regulations, with fines and imprisonment?

I am in favor as any member of this House for the preservation of the wild, migratory game, I submit that this bill in its administrative features gives extraordinary advantages, extraordinary privileges to the few, and will be abused by the bad and used by the good. 5,000,000 acres are referred to in debate. Those are simply paper figures. I feel like quoting Bismarck—'there are three sorts of lies: lies, damn lies, and statistics.'
Mr. SCHAFER. Mr. Chairman, I rise to ask some one of the proponents of this measure if it is possible for regulations to be issued that will make it possible for people to hunt and shoot within the confines of an established game refuge.

Mr. ANTHONY. What is the gentleman's question.

Mr. SCHAFER. I ask whether the father of this bill believes that, under the law, regulations can be adopted that will permit hunters to hunt within the confines of what is called a game refuge?

Mr. ANTHONY. Yes. The present law now permits the Department of Agriculture to issue regulations under which migratory birds may be shot, and they do issue such regulations, and undoubtedly in certain instances, where the nature of the refuge is such as to permit hunting during the season, shooting could be done. But in very many cases the refuges will be called "sanctuaries," where no shooting will be permitted. It was thought better to leave it finally in the discretionary power of the Secretary of Commerce and the Postmaster General, in the Department of Agriculture, to decide where the shooting could be done and where it could not be done, knowing that these gentlemen would exercise intelligence in the matter.

Mr. SCHAFER. Whether, if a game refuge is established under this bill, it will be possible that regulations might be made which will permit hunters to hunt within the confines of what is called a game refuge?

Mr. ANTHONY. I do not catch the point of the gentleman's question.

Mr. SCHAFER. Whether, if a game refuge is established under this bill, it will be possible that regulations might be made which will permit hunters to hunt within the confines of what is called a game refuge?

Mr. ANTHONY. The gentleman's question is, as I understand it, whether the gentleman who is proposing a game refuge or who is interested in game refuges can make regulations that will permit shooting? That is my understanding of the gentleman's question.

Mr. SCHAFER. If the law which was passed by Congress permitting the shooting of migratory birds was not considered a mistake, is not there a tendency to permit this kind of shooting to be done in the future?

Mr. ANTHONY. The law was passed by Congress because Congress thought that it was desirable. The very great majority of the people of the country approve of it, as I understand it.

Mr. SCHAFER. I understand that the present law is to be amended so that it will apply to all game refuges. If this is not done, then it will still remain to be settled whether the game refuge could be used for hunting.

Mr. ANTHONY. The gentleman is mistaken.

Mr. SCHAFER. I do not wish to press the point of the gentleman's question, but I do wish to make sure that where the law has been passed, and the law is now in existence and is applicable to this case, it will be possible for regulations to be made that will permit hunting, and that these regulations will be such as to prevent the destruction of the song birds.

Mr. ANTHONY. There is nothing in the law which makes it impossible to permit hunting on game refuges. There is nothing in the law that makes it impossible to permit hunting on game refuges because there are provisions which make it possible to permit hunting.

Mr. SCHAFER. I do not wish to press the point any further.

Mr. SCHAFER. I may be in order to ask the gentleman if he has seen the measure that has been introduced in the Senate?

Mr. ANTHONY. Yes, I have read it.

Mr. SCHAFER. I have heard that in some States there is a popular sentiment to have this matter provided for in the constitution, and if the gentleman believes that it is desirable to have this matter provided for in the constitution, is he not in favor of providing for it in the constitution?

Mr. ANTHONY. I do not think the gentleman is in order to discuss the constitution any further.
the sixteenth century English squire who would hang a peasant for
snaring a rabbit for his dinner, not because of mercy for the
rabbit and to save him but because his lordship wanted to
tell them about it. This is the function for the protection of
birds; its real purpose is for the protection of bird huntera.

[Applause.]

The CHAIRMAN. The pro forma amendment is withdrawn.

The Clerk will read.

The Clerk read as follows:

Sec. 15. That if any clause, sentence, paragraph, or part of this
act shall for any reason be adjudged by any court of competent juris-
diction to be invalid, such judgment shall not affect, invalidate
the remainder thereof, but shall be confined in its operation
to the clause, sentence, paragraph, or part thereof directly involved
in the controversy in which such judgment shall have been rendered.

Mr. MONTAGUE. Mr. Chairman, I move to strike out sec­
tion 15 and I beg the indulgence of the House for a moment
upon an unrelated line of thought.

Section 15 is a useless piece of verbiage. It simply embodies
a canon of construction adopted by the Supreme Court and by
every court of every State since the beginning of our Republic
in determining when a law is constitutional or unconstitutional.
For some six years, in the two committees of which I have been
a member, I have protested that the inclusion in bills of such a
canon of construction had no possible compulsory effect upon
the courts of our country and had but one meaning, and one
meaning alone, namely, an implied and gratuitous criticism of the
judiciary, and a criticism, if you please, from the legislative
development of another independent and separate department, the
judiciary.

No court in declaring a law unconstitutional will do so unless
it declares and preserves the constitutionality of the residue of
the statute, unless the unconstitutional portion of the bill is in­
extricably and inseparably interwoven with the entire bill and
the divisibility or separation is impossible. That is the ele­
mentary and fundamental rule of construction. Yet we use­
lessly, dangerously—and I am not criticizing this section any
more than other similar sections—have gotten into the habit, through
the committee practice of attaching a rule of con­
struction upon almost every bill, which is a direct and gratuitous
reflection upon the judiciary of this country, and thereby we
American legislators are helping build an unjustifiable senti­
ment against the judiciary, the last bulwark of American institu­
tions.

I submit, gentlemen, it is unnecessary; and it is utterly futile
in that it is a declaration or rule of construction adopted by
every court of every State since the beginning of our Republic
expression of compulsion is needed by the courts to aid them to
tell the truth about themselves. This has been the purpose of
Mr. CHAIRMAN. The amendment offered by the gentleman from
Virginia.

The Clerk read as follows:

Amendment offered by Mr. MONTAGUE: Page 9, line 9, strike out
all of section 15.

The CHAIRMAN. The question was taken; and on a division (demanded by
Mr. ANTHONY) there were—a yes 61, noes 45.

So the amendment was agreed to.

Mr. TYDINGS. Mr. Chairman, for what purpose does the gentleman
from Maryland rise?

Mr. TYDINGS. Mr. Chairman, I rise for the purpose of opposing
the insertion of a quorum.

The CHAIRMAN. The vote just taken has shown the pres­
cence of a quorum. The Clerk will read.

The Clerk reads as follows:

Sec. 16. That any person, association, partnership, trust, or cor­
poration who shall violate any of the provisions of section 12 of
this act shall be subject to the penalties prescribed by section 210 of the
Criminal Code of the United States; and any person, association, part­
nership, or corporation who shall violate any of the provisions of
any provision of this act or with any regulation made pursuant to
this act shall be subject to the penalties prescribed by the migratory

With the following committee amendment:

"Sec. 16. That any person, association, partnership, trust, or cor­
poration who shall violate any of the provisions of section 12 of
this act shall be punished as is provided for in section 219 of the act of
March 4, 1909, entitled 'An act to codify, revise, and amend the
Penal Laws of the United States'; any person who shall violate or fail
to comply with any provision of sections 9 and 11 of this act shall
be punished as is provided for in the migratory bird treaty act of
July 3, 1918; and any person who shall violate or fail to comply
with any other provision of this act shall be liable to the United
States in the first or the first violation and in the sum of $25 for
each subsequent violation, to be collected in a civil action in
the name of the United States: Provided, however, that any person
declared to release himself from such action may pay such sum to
the Secretary of Agriculture under such regulations as he may prescri­
bine, and said Secretary is authorized to mitigate or remit the liability
hereby created, and the gun or other firearms carried or used by
such person shall be liable for the payment of the aforesaid sum; and may
be seized by any United States game warden or deputy game warden
to be held until the liability is discharged, whereupon it shall be for­
with returned to such person."

Mr. HILL of Maryland. Mr. Chairman, I offer an amend­
ment.

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

The Clerk read as follows:

Amendment to the committee amendment offered by Mr. HILL of
Maryland: Page 10, line 5, strike out the words "shall be," strike out
the words "punished as is provided for in section 219 of the act of
March 4, 1909, entitled 'An act to codify, revise, and amend the
Penal Laws of the United States,'" and insert in lieu thereof the follow­ing:
"Punished not more than $500 or imprisoned not more than five years,
or both."

