S. 2265. An act for the relief of Lehigh Valley Railroad Co. and McAllister Lighterage Line (Inc.).
S. 2465. An act to authorize the payment of an indemnity to the Swedish Government for the losses sustained by its nationals in the sinking of the Swedish fishing boat Lillie.
S. 2500. An act for the relief of the Canada Steamship Lines.
S. 3247. An act providing for the payment of any unappropriated moneys belonging to the Apache, Kiowa, and Comanche Indians to Jacob Crew.
S. 3310. An act for the relief of the owners of the barkentine Monterey; and
H. R. 4610. An act for the relief of the estate of Filer McCloud.

ASSIGNED VALUATION OF RAILROADS (S. DOC. NO. 199)

The PRESIDING OFFICER laid before the Senate a communication from the chairman of the Interstate Commerce Commission, transmitting, in response to Senate Resolution 199 (SENATE RESOLUTION 2130), a report of the assessed valuations for taxation purposes of railroad property in the United States (with certain exceptions) under the control of the Interstate Commerce Commission, which was referred to the Committee on Interstate Commerce and ordered to be printed.

PENDING AND MEMORIALS

Mr. WALSH of Montana presented the following memorial adopted by the Legislative Assembly of the State of Montana, which was referred to the Committee on Foreign Relations:

House memorial 1 (introduced by McCarthy) to the Congress of the United States asking it to authorize the participation of the United States in the International Conference for Arbitration and Disarmament of Nations to be held in Geneva on June 15, 1925.

IN THE HOUSE

January 14, 1925: Read first and second time and referred to committee on Federal relations.
January 20, 1925: Amended, and as amended, committee recommends bill do pass. Report adopted and referred to printing committee.
January 22, 1925: Reported correctly printed. Report adopted and referred to general orders.
January 28, 1925: Amended, and as amended, recommended favorably by committee of the whole. Report adopted and referred to engrossing committee.
January 30, 1925: Reported correctly engrossed. Report adopted and referred to calendar for third reading. Title agreed to. Read three several times and passed. Referred to enrolling committee.
January 31, 1925: Reported correctly enrolled.

Whereas the League of Nations has issued a protocol calling for an International Conference for Arbitration and Disarmament of Nations, to be held in Geneva, January 15, 1925, if prior to June 1, 1925, the majority of the permanent members of the council of the league consisting of Great Britain, France, Italy, and Japan, and at least 10 other countries, ratify the protocol; and

Whereas the United States of America and all other nonmember nations have been invited to ratify the protocol and participate in the conference; and

Whereas the League of Nations, though it may be crude in the making, is the greatest concerted effort yet made toward participation in carrying out the plan establishing world peace; and

Whereas it is only through friendly cooperation and participation in conferences among nations, that the United States of America can point the way to universal peace; and

Whereas it should be the chief duty of all who wish to spare coming generations untold miseries and sufferings which a scientific and chemical warfare may bring to humanity; Therefore be it

RESOLVED, BY THE NINETEENTH LEGISLATIVE ASSEMBLY OF THE STATE OF MONTANA, THAT it is the sense of this legislature that the Congress of the United States authorize the participation of the United States as a member in the conference for world disarmament to be held in Geneva, June 15, 1925, and to send a representation of America's greatest men to such conference: Be it further

Resolved, That a copy of this memorial be forwarded to the Senate and the House of Representatives of the United States, and to each of the Senators and Representatives from Montana.

W. C. BRICKMAN, Speaker of the House.

Mr. SIMMONS presented a Joint resolution of the Legislature of North Carolina, favoring the passage of Senate bill 83, making eligible for retirement under certain conditions officers of
I

In the service of the United States during the World War, a

lar Army, who incurred physical disability in line of duty while

1925

Resolution 22. A joint resolution relative to retirement of disabled

emergency officers of the Army during the World War.

Resolution 23. A joint resolution to authorize the Secretary of

Army of the United States, other than officers of the Regu-

lar Army, who incurred physical disability in line of duty while

1925

That these resolutions be ordered enrolled and a copy

Houses of Congress, being reported favorably by their

United States Senator

of Washington, D. C., as soon as ratified.

resentatives from the

do hereby certify the foregoing and attached (two sheets) to be a true

official seal.

(S.

priation for the preservation of the famous frigate

tendent of the School for the Deaf at Trenton, N. J.,

mittee on Naval Affairs.

tion,

Permanent

citizens of Topeka, Kans., remonstrating against the pas

gation, which was referred to the Committee on Foreign Relations.

He also presented a memorial numerously signed by sundry citi-

cizens of Little Rock and De Queen, all in the State of Arkansas,

ramounting against the passage of the so-
called compulsory Sunday observance bill for the District,

which were referred to the Committee on the District of Co-

lumibia.

Mr. FERNALD, from the Committee on Public Buildings and

Grounds, to which was referred the bill (S. 3731) authoriz-
ing the Secretary of the Treasury to exchange the present
customhouse building and site located in Denver, Colo., re-
ported it without amendment.

Mr. ASHURST, from the Committee on Public Buildings and

Grounds, to which was referred the bill (S. 3391) authoriz-
ing the Secretary of Commerce to acquire, by condemnation

or otherwise, a certain tract of land in the District of Colum-
bia for the enlargement of the present site of the Bureau of

ards, reported it without amendment.

Mr. BALL, from the Committee on the District of Columbia,
to which were referred the following bills, reported them each
without amendment and submitted reports thereon:

A bill (H. R. 397) regulating switching and switching charges

on railroads in the District of Columbia, and for other pur

poses (Rept. No. 1106); and

A bill (H. R. 11214) to amend an act regulating the height

of buildings in the District of Columbia, approved June 1, 1910,
as amended by the act of December 30, 1910 (Rept. No. 1107).

Mr. NORBECK, from the Committee on Banking and Curren-
cy, to which was referred the bill (S. 4230) to authorize the

Secretary of the Treasury to prepare a medal with appro-
priate inscriptions commemorative of the Norse-

american centennial, reported it without amendment.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous

consent, the second time, and referred as follows:

By Mr. HOWELL: A bill (S. 4363) for the relief of Robert R. Bradford; to the

Committee on Claims.

By Mr. FERNALD: A bill (S. 4304) granting a pension to Arlena R. Moore

(with accompanying papers); to the Committee on Pensions.

By Mr. SWANSON: A bill (S. 4305) to legalize a pier and wharf in York River at

Gloucester Banks, near Gloucester Point, Va.; to the Committee on Com-

merce.

By Mr. CARAWAY: A bill (S. 4306) granting the consent of Congress to R. L.

Gaster, his successors and assigns, to construct a bridge across the

White River; to the Committee on Commerce.

By Mr. MCKINLEY: A bill (S. 4307) to authorize the States of Indiana and Illi-

nos in the States of Indiana and Illinois to construct a bridge across

the Wabash River at the city of Mount Carmel, Wabash County, Ill., and

connecting Gibson County, Ind.; to the Committee on Com-

merce.

By Mr. SMOOT: A bill (S. 4298) to establish a Woman's Bureau in the

Metropolitan police department of the District of Columbia,

and for other purposes; to the Committee on the District of Colum-

bia.

By Mr. BURSUM: A bill (S. 4299) for the relief of Juan Chavez y Romero; to

the Committee on Claims.

By Mr. STANFIELD: A bill (S. 4310) to provide capital for home building and

ownership, to create standard forms of investment based on

home loan mortgages, to equalize rates of interest upon home

loans, to furnish a market for United States bonds, to create

investment depositories and financial agents for the United

States, and for other purposes; to the Committee on Banking

and Currency.

By Mr. PEPPER: A bill (S. 4311) to provide for overtime pay for employees

of the Immigration Service, Department of Labor; to the

Committee on Immigration.

By Mr. RAIL: A bill (S. 4312) to amend the legislative, executive, and

judicial appropriation act, approved February 26, 1907, as

amended; to the Committee on Finan-

AMENDMENT TO RIVERS AND HARBORS BILL

Mr. NORRIS (for Mr. LA FOLLETTE) submitted an amend-

ment intended to be proposed to the bill (H. R. 11472) authoriz-
ing the construction, repair, and preservation of certain

public works on rivers and harbors, and for other purposes;

which was referred to the Committee on Commerce and

ordered to be printed.

REGULATION OF STEAM ENGINEERING IN THE DISTRICT

Mr. COPELAND submitted an amendment intended to be

proposed by him to the bill (S. 4004) to amend the act en-
Amendment to Independent Offices Appropriation Bill

Mr. COPELAND submitted an amendment intended to be proposed by Mr. WASHINGTON, the Independent Offices appropriation bill, which was ordered to lie on the table and to be printed.