Mr. HILL of Maryland. Mr. Chairman, I ask that the other
amendment which I sent to the Clerk's desk be read for the
information of the House. If the first amendment is accepted, I want the
second amendment, but if the House does not want the first amendment, it is needless to offer the second amendment.

The CHAIRMAN. Without objection, the Clerk will report the
second amendment for the information of the House.

There was no objection.

The Clerk read as follows:

Amendment to the committee amendment offered by Mr. HILL of
Maryland: On page 10, line 10, after the words "shall be," strike out
"punished as is provided for in the migratory bird treaty act of
July 3, 1918," and insert "fined not more than $500 or imprisoned not
more than six months, or both."

Mr. HILL of Maryland. Mr. Chairman and gentlemen of the
House, I rise for the purpose of explaining this bill. I think you who
propose to pass this bill should make the bill clear on its face.
What I am proposing by these two amendments is not to change
the bill but to make the bill tell the truth in section 16 what
these penalties are and not make it necessary for any prosecuting
officer to leave the act which you are about to pass
and go to some other law to find out what it means and to go
to the migratory bird act to find out what the penalties are.
What I am asking you to do is simply to substitute for the
reference to a penalty in another law just exactly what the
penalty is under the law you are discussing.

Mr. BLANTON. It will not change the law at all?

Mr. HILL of Maryland. From Virginia. It does not change the law at all, but my proposed amendments clearly state what the penalty is
and make it appear on the face of the act.

Mr. WATKINS. Will the gentleman yield?

Mr. HILL of Maryland. Yes; with pleasure.

Mr. WATKINS. Would not that prevent many Members here from voting for it because it would show the harshness
of the law?

Mr. HILL of Maryland. I agree with the gentleman, and I
am glad he asked that question. I asked some of the propo­
ners of this bill whether the severe Federal penalties had been
removed; they told me—I do not mean the Members in the
House, but people outside of the House—that they had been
removed.

Now, in section 16 you find the only stated penalty that is
given is a $5 fine for the first offense, but you also find two
other Federal penalties, a term in the penitentiary and the other six months in jail, a fine of $500, or both. Now, gentlemen, in ordinary fairness to this House and
in ordinary decency toward the possible violators of this law,
The CHAIRMAN. The gentleman may submit his amendment.

The gentleman from Iowa asks unanimous consent that all amendments to the pending section and all amendments thereto close in five minutes. Is there objection?

There was no objection.

Mr. GARRETT of Tennessee. Mr. Chairman, I move that the committee do now rise.

The question was taken; and on a division (demanded by Mr. GARRETT of Tennessee) there were—73 ayes, 80 noes.

So the committee refused to rise.

Mr. WATKINS. Mr. Chairman, I hazard the assertion that everyone in this House believes in the conservation of game and the protection of migratory birds. The differences here are not between those who understand the bill and anyone who understands the bill and has gone into it to any degree can support it. This bill has been discussed from various angles; therefore, I shall only mention two phases. The currency by which its constitutionality has been obtained, if in fact obtained, is enough to damn it in the eyes of frank and fair-minded men.

This bill has but one paramount object in view—the protection of migratory birds. That is the main proposition. But you are not, in fact, doing that because you provide in this bill for the hunting on the migratory-bird refuges of the very birds that you are trying to protect. Now, if you want to protect the migratory birds simply say that no hunting shall be done on these protected lands and you will get everybody here to support this bill. [Applause.] Furthermore, as pointed out by my colleague Mr. JOHNSON of Wisconsin—section 3 taken in conjunction with the act of 1888 confers on the Secretary the right of eminent domain. That is bad.

Mr. JOHNSON of Washington. Will the gentleman yield?

Mr. WATKINS. Later on I will be glad to yield, but not right now.

This measure, if enacted into law, will militate against the efficiency of the State game commissions; it will divide responsibility of State and Federal Governments; it will cause multiplication of officeholders, increase of taxation, duplication of authority, and extra and useless expenses to the sportsmen of this country. It means another commission, more bureaus, and additional bureaucrats. Furthermore, the bill is too indefinite—too vague. In fact, too large a proportion of the money goes for overhead instead of for bird refuges. [Applause.]

The real object to be accomplished by this bill is to provide a market for the sale of a lot of worthless real estate in this country. That is the real joker in the bill. Many interests have low, worthless bottom lands, absolutely worthless, and are trying to get a bill passed by Congress so that later they may dump this land on the Government.

Now, I say to you that if you believe in the conservation of wild animals and fish here be all that is going to be offered to prohibit hunting on all these grounds, and you will get the unanimous vote of the House, because in the West, as everywhere, we believe in the conservation of game. We do not propose, however, to allow you to establish at the expense of the Government hunting grounds for professional politicians and provide a market for worthless real estate. Unless the amendment is adopted, I hope that you will reconsider the measure and later enact a bill that not only in theory but in fact insures conservation of wild game. [Applause.]

Mr. WATKINS. I suppose the gentleman believes it is possible to conserve the forests and cut timber for a part of the proceeds.

Mr. WINTER. I do.

Mr. WATKINS. Why is it not possible to conserve the game and kill a part of it in the season?

Mr. WINTER. There is a monumental difference between the two. I have not the time to point out the distinction, but merely to state the gentleman’s proposition produces sufficient distinction.

There is another section of the bill warranting its defeat. I refer to section 12, which carries a penalty that will send a man to the penitentiary for five years and a fine of $500 for the least infraction thereof. Furthermore, sections 6 and 7 carry a fine of $5,000 and six months in jail.

That is absurd; penalties of that nature for the offenses named spell nonenforcement and contempt. [Applause.]
The CHAIRMAN. The time of the gentleman from Oregon has expired.

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

The Clerk read as follows:

Page 10, line 29, after the word "created" strike out the remainder of line 29, and lines 21, 22, 23, and 25.

The CHAIRMAN. The question is on the amendment.

The question was taken; and on a division (demanded by Mr. McSWAIN) there were—54 ayes, 59 noes. So the amendment was rejected.

Mr. HILL of Maryland. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 10, line 9, after the word "of" strike out the words "section 6" and insert the word "section."

The CHAIRMAN. The question is on the amendment.

The question was taken; and on a division (demanded by Mr. ANTHONY) there were—65 ayes, 66 noes. So the amendment was rejected.

Mr. BLANTON. Mr. Chairman, I offer an amendment to strike out all of the bill after the enacting clause, and I ask to be recognized. That is just like any other amendment.

The CHAIRMAN. Amendments to the section in question?

Mr. BLANTON. I ask recognition on my amendment for five minutes.

The CHAIRMAN. Amendments to this section are now in process of voting, and all debate upon this section has been closed.

Mr. BLANTON. I realize I am in error.

Mr. BLANTON. That amendment is not subject to debate.

Mr. BLANTON. I insist on my motion to strike out all of the bill after the enacting clause without debate.

The CHAIRMAN. That amendment is not in order at this moment.

Mr. BLANTON. That is a preferential amendment next in preference to a motion to strike out the enacting clause. That is in order at any time after the first section has been read, and it has been so held.

Mr. RAKER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. RAKER. It is this: There is already pending a motion to strike out all after the enacting clause.

Mr. BLANTON. No; the motion heretofore made was to strike out the enacting clause.

Mr. RAKER. Strike out all after the enacting clause, which has been defeated.

Mr. BLANTON. No; that was to strike out the enacting clause; but this is a different matter, and it is to strike out all of the enacting clause, an entirely different motion.

The CHAIRMAN. Did the gentleman submit any matter in place of that which is to be stricken out after the enacting clause?

Mr. BLANTON. Mr. Chairman, it has been held by numerous Chairmen in the Committee of the Whole House on the state of the Union that a motion to strike out the enacting clause is admissible at any time as a preferential motion. It has also been held a motion to strike out all after the enacting clause is not a preferential motion as against a perfecting amendment, but when all the perfecting amendments to a paragraph under consideration are exhausted then a motion to strike out all after the enacting clause is admissible at any time in the Committee of the Whole House on the state of the Union after the first section has been read.

The CHAIRMAN. Two sections of the bill remain to be read, and therefore it can not be held that the bill has been perfected.

Mr. GARRETT of Tennessee. Mr. Chairman, I move that the committee do now rise.

The question was taken, and the Chair announced the noes appeared to have it.

On a division (demanded by Mr. GARRETT of Tennessee) there were—ayes 72, noes 99. So the motion was rejected.

The CHAIRMAN. The question is on the committee amendment as amended.

Mr. BLANTON. Did the Chair rule the motion to strike out all after the enacting clause is not in order until all the bill is read first?

The CHAIRMAN. It certainly is not in order until all the bill has been read. Whether it is then in order is a bridge the Chair will cross when he comes to it.

Mr. BLANTON. I will not appeal from the Chair, because I think too much of him.

The CHAIRMAN. The question is on the committee amendment as amended.

The committee amendment as amended was adopted.

The Clerk read as follows:

Sec. 17. That for the purposes of this act the word "take" shall be construed to mean pursue, shoot, capture, collect, kill, or attempt to pursue, hunt, shoot, capture, collect, or kill, unless the context otherwise requires.

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

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 11, after line 4, add a new section as follows:

"Sec. 17. Nothing in this act shall be construed as authorizing or empowering the Migratory Bird Refuge Commission herein created, the Secretary of Agriculture or any other bird commission, or officer, to declare, withdraw or determine, except as hereinafter designated, any part of any national forest, national park or power site, a migratory bird refuge or public shooting ground under any of the provisions of this act except by and with the consent of the legislature of the State wherein such area is located."

Mr. ANTHONY. Will the gentleman yield?

Mr. RAKER. I will.

Mr. ANTHONY. Would the gentleman consent to change his amendment so it would leave off of this language "except by and with the consent of the legislature of the State wherein such area is located"? I suggest that for this reason, that it confers authority on the legislature in the disposition of land owned by the Government, and I think the language ahead of this accomplishes the purpose of the gentleman.

Mr. RAKER. No; it will not. It will help the gentleman's bill.

Mr. ANTHONY. I agree in substance, I think.

Mr. RAKER. The gentleman has no objection to the amendment as it is?

Mr. ANTHONY. I shall make no objection.

Mr. RAKER. Then I will not take any time. I ask unanimous consent, Mr. Chairman, to revise and extend my remarks in the Record.

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

There was no objection.

Mr. RAKER. Mr. Speaker, the Fish and Game Commission of California has been doing exceptionally fine work in regard to protecting wild life as it exists in the State of California. This is the consensus of opinion of the people of California who are behind the fish and game commission and their work almost to a man.

On July 10, 1922, Mr. F. M. Newbert, president Fish and Game Commission of California, wrote me as follows:

Hon. John E. Raker, M. C.
House of Representatives, Washington, D. C.

Dear Senator Raker: I wish to acknowledge receipt of your letter of July 1, and thank you for the consideration you are giving this vital subject.

While California sportsmen and this commission have no objection to the migratory bird treaty act, or the regulations of the imposition of a Federal license to hunt migratory water fowl, we do most strongly object to any regulations or control of wild animals, fish, and birds, other than migratory birds, or any areas, no matter how they may be acquired.

California has fought an uphill fight for game conservation for many years, and we are now at the peak of our success. We have accomplished this without any Federal aid or assistance. We have enforced the migratory bird treaty act, made it respected, and put it on a par with our State law. The Federal control of birds, game animals, and fish is but the entering wedge of Federal control. California sportsmen say "hands off."

I am inclining herewith a copy of the House bill with the objectionable features marked out.

The enclosed picture, taken by one of our wardens, is a small band of ducks ranging on the portion of California which you represent. These animals were on the verge of extinction. In fact, so much so, that only 11 remained. As an example of our conservation work of recent years, you no doubt will be pleased to note the wonderful increase in the numbers of this valuable animal.

Very sincerely yours,

FISH AND GAME COMMISSION
F. M. NEWBERT, President
On May 29, 1922, Mr. Newbert, president of the Fish and Game Commission of California, telegraphed me as follows:

JOHN E. RAKER,

House of Representatives, Washington, D. C.

California supported Anthony bill House 3823 entirely upon promised amendments eliminating interference with State wild life conservation instead of which bill amended to work worse confusion and destroy supreme importance's license contributions which they will resatur bit­terly when realized, thereby forcing our active opposition. Letter follows.

CALIFORNIA FISH AND GAME COMMISSION,

F. M. NEWBERT, President.

It will be noted that Mr. Newbert has had an interview with the various Government officials regarding the migratory bird refuges, and they have agreed to accept amendments thereto. On February 28, 1924, the California State Fish, Game, and Forest Protective League, W. T. Wallace, secretary, wrote me as follows:

Hon. JOHN E. RAKER,

House of Representatives, Washington, D. C.

Dear Sir: Representing through our affiliated clubs and individual members some 15,000 fishermen and hunters of this State, we urge you to use your influence and also your support of H. R. 745, commonly known as the public shooting ground refuge bill. The proposed bill will effectively preserve our migratory game, which is threatened with destruction because of drainage projects the country over, and the proposed bill will also preserve the American system of free shooting for rich and poor alike. This is a very regular bill with the outdoor men and women of this State, and in case the bill is in danger we would ask that you step out in front and urge the passage of the same.

Yours respectfully,

CALIFORNIA FISH, GAME, AND FOREST PROTECTIVE LEAGUE,

W. T. WALLACE, Secretary.

On February 14, 1924, Mr. F. M. Newbert, of the California Fish and Game Commission, wrote me as follows regarding H. R. 745:

Hon. JOHN E. RAKER,

Washington, D. C.

My Dear Mr. Raker: The migratory bird treaty covenant and regulations between the United States and Great Britain for the protection of migratory birds in the United States and Canada concluded August 16, 1916, has since its enactment proven to be one of the greatest con­­ervation measures ever passed. It directly and favorably affects every section in every State in which wild fowl is present.

The early opposition by the several States to the taking over of the custody and care of migratory birds, we believe, has passed. The correlation and standardizing of bag limits in the United States, the establishment of seasons for the taking of waterfowl commensurate with the proper and safe periods for the taking, has proven the wisdom of the treaty. We are sure the proposed game refuge public shooting grounds bill as H. R. 745 will, by reason of the purpose of public-shooting grounds, be of even greater benefit to a larger number of un­­attached hunters and sportsmen, who are not so fortunate as to acquire a membership in a shooting club. Also it will provide a sanctuary for waterfowl where they are immune at all times from malicious slaughter.

California Fish and Game Commission at a regular meeting held in Sacramento endorsed H. R. 745 in its entirety and now requests that California Representatives in Congress assist in the passage of this bill that it considers the most vital measure affecting wild waterfowl.

Very truly yours,

FISH AND GAME COMMISSION,

F. M. NEWBERT, President.

On January 9, 1925, received the following letter from Mr. F. M. Newbert, president Fish and Game Commission of California:

Hon. JOHN E. RAKER,

Member of Congress, Washington, D. C.

My Dear Mr. Raker: The Federal migratory game bird refuge public shooting grounds bill (H. 2615; H. R. 745), now pending in Congress, has for its purpose the strengthening of the Federal game warden service and the further protection of the migratory-game birds under the jurisdiction of the Secretary of Agriculture.

There is, however, one thing that should be guarded against in all such legislation, and that is the unwarranted and unauthorised or arbitrary regulations of some Cabinet officer of matters and things not originally intended to be covered by such a law.

We have in California, as you know, nearly 19,000,000 acres of Federal-owned national forest land the timber, mineral, and grazing resources of which are administered by the Secretary of Agriculture, To guard against the possible withdrawal under this bill by some future Secretary of all such territory as public shooting grounds, and thus eliminate the control of the State over the game therein, I suggest that the bill be amended by adding thereto another section, to be num­­bered 19, as follows:

"Sec. 19. Nothing in this act shall be construed as authorizing or empowering the migratory bird refuge commission herein created, the Secretary of Agriculture, or any other board, to declare any national forest, national park, or power site a migratory game bird refuge or public shooting ground under any of the provisions of the act, except by and with the consent of the legislature of the State wherein such area is located."

I trust that you may be able to have the proposed measure amended as this will fully safeguard the State's rights as to game non­­migratory in character. With best wishes for your continued success, I am,

Yours very truly,

FISH AND GAME COMMISSION,

F. M. NEWBERT, President.

Again on January 28, 1925, I received the following telegram from Mr. Newbert:

SACRAMENTO, CALIF., January 28, 1925.