Amendment to Independent Offices Appropriation Bill

On page 27, line 25, after the word "claims," insert: "That no part of the moneys appropriated or made available for the United States Shipping Board or the United States Shipping Board Emergency Fleet Corporation shall be used or expended for the construction, purchase, acquisition, repair, or reconditioning of any vessel or part thereof or the machinery or equipment for such vessel from or by any private contractor for the time or the purpose of the proposed construction, purchase, acquisition, repair, or reconditioning, can be constructed, produced, repaired, or reconditioned within the limit of time within which the work is to be done, in each or any of the navy yards or arsenals of the United States, at an actual expenditure of a sum less than that for which it can be constructed, purchased, acquired, repaired, or reconditioned otherwise."

CHANGE OF REFERENCE

On motion of Mr. Bonar, and by unanimous consent, the Committee on Foreign Relations was discharged from further consideration of the joint resolution (S. J. Res. 181) for the relief of George Horton, and it was referred to the Committee on Claims.

Presidential Approval

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

On February 12, 1925:
S. 3622. An act to invalidate an agreement between the Secretary of War, acting on behalf of the United States, and the Washington Gas Light Co.
S. 3622. An act granting the consent of Congress to the police jury of the Parish of La., or the State Highway Commission of Louisiana to construct, maintain, and operate a bridge across the Bayou Bartholomew at each of the following named points in Morehouse Parish, La.; Vester Ferry, Ward Ferry, and Zachery Ferry.
S. 3834. An act granting the consent of Congress to the county of Independence, Ark., to construct, maintain, and operate a bridge across the White River, at or near the city of Batesville, in the county of Independence, in the State of Arkansas.
S. 3855. An act granting the consent of Congress to Harry E. Bovay, of Stuttgart, Ark., to construct, maintain, and operate a bridge across the Black River, at or near the city of Black Rock, in the county of Lawrence, in the State of Arkansas;
S. J. Res. 185. Joint resolution granting permission to the Roosevelt Memorial Association to procure plans and designs for a memorial to Theodore Roosevelt.
S. 3722. An act to authorize the State of Indiana and the State of Illinois to construct a bridge across the Wabash River at the city of Vincennes, Knox County, Ind.

Address by Senator James A. Reed

Mr. STANLEY, Mr. President, I ask unanimous consent to have printed in the Record an address recently delivered by the noted Senator from Missouri (Mr. Reed) before the Bar Association of Nebraska, at its meeting in the city of Omaha on December 30, 1924.

The Presiding Officer (Mr. Moss in the chair). Is there objection? The Chair hears none, and it is so ordered.

The matter referred to is as follows:

Speech of Senator James A. Reed before the Nebraska Bar Association at Omaha December 30, 1924

There is no anomaly of history so inexplicable as that of a liberty-loving people engaged in an incessant attempt to undermine and destroy the charter of their freedom.

Nevertheless, the thoughtful observer must for years have been astonished and shocked at the extent and force of the demand that the structure of our Government shall be radically altered, and that the rights hitherto retained by the people and the States shall be concentrated in one powerful central government.

To a consideration of this dangerous movement I invite your attention:

Out of the experience of the past the framers of the Constitution had gleaned certain great truths, among which were—

First, that the sole effective guaranty of the liberties of a people was to be found in the retention in the people themselves of a large measure of self-control.

That principle was recognized in the Declaration of Independence, in the statement that life, liberty, and the pursuit of happiness are inalienable privileges.

Second, that a people must retain the right to control a large measure of their governmental affairs through officers elected by small communities and directly responsible to the peoples thereof.

Third, that the various States must constitute separate sovereigns, and that the respective State governments must retain complete control of all questions, save those absolutely essential to the maintenance of a Federal Government, and the protection of each of the States against abuses by other States.

Fourth, that the Federal Government should be possessed of not only strictly limited but of simple powers.

Fifth, that in all of these governments, whether municipal, State, or national, the powers should be divided, and their exercise limited by checks and safeguards.

Sixth, that those rights, privileges, immunities, and liberties should be guaranteed in the Federal Constitution and in the constitutions of the several States.

None better understood than did the framers of the Constitution the principle that the possessor of a power always seeks to exercise that power to the limit, and that unless restrained he will find in the doctrine of necessity or public benefit the excuse for usurpations, which, so described, by almost insensible and invisible steps, lead along the path toward ultimate despotism.

Accordingly, the scheme of government devised embraced a direct responsibility to small communities of those intrusted with local government affairs, these officers not only being subject to the restrictions of the Constitution but accountable at often-recurring elections to the people they were elected to serve.

State governments were in like manner created with two houses of the legislature, each a check upon the other, with the power of veto lodged in the governor. Yet, if all these powers acted in unison, the Federal Constitution threw its protection over certain fundamental rights of the citizen.

The Federal Government was subject to similar checks and safeguards. But, in addition, the powers to it granted were strictly limited.

The framers understood that the centralization of a great mass of power in a single government would inevitably result in misgovernment, in corruption, and possibly in the destruction of the liberties of the people of the United States.

Yet, the Government had been scarcely established until a movement began for the enlargement of its powers.

In some instances this enlargement is not easily distinguishable from usurpation.

The responsibility, first and last, must rest upon the Congress, upon the courts, upon the legislatures of the various States, and upon the people themselves.

It was designed that the courts should keep legislative bodies strictly within the limits of the Constitution. But that power was greatly impaired by the rule early established, that the courts in considering a legislative act would indulge the presumption that the legislative body was itself the natural guarantor of the Constitution, and that the statutes by it enacted should be sustained where they could by almost any process of reasoning be brought within constitutional authority.

The rule thus laid down entirely ignored that element in human nature to which I have alluded, i. e. that the possessor of power invariably seeks to exercise his power to the limit. And that when he is impelled by motives of ambition, or actuated by what he regards as the public weal, he has little difficulty in finding justification for the act he desires to perpetrate.

It follows that, finding himself possessed of a power granted for a particular purpose, he will exercise that power to accomplish his desires, even though not within the intendment of the fundamental law.

Innumerable examples are to be found in the books. I instance a few of the more prominent:

State Bank Tax

Congress desired to put the State banks out of business. Undoubtedly there was necessity for reform in our banking procedure. But Congress possessed no power to prohibit State banks of issue. Congress desired the business of State banks, but this consideration, this desire, did not much disturb Congress. It did possess the power to levy a tax for the purpose of raising revenue, and so long as it levied a tax for the purpose of raising revenue it was strictly within its constitutional prerogative.

But Congress did not want to raise a revenue. It wanted to destroy State banks of issue. It therefore proceeded to levy a tax so high that no State bank could issue money.

The direct result of the law did not advance in advance, was to cut off a revenue which the Government had theretofore received by a moderate tax.
All this was perfectly apparent and is admitted by the Supreme Court to be apparent. Nevertheless that great court sustained the tax. Thus Congress employed a power granted for one purpose in order to accomplish an entirely different purpose.

**TARIFF FOR PROTECTION**

In parallel with the foregoing case was the employment of the import tax—not for the purpose of raising a revenue, but for the purpose of protecting against competition with foreign goods certain favored manufacturers.

The primary object of these laws was to increase the profits of private citizens, the revenue derived by the Government being merely incidental. Against this abuse Mr. Justice Harlan thundered with all his magnificent eloquence. He declared:

"That to lay the hand of power upon the property of one citizen and transfer it to another is none the less robbery because done under the form of law."

**USE OF MAIL TO DEFRAUD**

The right to establish post offices and post roads has been so used as to bring a vast multitude of crimes which originate and generally are consummated in a particular State, and, therefore, punishable by the laws of that State within the Federal dragnet.

Two men may have a business transaction in the State of Nebraska. Yet, if one of the parties shall have written a letter to the other and dropped it in a post-office box for delivery in the same town, the entire transaction becomes immediately cognizable by a Federal tribunal, which under the pretense of trying a man for the use of the mails to defraud, in fact, punishes him as a criminal for an act which, under the laws of his State, may involve nothing but a civil offense.

**INTERSTATE COMMERCE**

The power to regulate interstate commerce, primarily intended to prevent the States from setting up barriers against commerce with each other, has been extended in almost every conceivable direction. First, to regulate the shipment of goods in commerce; then, to prescribe the character of equipment employed as instrumentalities of commerce; then to embrace the individuals engaged in operating these instrumentalities, and finally to the regulation of hours of labor and wages.

**AUTOMOBILE THEFTS**

The same power has been extended to include the punishment of the theft of an automobile in one State, and its transportation into another, although both acts are directly cognizable by the laws of the States where the crimes were committed.

**THEFTS FROM RAILWAY CARS**

Goods stolen from a railway car are as much a local crime as though stolen from a house in the immediate vicinity.

Yet the power to regulate interstate commerce has been exercised to bring this local offense within Federal jurisdiction.

**TRANSPORTATION OF EXPLOSIVES**

Transportation of explosives from one State to another, easily punishable under the laws of either State, is brought within the Federal dragnet.