JOHN E. RAKER,

House of Representatives, Washington, D. C.

The California Fish and Game Commission is for bill H. R. 745, when amended, according to letter mailed you January 4. We believe it will benefit California greatly in the increase of migratory bird life.

F. M. NEWBERT,

President California Fish and Game Commission.

On February 9, 1925, I received the following telegram from Mr. Newbert, California Fish and Game Commission:

SACRAMENTO, CALIF., February 9, 1925.

Hon. JOHN E. RAKER,

House of Representatives, Washington, D. C.

Your full support of migratory game refuge bill, with addition of section 19 as amendment, is earnestly requested. State's rights are fully protected with addition of this section.

F. M. NEWBERT,

President California Fish and Game Commission.

On February 14, 1925, I wrote to Dr. E. W. Nelson, biologist, and Chief, Bureau of Biological Survey, Washington, D. C., as follows:

Dr. E. W. NELSON,

Biologist and Chief, Bureau of Biological Survey,

Washington, D. C.

In re H. R. 745, migratory game refuge bill;

My Dear Doctor Nelson: The pocket bill of which I have had considerable correspondence with the Hon. Frank M. Newbert, president California Fish and Game Commission, and have also taken up the matter personally several times with Doctor Fisher, of your department.

Mr. Newbert is in favor of the migratory bird refuge bill and he voices the sentiment of the Fish and Game Commission of California, and, as I gather it, the great majority of the people of California, and particularly the public-land States, which are for the bill providing the bill be amended. The amendment suggested and most earnestly desired is as follows:

"On page 11, after page 8, of H. R. 745, a new section, to be known as section 19, as follows:

"Sec. 19. Nothing in this act shall be construed as authorizing or empowering the migratory bird refuge commission herein created, the Secretary of Agriculture, or any other board, commission, or officer to declare, withdraw, or determine any part of any national forest, national park, or power site, a migratory game bird refuge or public shooting ground under any of the provisions of the act, except by and with the consent of the legislature of the State wherein such area is located."

Mr. Newbert writes me under date of January 9, 1925, as follows:

"The Federal migratory game bird refuge-shooting ground bill (H. 745; H. R. 745), now pending in Congress has for its purpose the strengthening of the Federal game warden service and the further protection of the migratory-game birds under the jurisdiction of the Secretary of Agriculture." The bill provides that the strengthening of the Federal game warden service and the further protection of the migratory-game birds under the jurisdiction of the Secretary of Agriculture.

"There is, however, one thing that should be guarded against in all such legislation, and that is the unwarranted and unauthorized or arbitrary regulations of some Cabinet officer of matters and things not originally intended to be covered by such a law."

We have in California, as you know, nearly 19,000,000 acres of Federal-owned national forest land, the timber, mineral, and grazing resources of which are administered by the Secretary of Agriculture,
On February 16, 1925, I received from Doctor Fisher, of the Biological Survey, and had several interviews with him, and he advised me the same was presented to the Biological Survey by the Department of Agriculture and they had no objection to the same.

I submitted this amendment to the author of the bill, Mr. Anthony, who advised me that he had no objection and would consent to its adoption. With this amendment attached it will protect the interests of California and the other public land States, and the Members of California can with propriety vote for the bill. Without this amendment we would be flying in the face of what the California Fish and Game Commission desire. They know the interest of California and wild life has been protected, and if there is anyone we can defer to we can surely defer to our fish and game commission, who have been so active in the matter and have made such a pronounced success.

The CHAIRMAN. The question is on agreeing to the amendment offered by Mr. McSwain from California.

The amendment was agreed to.

Mr. HAUGEN. Mr. Chairman, I ask unanimous consent that all debate on this section close in five minutes.

Mr. MCSWAIN. Mr. Chairman, I have offered an amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from South Carolina.

The Clerk read as follows:

Amendment offered by Mr. McSwain: Page 11, line 8, after the word "kill," strike out the words "or attempt to pursue, hunt, shoot, capture, collect, or kill, unless the context otherwise requires."
The SPEAKER. The gentleman from Texas makes the point of order that there is no quorum present. The Chair will count.

Mr. BLANTON (interrupting the count). Mr. Speaker, I withdraw that while the gentleman from Tennessee makes a parliamentary inquiry.

Mr. GARRETT of Tennessee. Mr. Speaker, the stage for the recommittal of the bill is not passed, is it?

The SPEAKER. No.

Mr. BLANTON. Mr. Speaker, I renew the point of order that there is no quorum present.

The SPEAKER. The gentleman from Texas makes the point of order that there is no quorum present. The Chair will count. (After counting.) One hundred and eighty-one Members are present, not a quorum. The Doorkeeper will close the doors, the Members who are present will proceed to the committee of Arms will bring in absent Members, and the Clerk will call the roll.

The question was taken; and there were—yes 267, nays 85, not voting 236, as follows:

![Roll No. 77](image-url)
Mr. KINCHLOE. As I understand it, there will be one hour of debate on the rule and three hours on the bill.

Mr. BLANTON. There will be how much debate on the rule?

Mr. LONGWORTH. The rule is in the ordinary form, and the chairman, of course, has an hour.

Mr. BLANTON. Then there will be one hour on the rule and three hours on the bill.

Mr. LONGWORTH. There will be three hours' debate on the bill and as much of the hour on the rule as the chairman uses.

Mr. BLANTON. That is left with the chairman of the Rules Committee.

The SPEAKER. Is there objection?

There was no objection.

NAVAL RESERVE AND MARINE CORPS RESERVE

Mr. BRITTEN. Mr. Speaker, I present a conference report on the bill (H. R. 9624) for the creation, organization, administration, and maintenance of a Naval Reserve and a Marine Corps Reserve, for printing under the rules.

ENROLLED BILLS SIGNED

Mr. ROSENBLUM, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 167. An act to authorize the more complete endowment of agricultural experiment stations, and for other purposes; and

H. R. 2357. An act for the relief of the Pacific Commissary Co.

ENROLLED BILLS 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 the following bills:

H. R. 10471. Authorizing the Postmaster General to permit the use of precanceled stamped envelopes; and

H. R. 11128. To legalize and authorize the New York River at Gloucester Banks, near Gloucester Point, Va.

REFORESTATION

Mr. CLARK of New York. Mr. Speaker, I ask unanimous consent to revise and extend my remarks by inserting an address delivered by me at Hartford, Conn.

The SPEAKER. Is there objection?

There was no objection.

Mr. CLARK of New York. Mr. Speaker, under special leave to extend my remarks in the House I insert the following address delivered by me before the Connecticut Forestry Association at Hartford, Conn., January 31, 1925:

Gentlemen, Connecticut was fortunate in acquiring its reputation early in the wood business, for to-day she would hardly be able to make a living by selling or long continuing the manufacture of even quite small lumber; indeed, Connecticut would have difficulty in supplying the citizens of its own State with wooden toothpicks for a generation, so complete has been the devastation, destruction, and consumption of forests.

God's original endowment to Connecticut was a forests area of approximately 3,609,000 acres out of 5,948,000 acres, the total land area of the State. Your progressive foresters, from your feet of second and third growth timber, much of it of inferior quality; your present rate of consumption to 280,000,000 board feet per year. In other words, in six years' time this State, famous in agriculture, manufacturing, and industry, would be utterly stripped of trees if it had to depend on its own forests for its supply.

Your citizenry and their thought regarding the future supply of timber remind me a good deal of the June bug—the light is all behind. You know where you have been but you know not where you are going. The trail of slab acres is too self-evident, journey where you will. You are a good deal in the same state as the colored woman of liberal proportions, whose boy was cutely taking her out for her first trip in his Ford. They were run into, and when Mandy finally came to her senses in the hospital, the surgeon, seeking to cheer her up, remarked, "Mandy, think of the damages you will get." And Mandy replied, "Mebinions, man, 'taint damages I want; it's repairs I need." That is the condition of the State of Connecticut; and the question of repairs is being placed squarely before the citizenship of this great State, called on to decide whether they want a forward-looking reforestation movement or they want the legislation of a $5,000,000 bond issue for the purchase of land suitable for State forests and parks. I commend the proposition and urge the speedy authorization.

What has been done and is to be done now is worthy of your attention. I beg to you a couple of examples of reforestation accomplishment within your own knowledge, one of an individual in my own district and the other the record of my native State of New York, to serve as comparisons, too often the things we see with our own eyes that convince; and while I realize, as our good friend, Mrs. Malaspes says, that "comparisons may be odious," I sincerely hope that the periphery of my comparisons will reach into the conscience of the re-
sponsible citizenship of Connecticut, for each record stands out as an expression of what can be accomplished if you will only get busy under proper leadership.

Example 1: In dear old Delaware County, the county of my forebears, 8 miles from everywhere, amidst the inspiriting hills of my boyhood, I found the name of Franklin D. Delano, my great-grandfather, on run-down farm, with a small natural stand of white pine, totaling about 5 acres. A public-spirited, look-ahead citizen of the highest type, Charles G. DuMond, bought this "pine grove" farm, and with a small group of persons, he set the scene for the first co-operative forest for which you, to make such a helpful contribution in the little corner where you want a good investment I commend you to Charley DuMond, Walton, New York.

Spring, 1918, 20,000 white pine, 2-year-old seedlings.
Fall, 1918, 10,000 white pine, 2-year-old seedlings.
Spring, 1919, 15,000 $500 white ash, 250 black locust, 500
white cedar (2-year-old seedlings), 1,000 white pine, 1,000 Scotch pine, 1,000 red pine, 1,000 Norway spruce.
Spring, 1916, 5,000 white pine, 2-year-old seedlings.
Fall, 1919, 4,000 2,000 Norway spruce, 2,000 Scotch pine, 2-year-old seedlings.
Fall, 1920, 9,000 Scotch pine, 3-year-old transplants.
Spring, 1921, 25,000 Scotch pine, 3-year-old transplants.
Spring, 1921, 1,000 white cedar, 2,400 Norway spruce, 2-year-old seedlings.
Spring, 1922, 50,000 20,000 Scotch pine (4-year-old seedlings), 1,500 750 red pine, 1,500 white pine, 1,200 600 white ash, 1,500 sugar maple, 1,500 white cedar.
Spring, 1922, 2,000 red pine, 4-year-old transplants, free from Forestry School of New York City.
Fall, 1921, 1,500 red oak acorns, planted cost included in first from that nursery.
Fall, 1922, 5,000 1,500 white cedar (2-year-old seedlings),
1,000 white spruce, 1,000 Scotch pine, 1,500 black walnut, 750 sugar maple, 500 white ash, 250 white pine.
Spring, 1924, 1,500 European larch.
Fall, 1924, 1,500 European larch, free demonstration.
The last 2,000 I set myself without cost.

Total cost.......

Total trees planted, 170,500.

Canada cedars more than 30,000. The actual trees set are more than 200,000, and all coming along in good, healthy condition.

The total cost in fighting blister rust, beetles, and other enemies of trees, about two weeks of healthful, out-of-door exercise each year. But the picture is larger than the brief story I tell, for it behooves us not only to set aside acres for the transformation of bare acres and idle woodlots in a few few years, into an inspiring scene of what can be done with a little intelligent effort and at a minimum of expense. Good citizenship invites you to make such a helpful contribution in the little corner where you live.

On June 6, 1924, President Coolidge signed the so-called McNary Bill that established a national reforestation policy that in the language of Colonel Greshel, Chief Forester of the United States, "is the making of our forests.

To celebrate the passage of this great conservation measure, there was an election, on August 7, 1924, at Pine Grove, near Walton, N. Y., the Acting Forester of the United States, E. A. Sherman; Chief Petrie, second graduated forester in the United States, who for over 20 years has been working under a splendid, sympathetic conservation commissioner, building up the State parks of New York, and promoting the growth of forests all over New York State; Dean Moon, the great leader of the State School of Forestry at Syracuse; Professor Collingwood, an indefatigable worker and champion of the policies of reforestation; and many other leaders in and workers for reforestation, including thousands of plain citizens, to celebrate the passage of this reforestation law, but more particularly to dedicate Pine Grove Farm as a great outstanding example of what an individual could accomplish, the reforestation model or Exhibit A in the transformation of idle acres into glorious accomplishment.

We invite you, citizens of Connecticut, to come up to our beautiful Catskill country to see for yourselves Pine Grove Farm and other outstanding examples of reforestation that began in and about that region, and under the Association of the Adirondack and Catskill regions alone, and at the last election we voted a bond issue of $5,000,000 to be used for the purchase of additional land within these areas.
New England State shares in the benefits of a national law that is gradually being made the law of the land—a national law that is gradually bringing the great White Mountain forest that will prove of immense service in every phase of the economic and industrial life of the New England States, as well as in the commerce of the Nation. We need such natural forests established in and about this State, and we want all other State forest regions to the north, south, and west, and it is up to the State of Connecticut and the other States to enlarge on and broaden out their State policy of reforestation and get it going. They can do this if they can get hold of the State Government in a program that shall tell the world of the day that they are not falling down in their great opportunity to bring back to our hills and dales the trees, to add more beauty to our to-morrows under that national leadership offered in the Clarke-McNary bill.

I

So centered have we been on our own plans and work in the to-day that we seem to have forgotten that there is ever going to be any to-morrows. What we need is a real awakening of the conscience and a clearing of the vision. Such a vision as is ascribed by Kipling to Cecil Rhodes in those words written on the monument erected in his memory at the top of Motoppee Hill, South Africa, where a veritable empire he foresaw spreads out at his feet. These are the words:

"There till the vision be foresaw
Splendid and whole arise.
And unimagined empires draw
Council 'neath the skies."

We need men and women whose hearts and minds are attuned to the idea of service to humanity; the kind of service described by Kipling, when he says:

"No one shall work for money, and no one shall work for fame; But each for the joy of working, and each in his separate star."

Shall paint the thing as best as for the God of things as they come.

"Friends, let us this day rededicate our lives to service in that larger and nobler sense. Let us make our beginning by the appropriation you seek in this State. Let us bring back to our hills the trees and, with the trees, the birds, and fill again our woods with game and wild life. Let us again see our streams filled to the banks, and in those streams let us see the front and back at play, and let us make so strict the provisions for the protection to the wild life that will fill the woods and fields with life and that no profane hand may there raise itself to annoy or destroy. Bryant paints the picture thusly:

"Before these fields were born and trill'd
Foll to the helm our rivers flow'd.
The melody of waters fill'd
The fresh and boundless wood;
And torrents dash'd and rivulets played
Through spray and fruits of the shade."

Think how quickly the end would come to a great industry with 46 per cent of its total area in idle acres; with no forward-looking long years of patiently learning and perfecting the skill and industry that is the American economic dynamo. The melody of the hills and dales the trees, to adorn and make more beautiful our to-morrows, has died. Such a program that shall tell the world of the United States—to come up there to celebrate a monumental work by one in and of itself such a program that shall tell the world of the United States—such a program that shall tell the world of the United States—to come up there to celebrate a monumental work by one in and of itself that will make a constructive, stabilizing force in the development of the practices and traditions that determine the character and directly affect the life for the masses of our citizens. That there has been steady progress in the thinking, the understanding of the achievements of the wage earners of our Republic to owe to the quality of leadership that has directed the labor movement of this country.

The labor movement as it has developed in the United States has been an outgrowth of the conditions and the problems of American life and American thought. That our American labor movement has not been infected with foreign practices we owe a great deal to Samuel Gompers, who came to this country at the age of 13 an immigrant boy, but who was inspired by a dominating love of freedom and who came to understand so truly the country and the method of our life, and became the leader for democracy that he became one of the truest American patriots who have served our great Republic.