**PURE FOOD LAWS**

The sale of impure foods is naturally a matter to be regulated in the market where they are offered. But the Federal Government, under the pretense of regulating interstate commerce, proceeds by the most high-handed and frequently arbitrary methods, to seize and condemn goods simply because they have been shipped from one State to another.

**THE MANN ACT**

Other illustrations might be given, but, perhaps, the stretch of the power reached its farthest length when it was held that "sexual commerce" between individuals is "commerce between States."

**THE BIRD LAW**

A wild bird—f.erae natura—hitherto regarded as the property of the State, is now held to be a creature engaged in interstate commerce, even though it may be captured or killed in the nest where it was hatched.

**CONTRA**

It appears, however, that while we have not reached the boundaries of legislative usurpation, we have at least approached the limit of judicial patience.

**GERMAN LANGUAGE**

In February, 1925, it was held by Mr. Justice McReynolds, in Meyer v. State of Nebraska, that a law inflicting a fine for teaching a child under 8 years of age any other language than English, could not be covered under the pretense that the State legislature was engaged in the justifiable purpose of protecting the health of the child. The language employed being:

"We are constrained to conclude that the statute as applied is arbitrary, and without any reasonable relation to any end within the competency of the State."

**GRAIN FUTURES**

In consonance with the same line of reasoning the Supreme Court in the recent case of Hill v. St. Paul Grain Exchange declared the Cupper-Ninder future grain trading act, imposing a tax of 30 cents a barrel on all contracts for the delivery of grain for future delivery, to be unconstitutional. The court boldly asserted its right to go back of the alleged purpose of the act, to levy a tax, and found that its real purpose was to prohibit a line of business, saying:

"The presumption of validity of the act can not prevail, because the proof to the contrary is found on the very face of its provisions. Grant the validity of this law, and all that Congress would need to do hereafter in seeking to take over to its control any one of the great number of subjects of public interest, jurisdiction of which the States have never parted with, and which are reserved to them by the tenth amendment, would be to enact a detailed measure of complete regulation of the subject, and enforce it by a so-called tax upon departures from it. To give such import to the word 'tax' would be to break down all constitutional limits of Commerce and to completely wipe out the sovereignty of the States."

All of which leads me to inquire how that language can be reconciled with the narcotic decisions?

**CHILD LABOR**

The same trend of judicial thought has been further fortified in the child labor cases.

Mr. Justice Day in one of the earlier of these cases expressly went back of the declared purpose of the act, and ascertaining that its real object was to regulate the hours of labor of children within the borders of the State, declared the act to be an invasion of State powers.

The later opinion follows the same line of thought.

But the hope borne of these recent decisions seems to be completely dashed to the ground by the still more recent decision—

**HOBBS BREWERIES BUSINESS, F. D.**

decided by the Supreme Court of the United States in June, 1924.

That case holds that the constitutional amendment granting the power to the United States to prohibit the sale of intoxicating liquors for beverage purposes can be employed to authorize a statute prohibiting a physician from prescribing beer, not for beverage purposes, but for medicinal purposes.

The court declares the power to prohibit traffic in intoxicating liquors for beverage purposes includes an appropriate means of prohibiting traffic in similar liquors, although nonintoxicating. And, further, holds substantially that Congress can do anything which it deems necessary in order to stop the sale of intoxicating liquors.

The logic of the opinion, in my judgment, is that Congress, having been given power only to prohibit liquors for beverage purposes, can draw to that power the right to prohibit liquors for all and every purpose.

The only conclusion I can reach from these contradictory opinions is that the Supreme Court of the United States sustains a power when it feels favorable to the law, denies the existence of a power when it believes the law is of bad import. I would not say or intimate that the court is controlled by popular clamor.

**NEW FORM OF CONGRESSIONAL URBANIZATION**

In recent years Congress has developed a new scheme for the extension of its power. Broadly speaking, it consists in appropriations by Congress of large sums of money to be doled out to the States, providing the States will pass laws for carrying out the congressional will or the will of some board or bureau by Congress established.

**BEARING OF RARIES**

The device just referred to was employed in creating what is known as the Children's Bureau.

This law, as originally drafted, undertook to centralize in a bureau at Washington control over motherhood, child bearing, and child rearing.

The theory of its sponsors was that the mothers of the land could not be trusted to rear their own children, and that a supervisory control should be vested in a little group of agents at Washington, that group to be given the power to invade the homes, inspect the mothers and the children, and it was even advocated that every expectant mother should register the fact upon the public records, to the end that she might thereby become subject to inspection.
The law, as passed, was somewhat modified, and yet the Government pays out large sums of money in this attempt to interfere in the most sacred domestic relations.

Other instances exist. I shall not pause to detail them.

CONSTITUTIONAL AMENDMENTS

The desire to change the Constitution by amendment approaches almost the nature of an epidemic. There seems to be abroad the general impression that the States are utterly untrustworthy but that the Federal Government is gifted with infallibility.

Here is a person who conceives that a new law will be of benefit undertaken to have it enacted by the Federal Government, and in the absence of existing authority to amend the Constitution, so that the Federal Government will possess the desired power.

It is my purpose to discuss the prohibition or woman’s suffrage. Let them, however, serve as examples.

WOMEN’S SUFFRAGE

The movement toward granting suffrage to women was progressing with marked activity in the various States. Not content with this a Federal amendment was demanded and enacted, in some instances, by methods absolutely unjustifiable.

The point I desire to urge is that the highest attribute of sovereignty is the right of a State to determine the qualifications of its own voters. When that power was taken from the States and conferred upon the Federal Government, it was a tremendous step toward the curtailment of the powers of the States to control their own business.

We now have a demand that the Constitution shall be further amended so that every State must grant to every woman exactly the same rights granted to men.

And, this demand is made after the women of every State have the full right to vote in the election of members of their own general assemblies, and enact statutes suitable to the people of the State.

PROHIBITION

Again, I do not propose to discuss the merits of prohibition. It may be conceded at the outset that the use of intoxicating liquors is a great disadvantage to a people. But, so is the commission of any other kind of crime.

Murder, arson, rape, and other heinous crimes are much more to be condemned than the sale of a bottle of beer. Yet, as to these grosser and more frightful crimes, jurisdiction is left in the States. Congress has, however, been given jurisdiction over the lesser evil.

The logic of the situation is that if the Constitution ought to have been amended to punish the sale of liquor within the respective States then a similar jurisdiction should be granted over every kind and character of crime.

If that were done, there would, indeed, be no further real use for State governments, for substantially all of the power would be concentrated at Washington.

Indeed, we have already proceeded so far that there is scarcely an activity of life from the rearing of babies to the massing of armies which is not now in some degree subject to the surveillance of government officers, agents, spies, and courts.

If the march toward centralization be not soon arrested State governments might as well cease to exist, for all authority will have been absorbed by Federal agencies and tribunals.

Courts and quasi courts exist with authority to pry into the business and private affairs of institutions, to examine their books and papers, and to haul them to Washington for examination.

The docket of our Federal courts is crowded with cases hitherto cognizable by State courts.

Federal officers by the thousands swarm over the country, assuming jurisdiction over the lesser evil.

The substance of the people is being devoured in taxes. We were told that national prohibition would practically eradicate crime.

The jails are filled. Crime is rampant.

Almost open defiance of the law is indulged in by an enormous percentage of the people.

We are losing an annual revenue, State and National, of between $350,000,000 and $400,000,000.

We are expending in an attempt to enforce the law approximately $20,000,000.

We were also told that the advent of women into politics would purify and rejuvenate the earth.

We are confronted by a condition in which the armed guards of banks are overcome.

Robbery has become a habit, and bootlegging a trade.

I do not charge this to the women. They are not to blame.

But it illustrates the foolishness of the theory that the Federal Government is omnipotent and infallible.

I have said that the desire to change the Constitution has become epidemic.

My information is that over 40 proposals to change the Constitution are now pending in Congress.

THE SO-CALLED CHILD LABOR AMENDMENT

One of the proposed amendments is now before the legislatures of the various States for action. It is misnamed “the child labor amendment.” To that I desire to call special attention:

It is not a child labor amendment.

It proposes to confer upon Congress the power to control the life and destiny of every human being within the United States who is under 18 years of age.

It takes from the States the right to control the hours of labor of every citizen under 18.

It deprives all parents of the natural right to regulate the conduct of their children.

It may be so exercised that the right to labor will be denied to persons under 18.

It is the greatest step toward centralization ever attempted.

It is the most undemocratic proposal yet advanced.

It is a march from liberty toward despotism.

It is not progress— it is retrogression.

It masquerades under the pretense of state socialism and communism.

It is being supported by a propaganda which misrepresents the facts and which masquerades under the pretense that it is engaged in protecting infants of tender years.