Born in Spittalfields, London, January 27, 1850, he spent his early years in scenes of poverty and was forced to seek work in the factories, but without going to the factory, went to the Ghetto of East Side, London. His parents, both born in Amsterdam, Holland, had come to London seeking better opportunities. The Gompers family was traced back for centuries, with branches in various European countries. Many members of the family rose to positions of importance and influence, but other branches were very poor and their members were wage earners. From such a branch in the east of London sprang the forbears of Samuel Gompers. His grandfather was a calico print cutter, his father a cigar maker. His first home consisted of practically one room. His early days were spent on the streets of London, where he lived the seasons of hard human nature and saw about him the life of an industrial community. Just across from the family home was a silk factory, the offices of which were immediately opposite the Gompers front door. Often he and his playmates were admonished to play quietly so as not to disturb the clerks in the office across the street; but there came a day when that office was vacant and the silk workers walked the streets instead of going back to the factory. The warnings of every other day and the warnings against laughter and loud talk, this boy felt no desire for play or gayety. The silk workers were idle. After a week of idleness and poverty, turning from the trade they found that machinery had been invented to do the work they had learned to do, and they were either dismissed or retained at lower wages. The men thrown out of work were reduced to the stage of emigrants, working for meager munities; of the recurring damages from floods because there is no forest protection to prevent or delay the run-off; and, finally, of the inevitable closing down of the industries of the State that are dependent on wood.

Forests in their last analysis affect every phase of your local life, as they do every phase of our national life. Agriculture finds it necessary to use the products of our woods, whether in the home, at the barn, or in the implements with which they fill the fields, industry and manufacturing demand wood products, whether in loom or spindle, at every turn. Connecticut is certainly paying the price for the wastefulness and extravagance that has denuded her hills of trees, as almost every other part of the country is paying the price. The time has come when each State must take up the fair share of the burden of cooperating with the Federal Government in settling these idle acres—81,000,000 acres in the United States—to work. The Clarke-McNary bill furnishes a national leadership, but there are certain phases of the work that each State in and of itself must undertake as well as private organizations and individuals. The beckoning hand of duty, as well as opportunity, demands that the citizens of Connecticut see to it that the establishment of State forests, municipalities, school districts, individuals, have the place to do so for the preservation of our State forests. Municipalities, school districts, individuals, hope to control the vast wealth of the forest lands.

Last summer I had an invitation to attend a little celebration of old, Tom Luthur. Tom had been at work for years setting out trees on that light, sandy soil in and about Saratoga. The select committee of the United States Senate in its historical work of investi-
the problems of the industry, and to enable the cigar makers to bargain more equally with their employers. From active work in the cigar-makers' union came to be widespread in the larger field of the union movement of the whole city, and then became active in the national organization of his trade. Because he had won a standing in his organization and a reputation for ability. In inflation, he was designated to represent the Cigar Makers' International Union in the congress held in Pittsburgh in November, 1881, which organized the national federation of labor organizations which preceded the present American Federation of Labor.

In the first organization, called the Federation of Trades and Labor Unions of the United States and Canada, Gompers was one of the leaders, serving practically continuously as one of the executive officers. When it became apparent that an effective organization of national trade organizations must be organized in order to protect the workers industrially, Mr. Gompers was one of those who took an active part in arranging for the organization which took place in Columbus, Ohio, in the fall of 1886.

The new federation consisted of only trade-union organizations and was primarily to promote economic organization. The conference decided to elect a president of the new federation to give his full time to its work. Because many efforts to organize a federation movement had failed and no one could foresee the future of the federation, this one of prudence for the American Federation of Labor fairly went begging in the first convention. It was offered to Mr. Gompers, who at first refused, but after other prominent trade-union officials had resigned it seemed as though some one of ability to accept the place, and then Mr. Gompers consented. The salary was only $1,000 per year, or rather a promise to pay this amount. But it was seldom possible to meet this promise, as the federation, which had a large field to cover, was dependent upon him. He returned to New York and set about the difficult task of giving substance to the plan for a new labor federation. There was no money in the treasury, no office of any kind, and the federation was required to have a president to preside over it. He had, therefore, to find a back room in New York, and set about the work of organizing.

It was a most difficult period in which the federation developed, for it paralleled a transitional period in industry. It was the period during which there was a deterioration of labor standards and the power followed by the concentration of production in larger units and the evolution of the quantity scheme of production. From the standpoint of organization of industry this meant the corporation and the big trust. As the power of management in industry became greater, labor organizations were under the necessity of developing corresponding organization and power. The federation was without power of any sort and had only such authority as was derived from a cooperative effort for defense of trade unions and their promotion. As Mr. Gompers so frequently explained, the American Federation of Labor was built upon the principle of voluntarism, and owes whatever strength and achievement it secured fundamentally to the fact that it existed by the desire and consent of the wage earners of the United States.

It is one the federations, one of the most marvelous demonstrations of what can be done without compulsion by the constructive method of education so that those concerned cooperate in an effort to promote the best interest of all. Mr. Gompers is successful in his methods and unbending in his allegiance to principle. He had power because he did not attempt to dictate—because he did not attempt to compel. He won cooperation and earned the secret following of the wage earners of the United States. He had power and influence because he was the voluntarily chosen spokesman of independent working men and women of the great Republic. To be the most absolutely honest to the principle of voluntarism. That he was incorruptibly honest no one doubted. That he could not be bribed

none knew so well as political leaders. That he could not be bought many an employer had proof positive. That he could be so wrecked or baffled as to be driven to compromise because of his elements of justice. Securing a victory at times in Congress, end to the suffrage of Congress and public commissions. Never could he be fooled into accepting a proposal for compulsion, though he would not resist an investigation, or laws curtailing the freedom of voluntary organizations into regulation, by control, or State ownership. To him the principle of voluntarism was the key to human freedom.
tion of Labor that inspired this unity of action and purpose which has resulted in beneficial achievement for the wage earners of every locality.

Under the leadership of Samuel Gompers the American Federation of Labor has achieved its political and legislative success through a political policy distinctively the product of American conditions. Samuel Gompers refused to be beguiled by the fallacious propaganda from foreign countries and by the alleged need for protective tariffs. He maintained steadfastly a practical and constructive political policy within the American labor movement. He held that the issues involved concerned the whole group but that it was his province and his duty to let the federation be forced into a position of class partisanship.

The breadth of his ideals and his purpose was not fully revealed until the World War, although at no time was he more distinctly and unreservedly an American patriot, battling for American ideals than when he, with two colleagues, Frank Morrison and John Mitchell, dramatized for the whole country the meaning of the abuse of the writ of injunction against which labor protested. When in the Buck's Stove & Range Co. case he was confronted with a writ of injunction that forbade him the right of free speech and free press, he did not hesitate a moment to make known that he valued his constitutional rights and liberties more highly than he valued immunity from legal proceedings or prison sentence. When, condemned to jail for one year under a statute that made it a crime to speak in a certain field of endeavor necessary to the conduct of national war, he stood before the judge, asked to make any statement as to why sentence should not be pronounced, in words that are worthy to rank with the utterances of Patrick Henry and Samuel Adams, he stated fearlessly that he, as a citizen, had the right to discuss abuses and precedents that would undermine constitutionally guaranteed liberties. When the World War came Samuel Gompers, sooner than almost any other labor leader, appreciated the issue that the war was the perpetuation of democratic institutions. Even before our country was involved in the war he was taking an active part to prevent the labor movement from being drawn into the conflict and giving unconscious service to the cause of German imperialism.

In contrast to his habitual practice of refusing to be drawn into governmental administrative responsibilities, he freely accepted the President of the United States appointment to the Advisory Commission to the Council of National Defense. This Advisory Commission consisted of private citizens, experts in some field of endeavor necessary to the conduct of national war. In that capacity he rendered invaluable service to the Government, and by a most remarkably wise and understanding leadership he made it possible not only for the labor movement to offer its cooperation to the Government for national defense, but for the Government to understand the spirit and the value of the offered cooperation and to enter into joint agreements which recognize the functions and the responsibilities of organized labor movement.

Not only here but abroad did the president of the American Federation of Labor render war service. It is said on undivided testimony that when the Mexican Federation was asked to lend America's greatest contribution to the World War he answered in just one word, "Gompers."

When labor in allied countries had grown war weary and had about lost faith in the purposes of their respective governments it was then that Samuel Gompers undertook the mission of reviving allied labor and strengthening their determination to stand steadfastly by the cause represented in the allied coalition. Though not a young man, at the time weary by the incessant demands of war service in this country, he went upon that mission which would have daunted many a younger man, entailing as it did physical dangers and hardships, as well as the necessity of contending for leadership with some of the most subtle minds of European labor and socialists. He succeeded in that as he had succeeded in mobilizing the labor movement in support of the American Government. When the peace treaty at Versailles was being written it was Samuel Gompers who was chairman of the international commission on labor legislation, and who in a brilliant and far-reaching conference the labor provisions of the Versailles treaty were drafted.

An evidence of the truth of his statesmanlike mind and the youthfulness of his imagination occurs in the fact that one of the last acts of the President of the United States at the close of the World War was the organization of the Pan American Federation of Labor. When after years of endeavor he had help organized the Mexican Federation of Labor he planned to make this beginning the instrumentality for spreading the trade-union movement throughout the Pan American countries. In those countries where the Latin influence dominates and industrialism was not well advanced wage earners were under the domination of having their rights and economic rights. As the union of Pan American countries was developing it was obvious that industry and commerce must develop accordingly, and in world markets there would be competition between the labor movements in the United States and those of the Pan American countries. In order to maintain our own high levels of civilization and humanism it was planned to develop opportunities for the trade-union movement to render service on an international scale as well as to work for Pan American unionism.

The recent convention of the American Federation of Labor was held at El Paso, Tex. The convention of the Mexican Federation of Labor was held across the international bridge in Juarez. There were joint meetings of these two federations of labor in which there were expressions of desire for international peace and for the welfare of the labor movements of both nations. Seldom has it been granted to anyone of any walk of life to hear such unreserved appreciation and commendation for long and honorable service as were given to Samuel Gompers at the joint meetings of those two federations, and when at the close of the convention Mr. Gompers went to the President Franklin Delano Roosevelt he told of the fact that in the case of Mr. Gompers he was to receive the award of the nation that was the equivalent of the Nobel prize, and that Mr. Roosevelt stated that for the first time in Mexican history, he, Mr. Gompers, with two colleagues, had been awarded the highest honor that could be awarded a citizen of the United States and Mexico that made possible that constitutional accession. The Mexican Federation of Labor has been the big stabilizing, constructive force in Mexican life, and making it possible for the Mexicans to organize an industrial and civil life to promote the arts of peace.

It was after he had participated in these events that marked the grounding of a distinct period in the history of Pan American labor that Mr. Gompers was stricken down. As he had always wished, he was in the harness until the end. He died in service. He lived through the hurried journey that took him northward again onto American soil, and in the city of San Antonio, made famous by its heroic defense against a foreign government, he breathed his last, and the final words that passed his dying lips were a prayer for that which was dearest to him and that for which he had given a life of service:

"God bless our American institutions; may they grow better day by day."

These were the dying words of this great American. May his soul rest in peace.

**Adjournment**

Mr. HAUGEN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 50 minutes p. m.) the House, in accordance with its previous order, adjourned until to-morrow, Saturday, February 21, 1925, at 11 o'clock p. m.

**REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS**

Under clause 2 of Rule XIII.

Mr. UNDERHILL: Committee on the District of Columbia.

H. R. 12331. A bill to amend an act entitled "A bill making it a misdemeanor in the District of Columbia to abandon or negligently 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 22, 1906; with amendment (Rept. No. 1533). Referred to the House Calendar.

Mr. LUCE: Committee on the Library. H. R. 12233. A bill establishing a commission for the participation of the United States in the observance of the one hundred and fifteenth anniversary of the signing of the Mexico宣 Declara­ tion of Independence at the city of Charlotte, N. C., on May 29, 1775, authorizing an appropriation to be utilized in connection with such observance, and for other purposes; with amendments (H. R. 1534). Referred to the Committee on the Whole House on the state of the Union.

Mr. WAINWRIGHT: Committee on Military Affairs. H. R. 1565. A bill to establish a national military park at Fort Snelling, Minn., on which land the acquisition of such lands as may be necessary to preserve said fort; without amendment (Rept. No. 1537). Referred to the Committee on Military Affairs of the Whole House on the state of the Union.

Mr. LUCE: Committee on the Library. S. 515. An act authorizing the Secretary of the Interior to acquire land and erect a monument on the site of the battle with the Sioux
Indians in which the commands of Major Reno and Major Benteen were engaged; with an amendment (Rept. No. 1538), referred to the Committee of the Whole House on the state of the Union.

Mr. HILL of Alabama: Committee on Military Affairs. S. 3324. An act to provide for the appointment of a leader of the Army Band; without amendment (Rept. No. 1539), referred to the Committee of the Whole House on the state of the Union.

Mr. GRAHAM: Committee on the Judiciary. H. R. 12313. A bill to create an additional judge in the district of Minnesota (Rept. No. 1540), referred to the Committee of the Whole House on the state of the Union.

Mr. ELLIOTT: Committee on Public Buildings and Grounds. S. J. Res. 186. A joint resolution authorizing the sale of the old Federal building at Toledo, Ohio; without amendment (Rept. No. 1541), referred to the Committee of the Whole House on the state of the Union.

Mr. GILBERT: Committee on the Library. H. J. Res. 28. A joint resolution authorizing the Joint Committee on the Library to provide for the restoration and completion of the historical fresco in the rotunda of the Capitol; with an amendment (Rept. No. 1542), referred to the Committee of the Whole House on the state of the Union.

Mr. TEMPLE: Committee on Foreign Affairs. H. J. Res. 341. A joint resolution to provide for the expenses of delegates of the United States to the Pan American Educational Conference; without amendment (Rept. No. 1543), referred to the Committee of the Whole House on the state of the Union.

Mr. TEMPLE: Committee on Foreign Affairs. H. R. 7354. A bill to authorize the payment of an indemnity to the Government of the island of Guadeloupe on account of damages alleged to have been done to the property of Salvador Baltriz Diaz by United States marines on February 6, 1921; without amendment (Rept. No. 1544), referred to the Committee of the Whole House on the state of the Union.

Mr. HULL of Iowa: Committee on Military Affairs. S. 2294. An act to equalize the pay of retired officers of the Army, Navy, Marine Corps, Coast Guard, Civilian Geodetic Survey, Public Health Service; without amendment (Rept. No. 1545), referred to the Committee of the Whole House on the state of the Union.

Mr. GRAHAM: Committee on the Judiciary. S. 4059. An act to provide for an additional Federal district for North Carolina; with amendments (Rept. No. 1547), referred to the Committee of the Whole House on the state of the Union.

Mr. MOORES of Indiana: Committee on Foreign Affairs. H. J. Res. 294. A joint resolution extending the sovereignty of the United States over Swains Island and making the island a part of American Samoa; without amendment (Rept. No. 1548), referred to the Committee of the Whole House on the state of the Union.

Mr. REED of New York: Committee on Industrial Arts and Expositions. H. J. Res. 351. A joint resolution authorizing the President to invite the States of the Union and foreign countries to participate in a permanent international trade exhibition at New Orleans, La., to begin September 15, 1925; without amendment (Rept. No. 1549), 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 XII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 12364) granting a pension to Lillian O. Pice, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS

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

By Mr. UNDERHILL: A bill (H. R. 12372) to provide for a complete code of insurance law for the District of Columbia (exempted as provided by the act of March 4, 1922, and fraternal and benevolent insurance assoc.

lations or orders as provided for by the act of March 3, 1901), and for other purposes; to the Committee on the District of Columbia.

By Mr. WEILER: A bill (H. R. 12373) incorporating the Veterans of Foreign Wars of the United States; to the Committee on the Judiciary.

By Mr. REED of Illinois: A bill (H. R. 12374) granting the consent of Congress to the highway commissioner of the town of Elgin, Kane County, to construct, operate and maintain a bridge across the Fox River; to the Committee on Interstate and Foreign Commerce.

By Mr. SPIROU of Illinois: A bill (H. R. 12375) granting the consent of Congress to the county of Cook, State of Illinois, to construct a bridge across the Little Calumet River in Cook County, State of Illinois; to the Committee on Interstate and Foreign Commerce.

By Mr. WEFALD: A bill (H. R. 12376) to extend the time for the commencement and completion of the bridge of the county of Norman and the town and village of Halstad, Minn., and the county of Traill and the town of Hervey, N. Dak., across the Red River of the North on the boundary line between said States; to the Committee on Interstate and Foreign Commerce.

By Mr. STRONG of Kansas: A bill (H. R. 12377) to provide for the enforcement of the treaties, conventions, or agreements, or certificates issued under the World War adjusted compensation act; to the Committee on Ways and Means.

By Mr. TEMPLE: Joint resolution (H. J. Res. 365) to provide for the establishment of a National Park at Georgetown, D. C., and to be received from the Persian Government for the education in the United States of Persian students; to the Committee on Foreign Affairs.