The assertion is constantly put forth that the States have not protected children of tender years.

The assertion is false. Every State of the Union has child labor laws, most of them of a stringent character.

But these laws treat of children generally from 14 years of age down. And all of them are so drawn as to give adequate protection so far as it is possible within the law.

It is now proposed to take this power of regulation from the States and confer it upon Congress. How it will be exercised no one can tell. But, judging by the past, it is likely to be exercised to the most extreme limit.

The language of the amendment is—

“Congress shall have power to limit, regulate, and prohibit the labor of persons under 18 years of age.”

Confer that power upon Congress and no man can guarantee that the right to prohibit labor will not be exercised; that the farmer will not be forbidden to employ his son about the ordinary avocations of the farm; that an effort will not be made to limit those who can labor in order to increase the wages of those who belong to some organized movement interested in cutting down the number of hands that can be employed.

If enacted, it will immediately affect 40,000,000 of our population.

Certain it is that the proposed amendment gives to Congress the right to absolutely prohibit and also the right to limit, regulate, or prescribe the labor of all persons under 18.

The unreasonable extent to which it may go in the matter of regulation is abundantly illustrated by the recent brewery case, to which I have referred.

Remember the adage: “Misers there be; but not of power.”

I desire to ask the question whether Nebraska can not better regulate her own affairs than they can be regulated by Congress?

I call upon the members of this association to study this problem and to earnestly protest against a ratification of this abominable amendment.

The right to labor is a natural right.

It is enshrined within that clause of the Declaration of Independence which guarantees life, liberty, and the pursuit of happiness.

The parent has a natural right to direct his son. And I unequivocally and unhesitatingly say that 90 per cent of the boys of the country who have not been taught to labor before they are 18 years of age become worthless citizens.

The men who have succeeded—the men who have achieved—are those who have learned the ways of industry in their youth.

If this amendment can be justified, then we ought to go further and give to Congress the right to regulate the labor of every human being.

When we take that step we will have transformed the democracy of Washington and Jefferson into the socialism of Lenin and Trotsky.

ISLE OF PINES TREATY

Mr. COPENLAND. Mr. President, I ask unanimous consent to have printed in the Records an article on the Isle of Pines treaty found in the bulletin of the National City Bank of New
York, a bulletin devoted to economic conditions, governmental finance, and trade. On another occasion I shall inquire what interest the National City Bank has in the ratification of this treaty.

The PRESIDING OFFICER (Mr. Moors in the chair). Is there objection to the request of the Senator from New York? The Chair hears none, and leave is granted.

The article referred to is as follows:

**THE ISLE OF PINES**

It is to be hoped that the Senate of the United States will act at the present session to put an end to the matter. On March 22, 1925, on the favorable report of the Committee on Foreign Relations as to the treaty between the United States and Cuba with respect to the Isle of Pines, and there seems to be no substantial reason why the action of Senate should be delayed.

It is now more than 21 years since President Roosevelt first submitted this treaty to the Senate, recognizing Cuba as the lawful owner of the Isle of Pines. During all that time the treaty has had the support of both parties in Congress, but obstructive tactics have thwarted the ratification.

The Republic of Cuba has de facto jurisdiction over the Isle of Pines, and it only remains for the Senate to recognize its de jure right to the island in order to settle in the right way a matter which has been favorably recommended by our national administrations from Roosevelt to Coolidge, and which has repeatedly received the approval of the Committee on Foreign Relations of the Senate itself.

The treaty for the treaty arose from the rather indefinite treatment given the island in our treaty with Spain and our subsequent treaty with Cuba. The treaty of peace with Spain does not specifically mention the Isle of Pines. This provision was made basis for the initial terms upon which the treaty was to be framed, makes a distinction between "Cuba and the islands adjacent thereto," and "Porto Rico and the other islands under Spanish sovereignty in the West Indies." This language has afforded the only basis there is for the claim that the island was ceded to the United States. Is the Isle of Pines properly classed as one of the islands "adjacent to Cuba" or with "Porto Rico and other islands"?

The treaty was the Army appropriation bill of 1901, which defined the relations between the United States and Cuba, provided that the title to the Isle of Pines should be "left to future adjustment by treaty and the Platt amendment was embodied in a permanent treaty with Cuba, which was ratified by the Senate of the United States on March 22, 1904. This treaty was negotiated in pursuance of that provision. At the time the Platt amendment was adopted there was some thought that the Isle of Pines might be used for a naval or cooling station, but such stations were afterwards located at Guantanamo and Bahia Honda.

The Supreme Court of the United States in the case of Pearce v. Stranahan, 227, a case arising out of the application of our tariff laws, has held that the territory in question "must be treated as foreign, for this Government has never taken, nor aimed to take that possession in fact or in law which is essential to render it dependent on this country, and we can therefore assume from the fact that the one of the concurring justices was William Day, who as Secretary of State in President McKinley's administration signed the original Purchase, and was chairman of the United States Commission which framed the treaty at Paris.

In 1922 Secretary Hughes in a letter to Senator McCormick upon the subject of the treaty said:

"It, therefore, appears that the United States has never taken possession of the Isle of Pines, as having been ceded by the treaty of peace with Spain, and that it has been uniformly governed by the Republic of Cuba since that Republic came into existence, the United States recognizing Cuba as rightfully exercising de facto sovereignty until otherwise provided for.

"In any event, the United States has undoubtedly indicated that it did not desire to assert any title to the island under the treaty with Cuba, but wished to grant Cuba in favor of Cuba any shadow of title it might have under that treaty."

In 1905 Elihu Root, Secretary of State, answering a letter of inquiry upon the subject, wrote:

"In my judgment the United States has no substantial claim to the Isle of Pines. The treaty merely accords to Cuba what is hers in accordance with international law and justice.

"At the time of the treaty of peace which ended the war between the United States and Spain the Isle of Pines was, and had been for several centuries, a part of Cuba. I have no doubt whatever that it continues to be a part of Cuba, and that it is not a subject of the treaty in question, the view with which President Roosevelt authorized the pending treaty, and Mr. Hay signed it. And I expect to urge its confirmation. Nor would the rejection of the pending treaty put an end to the control of Cuba over the island. A treaty directly contrary to the one now pending would be necessary to do that, and there is not the slightest prospect of such a treaty being made. You may be quite sure that Cuba will never consent to give up the Isle of Pines, and that the United States will never try to compel her to give it up against her will."

That letter was written 20 years ago. What it says of the futurity of any other policy toward the island than that of the treaty is still pertinent. Clearly, if the title to the island was not in the United States at the time the Platt amendment was adopted it is not vested there now. We have never sought to exercise authority there. We are now collecting the same import duties upon the products of the Isle of Pines as we do upon the products of Cuba. Certainly the claim on behalf of the United States is not becoming stronger under favorable circumstances, yet it becomes more difficult with the lapse of time to clear the situation. What can be done with it after 50 years or 100 years?"

Mr. Phipps. Mr. President, I wish to make a unanimous consent request. I notice that in the engrossment of the bill Professor Brown of Colorado asks unanimous consent to remove the fees for grazing livestock on national forests an omission occurred, and I ask that the House be requested to return that bill to the Senate for the purpose of having the necessary correction made.

The PRESIDING OFFICER. The Senator from Colorado asks unanimous consent to make a motion requesting the House of Representatives to return to the Senate the bill named by him. Is there objection? The Chair hears none. The question is put and agreed to.

The motion was agreed to.

**FEES FOR GRAZING LIVESTOCK ON NATIONAL FORESTS**

Mr. SMOOT. Mr. President, I wish to make a unanimous consent request. If notice of a motion to remove the fees for grazing livestock on national forests an omission occurred, and I ask that the House be requested to return that bill to the Senate for the purpose of having the necessary correction made.

The PRESIDING OFFICER. The Senator from Colorado asks unanimous consent to make a motion requesting the House of Representatives to return to the Senate the bill named by him. Is there objection? The Chair hears none. The question is put and agreed to.

The motion was agreed to.

**INTERIOR DEPARTMENT APPROPRIATIONS—CONFERENCE REPORT**

Mr. WALSH of Montana. Mr. President, I desire to give notice of a motion to remove the action of the Senate from the Interior Department appropriation bill. The PRESIDING OFFICER. The Senator from Colorado asks unanimous consent to make a motion requesting the House of Representatives to return to the Senate the bill named by him. Is there objection? The Chair hears none. The question is put and agreed to.

The motion was agreed to.
made that it would take $10,000 to complete a certain part of the project. The object of the conference, instead of the $10,000 appropriated by the House, gave $25,000 for maintenance, and we added $10,000 for the completion of a part of the project referred to in the letter which I have mentioned, making a total of $35,000 for that purpose.

If the Senator wants to have the vote reconsidered, he had better enter the motion now and also at the same time submit a request that the House return the conference papers. I hope the Senator will not feel compelled to vote in my favor. It is necessary for me to assure the Senator that I did everything in my power to make it a straight $45,000 appropriation, and yet the $10,000 extra could not have been given to any advantage, in my opinion, according to the letter from the president of the water users’ association to which I have referred.

Mr. WALSII of Montana. Mr. President, I want to assure the Senator from Utah of my full appreciation of his efforts in the matter, but I will state the situation. The completion of the Flathead Irrigation project contemplates the expenditure of something like $2,000,000 more. Over $5,000,000 has been expended on the project. As I have repeatedly stated in the Senate, the lands under this project were appraised and sold to the settlers, who were required to comply with all the provisions of the homestead law in addition to paying the appraised value of the land. The money was placed in the Treasury of the United States for the benefit of the Indians on the reservation. A large amount of it has already been expended and just open the reservation and bringing the allotment to the Indians and the appropriation under the homestead act of the remaining lands, the appraised value to be paid, contemplated the establishment of the irrigation project of the lands was contemplated and appraised in view of the construction of the project. The settlers who went upon the reservation had an opportunity to take land above the line of the ditch that never would be irrigated, paying a small price for it. They took land under the projected canal, paying a higher price for it. A large number of them took their lands under the ditch, and for 16 years they have been awaiting the completion of the project in order to get water for the irrigation of the lands.

Now it is two-thirds complete, and a petty appropriation of $45,000 is recommended by the Budget, and the House in considering the bill put it in at $25,000. It is now proposed in the conference report that the $45,000 recommended by the Budget and put in the bill by the Senate be reduced to $35,000 and that only $10,000 of that sum shall be used for construction purposes.

The people of the Flathead Irrigation project may find it necessary to accede to that sort of utter disregard—younger disregard—of the solemn obligation of the Government of the United States. It is a solemn obligation to the people of Montana. We are in the midst of a series of reports to the Senate, and it seemed to me that rather than report a disagreement it was better to complete the $10,000 part of the project. I join with the Senator in saying that the Budget next year ought to make an appropriation of that kind. That was the opinion of the conference and the three words "as hereinafter provided" can possibly have any reference.

The Secretary of the Interior shall by public notice announce the date when water is available under the project.

Thus far I have no serious objection to it except that those three words are inapplicable, but this is the matter to which I refer with the advice of the officers of the project and the Senators from Nevada [Mr. Leevy] and the Senators from New Mexico. I should also like to have the attention of the Senator from New Mexico [Mr. Gooing].

This amendment provides:

Provided, That no part of this appropriation shall be used for construction purposes until a contract or contracts in form approved by the Secretary of the Interior shall have been made with an irrigation district or districts organized under State law, providing for payment by the district or districts as hereinafter provided.

Let me remark in this connection that the words "as hereinafter provided" have no kind of significance there because the provision of the House bill touching the method of payment was struck out and does not appear here at all. So there is no provision in the report to which the three words "as hereinafter provided" can possibly have any reference.

The amendment provides:

Provided further, That no part of the sum hereby appropriated shall be expended for the construction of new canals or for the extension of the present canal system for the irrigation of lands outside of the 40,000 acres for the irrigation of which a canal system is now provided, until a contract or contracts shall have been executed between the United States and the State of Montana, whereby the State shall assume the duty and responsibility of providing for the development and settlement of the project after completion, securing, selecting, and financing of settlers to enable the purchase of the required livestock, equipment, and supplies and the improvement of the lands to render them habitable and productive.

The bill to which I referred a few moments ago—and I agree that it which is possible that the Senator from North Carolina [Mr. Slemon]—provides for doing just exactly that thing at the expense of the Government of the United States. Now, the Senate has inserted a provision into the bill which enables there to have a great deal of colonization and equipment of settlers shall be undertaken by the State of Montana instead of by the Government of the United States. Certainly if we are to be compelled to assume the risk of failure and the cost of colonization and equipment of settlers to enable the purchase of the required livestock, equipment, and supplies and the improvement of the lands to render them habitable and productive.

The provision for colonization and equipment of settlers shall be undertaken by the State of Montana instead of by the Government of the United States. Certainly if we are to be compelled to assume the risk of failure and the cost of colonization and equipment of settlers to enable the purchase of the required livestock, equipment, and supplies and the improvement of the lands to render them habitable and productive.
Mr. WALSH of Montana. Yes; I move that the report be recalled to the Senate from Montana and the request be granted.

Mr. CRAMTON asked the Senator from Montana whether if the Members of the other House from Montana would agree with Mr. CRAMTON as to the provisions affecting this project it would be satisfactory to the Senator, and he told him that it would be so.

I have here the agreement which was reached between the Members of the House from Montana and Mr. CRAMTON, and it is the identical provision now embodied in the report. If the Senator from Montana objects to that, I have no objection whatever to having the conference report recalled, and I will support the Senator's motion to ask for its return, but I do not wish to be charged here, Mr. President, with being false to the Senator from Montana or to any other Senator.

Mr. WALSH of Montana. O Mr. President, I trust the Senator from Utah will not think that in anything that I have said I am in any degree questioning his interest in the matter and his sympathy with the position which I have taken, but the Senator showed me a memorandum which is not at all in conformity with the report.

I hold in my hand the original provision just as it was prepared, and here [indicating] is the item that went in, and every bit of this [indicating] went out.

Mr. WALSH of Montana (examin ing). The Senator is quite incorrect in my hand copy of the bill; I submit the quotation as to what the report of the conference would be, and it strikes out all of the matter to which I have referred, and it is stated in the margin:

"Insert: New canals or for the extension of the present canal system for the irrigation of lands outside of the 40,000 acres for the irrigation of, which a canal system is now provided."

I have not objected to that; that is perfectly satisfactory to me, but the provision in relation to the State of Montana including the expense of colonization and providing for settlement is not in the memorandum at all, and that is the part to which I am objecting.

Mr. CRAMTON. The Senator from Montana must have misunderstood the statement. I showed him this whole item and everything that went out was stricken through, as the Senator will see by pencil. The part of it that he just read was not stricken out, but was to be inserted. The House put all of the provisions in and the Senate struck them all out, and the conference put back only what was agreed upon by the Representatives from Montana and Mr. CRAMTON.

Mr. WALSH of Montana. I yield to the PRESIDING OFFICER.

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

Mr. SMOOT of Idaho. I yield to the Senator from Montana.

Mr. CRAMTON. The Senator from Montana must have misunderstood me when I presented the matter to him. Everything that was stricken out in the House provision of which the Senate disapproved is stricken out by the line here [indicating]. The Senator will see that the conference report conforms to that.

Mr. GOODING. I hope the Senator from Montana [Mr. WALSH] will submit his motion at once, so that we may get speedy action on this matter, because to me it is very serious.

Mr. SMOOT. The matter will be acted upon.

Mr. WALSH of Montana. In view of the fact that there is no objection, I move that the House of Representatives be requested to return to the Senate the conference report on the Interior Department appropriation bill, together with the papers bearing thereon.

Mr. JONES of Washington. Mr. President, I did not know that the conference report was acted upon yesterday. I was thinking of a connection with that different item, and I had the impression in some way—I did not get it from the Senator from Utah—that it would have to be acted upon in the House first. I find, however, it was mistaken as to that. The Senators in the conference report with reference to a project in the State of Washington a provision very similar to that contained in the item with reference to the project in Montana, as to the State financing settlers, and so on. The Senator from Utah spoke to me about that, and I told him that I did not want that provision in the conference report; I did not think it ought to be there unless other States, at any rate, were required to comply with the same conditions. While the State of Washington has enacted laws to aid and encourage irrigation, I do not think we ought, so far as reclamation projects are concerned, to put in a Federal statute a provision requiring them to comply with certain conditions that are not applicable all over the United States. I am glad that the report is coming back to the Senate, because I do not think that a contract of that sort ought to be required of the States.

Mr. WALSH of Montana. I do not deny the States of Washington and Montana should be singled out.

Mr. JONES of Washington. Nor do I.

Mr. WALSH of Montana. There were provisions in the bill as it was sent to us from the House of Representatives which States limited as were the appropriations referred to for the States of Montana and for the State of Washington, but apparently the House has yielded with reference to those projects in other States.

Mr. SMOOT. I have explained, I will say to the Senator, that after the agreement was made by the House members that provision went in. The Senator from Washington spoke to me about it. It was only with respect to these two projects that this item appeared in the bill at all, and having agreed, as I thought, with the Senator from Montana concerning it, and having spoken to the Senator from Washington, who advised me that the State of Washington had passed laws for that very purpose, I thought that I was complying with the wishes of both Senators.

Mr. JONES of Washington. I think the Senator will agree that I told him that whatever provision applied to my State should apply to all other States, and that while we had enacted legislation in Washington under which the State was to encourage and would encourage settlers in projects, we ought not to be bound by a condition that did not apply to the other States of the Union.

Mr. SMOOT. I took that that the Senator referred to other items in the bill.

Mr. JONES of Washington. Oh, no; not only to these items in the bill, but to the other items affecting the reclamation States, of course.

Mr. SMOOT. But as to no other reclamation project was the provision mentioned at all, and it was not in conference with respect to them.

Mr. JONES of Washington. I know that, and that is the very reason why it should be left out.
Mr. SMITH. Perhaps the Senator can do better than I have done.
Mr. WALSH of Montana. Mr. President, for the purpose of showing the contrast between the principle of this provision in the conference report, to which I have directed attention, and the principle of the bill reported by the Committee on Irrigation and Reclamation, I ask unanimous consent that Senate Bill 4151 be printed at large on the Recommit at this point.

The PRESIDING OFFICER. Without objection, it is so ordered.
The bill referred to is as follows:

January 26 (calendar day, January 30), 1925, Mr. Kassneck introduced the following bill: which was read twice, and referred to the Committee on Irrigation and Reclamation.

January 31, 1925, reported by. Mr. Kassneck, without amendment.

A bill (S. 4151) to provide for aided and directed settlement on Government land in irrigation projects,

Be it enacted, etc., That when used in this act—
(a) The word "Secretary" means the Secretary of the Interior.
(b) The words "reclamation law" mean the act of Congress of June 17, 1902 (32 Stat. L. p. 388), and an act amendatory thereof or supplemental thereto.
(c) The word "reclamation fund" mean the fund provided by the reclamation law.
(d) The word "project" means an irrigation project authorized by the reclamation law.
(e) The words "division of a project" mean a substantial irrigable area of a project designated as a division by the Secretary.
(f) The word "farm" means an area of land not exceeding 160 acres, designated by the Secretary as a farm.
(g) The words "fractional farm allotment" mean an area of land not exceeding 5 acres, designated by the Secretary to provide a home for a settler within the irrigation district, and for a garden in which the settler and his family may grow products necessary for their own food supply.
(h) The word "purchaser" means one to whom is sold a farm or fractional farm allotment.

Sec. 2. In connection with the development of any project the Secretary is authorized to withdraw from entry such an area of public land as, together with land that may be acquired, shall be designated as a project or a division of a project of sufficient size to create therefrom at least 100 farms and at least 10 fractional farm allotments and to provide for an aided and directed settlement of such lands, including the disposal in accordance with the provisions of this act.

Sec. 3. Where the unentered public land in a project is insufficient in area or unsuited to the purpose to provide for a project or a division of a project, the Secretary is authorized to acquire by gift, by purchase, or by condemnation under local process, such an area of land as will, when added to the area of unentered public land of the project, permit the establishment of a project or a division of a project.

Sec. 4. The Secretary shall cause said farms and fractional farm allotments to be of a size and shape so as to work into the construction of ditches and canals, charges for operation and maintenance against the land on account of the water right shall be paid in accordance with the requirements of the reclamation law.

Sec. 5. The Secretary shall require each applicant for a farm or fractional farm allotment to show that he has had at least one year's actual farm experience and is possessed of capital in money or farm equipment, or both combined, of not less than $4,500 when a farm is purchased, and $200 when purchase is made of a fractional farm allotment. Every purchaser of a farm or fractional farm allotment under this act shall maintain his actual residence thereon for at least eight months in every calendar year following the year of his purchase and until he shall have made full payment of all moneys advanced to him under section 6 of this act, together with the then accrued and unpaid interest thereon, and shall have also paid or provided for the payment of all State, county, and local taxes, and irrigation district assessments which then constitute liens on his improvements; whereupon and after such payments a patent or deed shall be issued to him or to his grantee: Provided, That the Secretary may, in his discretion and subject to conditions and regulations he may prescribe, grant any such purchaser a leave or leaves of absence from his land: And provided further, That any such purchaser of a farm or fractional farm allotment under this act shall have the right to his land with the approval of the Secretary; and that his grantee shall succeed to all his rights and privileges and assume and discharge all his obligations and burdens as to such land.

Sec. 6. The Secretary is authorized, in his discretion, to advance for permanent improvements and for the purchase of livestock not exceeding the sum of $3,000 on account of any one farm and not exceeding the sum of $900 on account of any one fractional farm allotment. No such advance shall exceed 90 per cent of the value of permanent improvements or livestock in connection with which made, nor shall said advance be made for permanent improvements until the purchaser shall have provided the remaining 10 per cent in cash or shall have theretofore provided its equivalent in value in improvements made at his sole cost. Advances for permanent improvements and the purchase of livestock shall constitute a first lien on such improvements and livestock and shall be paid with interest at the rate of 4 per cent per annum in amortized installments as may be authorized by the Secretary. The Secretary shall provide such supervision over the Bureau of Reclamation as in his opinion may be necessary to insure the use of all advances for the purposes for which the same are made. Each purchaser shall, if required, insure and keep irrevocably against fire all buildings on his farm or fractional farm allotment, the policies thereof to be made out in favor of the Secretary or such other official as may be prescribed. The Secretary shall, by resolution or regulation, provide that the purchaser shall cultivate the land in a manner to be approved by him, and shall keep in good order and repair all buildings, fences, and other permanent improvements situated on his farm or fractional farm allotment, reasonable wear and tear and damage by fire excepted.

Sec. 7. In case of default on the part of the purchaser to comply with any of the terms of his contract or any regulation promulgated by the Secretary under this act, continuing after one year's notice, the Secretary shall have the right, at his discretion, to cancel said contract, and the purchaser shall be released from all obligation to pay or to convey the property, and the purchaser shall forfeit all rights thereto, and all payments therefore made shall be deemed to be rental paid for occupancy. The Secretary shall thereupon be entitled to the possession of said property. The failure of the Secretary to exercise any option to cancel contract for default shall not be deemed a waiver of the right to exercise the option to cancel said contract for any default thereafter on the purchaser's part. No forfeiture so occasioned by default on the part of the purchaser shall debar the Secretary from impounding any lien or security on improvements or other property which may be obtained as provided in this act.

Sec. 8. Appropriations shall be made from the reclamation fund to effectuate the purposes of this act.

Sec. 9. The Secretary is authorized to perform any and all acts and to make all needful rules and regulations for effectuating the purposes of this act.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana that the House of Representatives be requested to return the conference report on the Interior Department appropriation bill to the Senate.

The motion was agreed to.
Mr. WALSH of Montana. I enter a motion to reconsider the vote by which the conference report was agreed to.

The PRESIDING OFFICER. The motion to reconsider will be entered.
Mr. WARE. Mr. President, we are operating under a unanimous-consent agreement to consider first the committee amendments, but, in view of the manner in which this matter comes up, and as the Senator from Arkansas, I understand, is going to take the Charnley amendment, and to dispose of the amendment in a short time, I am inclined to accede to the request that the amendment to which the Senator from Arkansas refers may be now considered.

Mr. SMITH. The Senator from Arkansas asks unanimous consent for the present consideration of the amendment referred to by him, for the present consideration of this act, in amended, is there a sentence to fully permit railroad companies which now are operating sleeping cars and chair cars, parlor cars, to charge a surcharge for sleeping and parlor car service, to charge a surcharge for sleeping and parlor car service in excess of 6 per cent.

Mr. HOWELL. Mr. President, may I ask the Senator from Arkansas from South Carolina [Mr. SMITH] and myself on a point of order? The question is on agreeing to the amendment proposed by the Senator from Arkansas, Mr. ROBINSON. Mr. President, I am willing that the question be put in such a form that the subject has been fully discussed by the Senator from South Carolina [Mr. SMITH] and myself on a previous occasion, and, as stated during that discussion, the bill passed the Senate unanimously during the last session preceding the present one; so I ask that the Senate vote upon the amendment.

Mr. ROBINSON. I ask that the Senate vote upon the amendment.

Mr. KING. Mr. President, I ask the Senator a question which I have quite closely related to the interpretation which will be placed upon the Senator's amendment. As I understand, it would permit railroad companies which now are operating Pullman sleeping cars and chair cars, parlor cars, to charge a reasonable rate. Who is to determine that?

Mr. ROBINSON. The Interstate Commerce Commission. The amendment does not deny the readjustment of either the Pullman or the transportation charge. It forbids the collection of the surcharge.

Mr. HOWELL. Mr. President, I should like to ask if this amendment proposes, as I understand it does, to eliminate the surcharge for Pullman sleeping and parlor car service?

Mr. ROBINSON. It does.

Mr. HOWELL. But, Mr. President, whereas I should like to see this surcharge eliminated, I can not vote for such a measure, in view of the fact that no relief has been given to agriculture in the West in the matter of railroad rates. The claim that is put on the railways in a manner which makes it practicable to pay them. The farmer in the western country is being charged rates from 50 to 80 per cent higher than they formerly were, and no relief whatever has been given to him, and there seems to be no intention on the part of Congress to give agriculture any relief. Therefore to reduce surcharges by the Pullman Co. in favor of the railroads, it seems to me, is something that ought not to be done in the present situation.

Mr. SMITH. Mr. President, the Senator from Nebraska yield to the Senator from Ohio?

Mr. HOWELL. I do.

Mr. SMITH. If the Senator will recall, the Interstate Commerce Committee has been notified formally, as it is the duty of the Interstate Commerce Commission to do, that readjustment of these rates is proceeding, and in several instances in the South as well as in the middle district and the western district they have notified us that they are adjusting these rates. The Senator from Arkansas refers to a fact to the Senator from Arkansas refers to the fact that the confusion incident to the war entailed an enormous burden in the process of adjusting these rates. The Senator must also bear in mind the fact that this difficulty was greatly increased by virtue of transportation rates, that even though there were not now actively in process an adjustment of these rates the present surcharge does not and can not affect the freight or passenger rates. If the Senator will take the table which appeared in the RECORD the other day, he will find that this surcharge is being collected and enjoyed by bonds which are already turning in $80,000,000 as the Government's subsidy, and are kept in that manner for the benefit of the stockholders of the roads. In other words, they are collecting $160,000,000 in excess of 6 per cent. By a table furnished me by the Interstate Commerce Commission it appears that $220,000,000 of the $37,000,000 is collected by the identical roads that are now earning the $160,000,000 in excess of 6 per cent, which means that the present law is so framed that excess will not be available until we amend the law under which this $37,000,000 has been collected by providing for the lowering of freight rates on the very properties that are now earning this excess.

Mr. HOWELL. Mr. President, recently the Interstate Commerce Commission has had under consideration this surcharge, and I am pleased to say it is practically without exception and has decided that it is not practicable to remove the same. Therefore the proponents of this bill do not ask that Congress fix the rates. If Congress can fix rates for the traveling public, it can fix freight rates on agricultural products. Why should we direct the Interstate Commerce Commission to perform a service by fixing what they will do, but when the same body refuses to act in connection with this surcharge, then we here in Congress act in their place? If we do that, why should we not do some thing for agriculture? Mr. PESS. Mr. President, will the Senator yield?

Mr. HOWELL. The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Ohio?

Mr. HOWELL. I do.

Mr. PESS. Mr. President, I recall that when the matter was up in the committee the question was raised whether, if we did reduce this surcharge, there would be any chance whatever to reduce
rates on agricultural products. It was suggested that if the roads added $1,000,000 per cent, and we took $1,000,000 out of our treasury, then the question arises, could there be any relief in rate reduction on agricultural lines? That was the thing that impressed me on the surcharge question; and in connection with what the Senator is saying the question in my mind, if needed revenue is taken from the roads by this amendment, then what is our chance for any relief on agricultural products by rearrangement of the rates? I am inclined to support any relief provided it does not imperil relief for agriculture.

Mr. HOWELL. Mr. President, it must be recognized that the policy of the Interstate Commerce Commission is to keep the rates on such a basis that the railroads practically as a whole earn 5% per cent. If we subtract in the neighborhood of $40,000,000 from the gross earnings of these roads, do we not reduce by that amount the ability of the Interstate Commerce Commission to reduce freight rates?

Mr. SMITH. Mr. President, will the Senator allow me just a moment further?

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

Mr. HOWELL. I do.

Mr. SMITH. If the Senator will take the report of the Interstate Commerce Commission, he will find that his argument is utterly without foundation, because the amount of recaptured money is $80,000,000—practically $100,000,000 now—and includes in the recaptured money that is to be turned over to the roads is $100,000,000 taken from the roads that are earning this $100,000,000 extra. It is already an excess; and how can it be said that this is diminishing the income of the roads, when the income of the roads already is $160,000,000, and we do not take more than 6 per cent on their property. This is not a general surcharge to all the roads under the terms of that provision under which 50 per cent accrues to the roads. Only a certain class of roads are earning this surcharge, and the roads which are earning it are the very roads which are now earning an excess of 6 per cent.

Mr. NORRIS. Do not all roads make the same surcharge?

Mr. SMITH. No; it goes to the Pullman Co.

Mr. WALKER of Montana. Mr. President.

Mr. HOWELL. I yield to the Senator.

Mr. WALKER of Montana. Can the Senator give us a list of the roads which are earning the excess, and the leading roads which are not?

Mr. HOWELL. I have the list in my office.

Mr. SMITH. If the Senator will allow me, I submitted a list when I brought this matter up, and it was published in the Record. I have not burdened my memory with the names of the roads and the systems. I asked the Interstate Commerce Commission to furnish me with a list of the roads which have earned the excess to which I have referred. They sent me a list of the roads earning 5% per cent and above, and that has been published in the Record. In this report handed down by the commission, Mr. Campbell takes pains to point out that more than $20,000,000 of the $37,000,000 that has been collected by the roads earning in excess of 6 per cent, the remaining $15,000,000, or a majority of it, is collected by those which are earning less than the stipulated amount. The balance of it actually, by the form of the contract, goes to these larger companies under the form of contract with the Pullman Co., because the form of contract with the weak roads is entirely different from the form of contract with the strong roads, and they do not get the benefit of the surcharge.

Mr. CARAWAY. Mr. President, the statement the Senator has made is rather interesting, and I would like to ask a question in regard to it. The Senator is saying that the roads have earned 5% per cent, but the Senator is referring to about 60 roads in this country, that is all; but when the Interstate Commerce Commission determines as to whether the roads have earned 5% per cent, they take them as 60 different roads. I agree with the Senator, if a majority of the Interstate Commerce Commission is in favor of this action, why have they not taken the action?
Mr. ROBINSON. Oh, yes, in many instances; the railroads pay the Pullman Co. for furnishing the cars.
Mr. CARAWAY. Who authorized the Pullman Co. and the railroads to make that form of contract?
Mr. ROBINSON. The contract is not expressly authorized in law, but it comes down from the period of time when the railroads uniformly paid the Pullman Co. for furnishing cars under a form of contract which guaranteed them a certain amount for each car supplied. That custom has been departed from in many instances, particularly as to the stronger railroads.
Mr. CARAWAY. The tariffs are published, and I am curious to know by what process the Pullman Co. can make a secret contract with the railroad company, and get a surtax in excess of the published tariffs.
Mr. SMITH. The contracts between the railroads and the Pullman Co. are between the railroads and the Pullman Co. The railroad is not permitted to pay a rebate and then charge the passenger who uses the road; but that is what it would amount to, under that statement, a rebate to the Pullman Co.
Mr. ROBINSON. That is what occurs.
Mr. SMITH. I do not know what you call it—
Mr. CARAWAY. I ask my colleague, the Senator from Arkansas, that sort of contract could not stand in law if anybody questioned it, could it?
Mr. ROBINSON. The Senator has raised a question which I think has not heretofore been raised, and it is a very important question.
Mr. CARAWAY. It is unthinking of me to say that they should be permitted to pay a rebate for a surtax of 50 per cent, and profit by it.
Mr. ROBINSON. Let me read the Senator what is said in the report of the Interstate Commerce Commission about these contracts. I refer now to what is called the majority report, although, as I have already shown, it is a minority report.

Respondents—
Meaning the railroad companies—

have contracts with the Pullman Co. covering the operation of the cars owned by that company. These contracts usually provide that the railroad shall haul the Pullman cars, provide facilities for storage and airing of bedding lines, make repairs necessitated by causes arising outside of the cars or from negligence of railroad employees, clean the outside of the cars, furnish livery, ice, water, heat, and light, and, except at large terminals furnish agents to sell Pullman tickets. Most of these expenses also arise in connection with coach operation. The Pullman Co. provides the necessary capital investment in cars and other equipment, bears the expense of running repairs and depreciation due to wear and obsolescence, provides necessary car attendants, cleans the inside of the cars, and meets laundry expenses and cost of repairs necessitated by causes arising inside of the cars or from negligence of Pullman employees.

The contracts vary materially in the matter of participation by respondents—

That is, by the railroads—

in revenue accruing from the Pullman charges proper.

That is to say, the contracts are not uniform. In some instances the railroads receive a part of the Pullman charge proper, and the amount which a railroad receives from the Pullman charge proper is not uniform in all cases. I assume the reading:

In some cases there is no participation by the railroad, but usually the contracts provide that the Pullman Co. will retain all collections up to amounts ranging from $7.25 to $9.50 per car per annum in the case of standard sleeping and parlor cars and from $4.75 to $8.00 in the case of the tourist cars.

Mr. CARAWAY. May I interrupt the Senator right there? I can see why the Pullman Co. might contract with a railroad company to pay 50 per cent for the use of its cars, but I am not able to concede that the railroad company could levy a charge upon the passengers to meet this excessive charge which it permits the Pullman Co. to make.

Mr. ROBINSON. What actually happens is that in many cases the railroad not only collects the transportation rate, but it also collects a surcharge and part of the Pullman charge proper.

Mr. SMITH. That is correct.

Mr. SMITH. That is, the Pullman Co. not only collects the surcharge from the railroad company, but it also pays to the Pullman Co. a considerable part of the charges which it is permitted to make.

Mr. CARAWAY. Yet the Interstate Commerce Commission found that was an entirely reasonable contract?

Mr. ROBINSON. No; they did not.

Mr. CARAWAY. A rebate to the Pullman charge?

Mr. ROBINSON. No; that is one of the reasons which justifies the Congress in proceeding with this legislation promptly. Even in the majority opinion, all the way through, there is the statement that the implied agreement in favor of the collection of this surcharge, and in the concurring opinion of Mr. Commissioner Lewis he declares that it should not be permitted; that some readjustment of the Pullman charges properly be made; and it is unjust to the railroad to have the surcharge or any excessive charge which occurs to the commission that the surcharge is compensation to the railroad for the transportation rate may be proper, but that the Pullman surcharge ought to disappear, as a hang over from the war period, as an unjust and unpopular tax.

I quote the opinion of the commission itself in proof of that declaration. The situation to which the Senator from Arkansas [Mr. CARAWAY] has referred is anomalous. The only way it is compensated for the Pullman surcharge is to collect it and use it for itself, and it is to compensate the railroads for the alleged additional expense in transporting passengers who travel in Pullman cars.

But we find that in many instances not only is the Pullman surcharge collected, but the Pullman Co. has actually paying to the railroads, in addition to the Pullman surcharge, a part of the regular charge accruing to the Pullman Co. I say that this condition is intolerable. It is an unjust and unnecessary and unreasonable tax upon the traveling public. It can not be justified on the theory that they who travel in Pullman cars are enjoying luxuries. They who travel over long distances and travel overnight find it necessary and indispensable to have Pullman accommodations.

There is no justification in law or in fact for the continuance of the charge. In my judgment if it is retained until doomsday the retention of it will not materially promote the reduction of other charges. It can not do it for the reason stated by the Senator from South Carolina [Mr. SMITH].

I think the Junior Senator from Arkansas has suggested a feature of the contract that illuminates it. It should occur to the commission that the surcharge is compensation to the railroads for alleged additional expense of hauling passengers in Pullman cars, and we find that in many instances not only is the Pullman surcharge collected, but the Pullman Co. has actually paying to the railroads, in addition to the Pullman surcharge, a part of the regular charge accruing to the Pullman Co. I say that this condition is intolerable. It is a double tax, unjust, unnecessary, and unreasonable.

Mr. HOWELL. Mr. President, I wish to offer the following amendment as an amendment to the amendment now pending. Add at the proper place in the amendment now pending the following proviso:

Provided also, That it shall be the duty of the Interstate Commerce Commission to immediately put into effect a horizontal reduction of 5 per cent on all agricultural products.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Nebraska to the amendment submitted by the Senator from Arkansas.

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

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

Mr. HOWELL. I yield.

Mr. KING. I hope the Senator in discussing his amendment will present evidence, if evidence he has, that would justify the Interstate Commerce Commission to make the reduction which his amendment contemplates. The Senator will hear in mind the fact that the Interstate Commerce Commission is a quasi judicial body, that it is not a self-created body, of course, upon its own motion, in the matter of changing rates, passenger or freight, or upon petition may consider the question. I am not advised as to whether the evidence presented warrants a reduction, and a horizontal reduction of 5 per cent, or whichever
it justifies any reduction at all. It may be that they have sufficient evidence to warrant a reduction of more than 5 per cent. It may be that they ought to reduce the rates upon certain agricultural commodities more than 5 per cent.

On the whole, it can be debated that a distinguished Democrat recommended a horizontal reduction of 10 per cent in all tariff rates. That did not appeal to all Democrats, because they felt that it might not be just and might be disadvantageous for any corporation. Of course it would be a great reduction in tariff rates, but I doubt whether I should approve a horizontal reduction. I am not sure whether a horizontal reduction would be fair with respect to freight or agricultural products or any other articles or commodities which are transported over our railroad systems.

Mr. HARRISON. It is admitted that the Interstate Commerce Commission, which is charged with the fixing of railroad transportation rates, has refused to reduce the Pullman surcharge, but, notwithstanding this fact, it is proposed that Congress shall step in and do it, though the Interstate Commerce Commission has stated that it is not justified. If Congress can thus proceed to reduce a passenger rate when it is not justified, why can we not shut our eyes and do something for the public interest.

Mr. SMITH. Mr. President, will the Senator allow me just a moment?

Mr. HOWELL. Certainly.

Mr. SMITH: It is said that the Senate is entitled to know, in addition to the accumulated testimony which the Senator from Arkansas [Mr. ROMNEY] cited in reference to the attitude of the commission, a majority of whom are in favor of reducing rates, the amount, per cent and number of whom, if suit shall be taken off entirely, that previously the commission appointed a committee to investigate and report the facts along the line indicated by the Senator from Utah [Mr. RIXE]. On the motion of the committee, and unqualifiedly and unanimously declared that it was unnecessary, unreasonable, and should be abolished. Now comes the action of the full commission, a majority of whom say, “Let us reduce it to 50 per cent,” which would reduce it in amount to $20,000,000 and leave that amount to apply to a reduction of the $3,000,000,000 or $4,000,000,000 of freight rates. That would largely toward reducing the burden of some $4,000,000,000 or $8,000,000,000 by saving to the excess fund, not to the roads and not for distribution in lowering freight rates, but putting into the Treasury of the United States the $8,000,000,000.

Mr. HOWELL. I am perfectly willing to change my amendment so that it may provide that there shall be a corresponding reduction in freight rates on agricultural products. If we can reduce passenger rates $40,000,000 a year, then with as much justice we can reduce freight rates $40,000,000 a year on agricultural products. If we cannot reduce freight rates on agricultural products to the extent of $40,000,000 a year, certainly passenger rates and commodity rates should be $40,000,000 a year, even in the form of a cancellation of this surcharge.

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

Mr. HOWELL. I yield.

Mr. CARAWAY. I am tremendously interested in the reduction of freight rates, and I sympathize with the Senator's viewpoint. However, I am bound to provide in his amendment that they should reduce freight rates $40,000,000 a year, and I am inclined to think the commission would take that as an instruction not to go beyond that amount, and I am hopeful of a very much greater reduction. But from my experience with Government departments—

Mr. HOWELL. We could easily insert the provision “not less than $40,000,000,” which would meet the Senator's objection.

Mr. CARAWAY. I am afraid they would always say as they did when we undertook to fix the price of agricultural products during the war. They said that wheat should not sell for less than a certain amount per bushel, and that was taken to mean that it should not sell for any more. If we undertook to fix the rate at $8 or $9, they would say, “You shall not sell for less than $10,000,000,” they will say that means $40,000,000,000 a year, which is perfectly more. When we were preparing the bill with reference to the War Finance Corporation I introduced an amendment before the committee which reduced the excess fund on agricultural products, in serving their customers should not charge in excess of 2 per cent. The department at once said that that was an authorization to charge 2 per cent. I know that is not in the Senator's amendment, but I merely mention his remarks and the tendency upon the part of the bureaus to say, “We were dict
there may not be enough votes to adopt them both at once. In
other words, there may be Senators who are willing to for­

this work, and there may be enough votes to provide it; there may be a sufficient number of Senators to pass and adopt the amendment the Senate would vote for the Army appropriation who would not vote for the Navy appropriation, as there may be Senators who would vote for the Navy appropriation who would not vote for the Army. By the same token, the Senator from Nebraska puts the Senate in a position where he may

I hope the Senate will not insist on offering his amendment

I do not want to vote against his amendment, but as I believe it will imperil the other amendment if it is put in this form, I will vote against it. If he shall offer it as a separate proposition, I will vote for it and to impose on the Interstate Commerce Commission the duty to reduce rates on agricultural products in so far as they can be reduced and the railroads still live.

More than that, I understand the fact to be that the par­
ticular reduction in Pullman rates will principally affect those roads that are already earning a surplus. That is the infor­mation I have from the chairman of the Interstate Commerce Committee. I myself am not acquainted with the details.

The farmers in Arkansas have seen many a year, and there are many more of us who want to help the farmers just as far as we may do so, with due regard to the business of the country. I come from an agricultural State quite as much as does this Senator from Nebraska. My course is that I have tried, whenever there was a sane measure brought forward, to give aid and encouragement to the farmers; that is, in a manner that I thought was wise