By Mr. MacGregor (by request): Joint resolution (H. J. Res. 306) providing for the establishment of a National Park at Georgetown, D. C., and to be received from the Persian Government for the education in the United States of Persian students; to the Committee on Ways and Means.

By Mr. Hickey: Memorial of the Legislature of the State of Montana, urging Congress to enact legislation to promote equality for agriculture under the American protective system in the case of those crops of which a normal surplus above domestic requirements is produced; to the Committee on Ways and Means.

By Mr. LEAVITT: Memorial of the Legislature of the State of Indiana requesting the Congress of the United States to appropriate funds to carry out certain recommendations of the Chief of Staff of the United States Army, made in furtherance of the national defense act of 1920; to the Committee on Military Affairs.

By Mr. Garber: Memorial of the Legislature of the State of Pennsylvania urging Members to vote against passage of any legislation intended to increase the amount of water to be taken from the Great Lakes through the Chicago drainage canal for sanitation and power purposes; to the Committee on Rivers and Harbors.

By Mr. Leavitt: Memorial of the Legislature of the State of Montana urging enactment of legislation to promote equality for agriculture under the American protective system in the case of those crops of which a normal surplus above domestic requirements is produced; to the Committee on Agriculture.

By Mr. MacGregor: Memorial of the Legislature of the State of Pennsylvania opposing legislation that will tend to increase the amount of water taken from the Ohio River through the Chicago drainage canal for sanitation and power purposes; to the Committee on Rivers and Harbors.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. Croll: A bill (H. R. 12378) granting an increase of pension to Anna Bower; to the Committee on Invalid Pensions.

By Mr. Jeffers: A bill (H. R. 12379) for the relief of C. B. Wells; to the Committee on Claims.

By Mr. Kunz: A bill (H. R. 12380) for the relief of Harry A. Tedsall; to the Committee on Claims.
By Mr. PERKINS: A bill (H. R. 12381) for the relief of George S. Conway; to the Committee on War Claims.

3865. Also, bill (H. R. 12382) for the relief of Charles Lacy Plumb (Inc.); to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the table and referred to the Committee on Roads, as follows:

3855. By Mr. COLTON: Petition of Utah Mission of Seventh-Day Adventists, Ogden, Utah, opposing the enactment of S. 3218; to the Committee on the District of Columbia.

3856. By Mr. CULLEN: Petition of the Maritime Association of the Port of New York, indorsing H. R. 9355, the purpose of which is to grant to private shipowners a right of action when their vessels or goods have been damaged as a result of a collision with any Government-owned vessel, without recourse to the passage of a special enabling act in each case; to the Committee on Interstate and Foreign Commerce.

3857. Also, petition of the Thomas Jefferson Memorial Foundation (Inc.), asking support of Senate Joint Resolution 191; to the Committee on the Library.

3858. Also, letter from Women's National Republican Club (Inc.), asking support of Wadsworth-Garrett amendment to the Constitution; to the Committee on the Judiciary.

3859. Also, petition of the American Federation of Teachers, the American Home Economics Association, etc., requesting opposition to House Joint Resolution 75; to the Committee on Commerce.

3860. Also, letter from the National Education Association, the American Federation of Teachers, the American Home Economics Association, etc., requesting opposition to House Joint Resolution 75; to the Committee on Commerce.

3861. By Mr. O'CONNELL of New York: Petition of the New York State League of Savings and Loan Associations, concerning the word “savings” in the McFadden-Pepper banking bill; to the Committee on Banking and Currency.

3862. Also, petition of the Maritime Association of the Port of New York, favoring the passage of House bill 9335; to the Committee on Claims.

3863. By Mr. BAKER: Petition of C. A. O'Goorie and Peter Claussen, Veterans' Home, Calif., urging passage of the Indian war pension bills, House bill 11708 and Senate bill 9320; to the Committee on Pensions.

3864. By Mr. THOMPSON, vice president and general manager of the Pacific Coast Telephone Co., of Berkeley, Calif., in support of the bill H. R. 8232; to the Committee on Civil Service.

3865. By Mr. PETERSON: Petition of the International Association of Police Women, Washington, D. C., indorsing and urging the passage of the bill H. R. 8232; to the Committee on Civil Service.

3866. Also, letter from Mrs. E. C. Kaeding, of Mills Building, San Francisco, Calif., urging support of the game refuge bill, S. 2913, and H. R. 745; also, letter from the California Development Association, San Francisco, Calif., urging the establishment of a forestry experiment station at Berkeley, Calif.; to the Committee on Agriculture.

3867. Also, letter from the Lee Highway Association, Man­sey Building, Washington, D. C., urging passage of the Arlington County bridge bill; to the Committee on Public Works and Grounds.

3868. Also, telegrams from W. F. Mixon, secretary California Highway Commission, of Sacramento, Calif.; George W. Borden, president Oregon Association of State Highway Officials, of Carson City, Nev., and representatives of the President of the Oregon Association; to the Committee on Public Works and Grounds.

3869. Also, telegrams from Albert Bensinger, Jack S. Goldstein, and Joseph Levinson, all of New York City, urging support of provisions eliminating Pullman surcharge: also, telegrams from the Sierra Railway Co., Jamestown, Calif., R. S. Busby, president, San Francisco, Calif.; S. H. McCormick, vice president Nevada-California Oregon Railway, of Alturas, Calif., and the California Development Association, by N. H. Sloane, general manager, San Francisco, Calif., protesting against elimination of Pullman surcharge by direct legislation; to the Committee on Interstate and Foreign Commerce.

3870. By Mr. TILSON: Petition of Oscar Bower, president of Louisiana State Board of Health, and other citizens of the United States, declaring their appreciation of the great help of the Federal Health Department and the Bureau of Fisheries toward the solution of the oyster problems, present and past; to the Committee on Agriculture.

SENATE

SATURDAY, February 21, 1925

(legislative day of Tuesday, February 17, 1925)

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

SENIOR FROM SOUTH DAKOTA

The PRESIDENT pro tempore laid before the Senate the credentials of William H. McMasters, chosen a Senator from the State of South Dakota for the term beginning on the 4th day of March, 1925, which were read and ordered to be placed on file, as follows:

UNITED STATES OF AMERICA,

STATE OF SOUTH DAKOTA.

Certificate of election

This is to certify that on the 4th day of November, 1924, at a general election held throughout said State William H. McMasters was duly chosen by the qualified electors of the State of South Dakota to the office of United States Senator, to represent the State of South Dakota in the Senate of the United States for the term of six years, beginning on the 4th day of March, 1925.

In witness whereof I have hereunto set my hand and caused the seal of said State to be affixed at Pierre, the capital, this 4th day of January, 1925.

By the governor.

CARL GUNDERSON,

Secretary of State.

COLUMBIA INSTITUTION FOR THE DEAF

The PRESIDENT pro tempore. The Chair announces the resignation of the Senator from Michigan [Mr. Couzens] as a member of the board of directors of the Columbia Institution for the Deaf, and appoints the Senator from Washington [Mr. Jones] in the stead of the Senator from Michigan as a member of the board of directors.

CONDITION OF RAILROAD EQUIPMENT

The PRESIDENT pro tempore laid before the Senate a communication from the chairman of the Interstate Commerce Commission, reporting (in compliance with Senate Resolution 483, agreed to February 26, 1923), for the month of January, 1925, on the condition of railroad equipment and related subjects, which was referred to the Committee on Interstate Commerce.

DISPOSITION OF USELESS PAPERS

The PRESIDENT pro tempore. The Chair lays before the Senate a letter from the Second Assistant Secretary of the Department of Labor, requesting permission for the destruction of certain obsolete and useless papers in the files of that department. The Chair appoints a committee on the part of the Senate to consider the advisability of granting the request the Senator from Colorado [Mr. Phillips] and the Senator from New Mexico [Mr. Jones]. The Secretary will advise the House of Representatives of this action.

PETITIONS AND MEMORIALS

The PRESIDENT pro tempore. The Chair lays before the Senate a communication from the chairman and secretary of the Progressive Party of the State of Oregon, inclosing certain resolutions adopted by that organization. If there be no objection, the communication and accompanying paper will be referred to the Committee on Agriculture and Forestry and printed in the RECORD, as follows:

There being no objection, the matter was referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows: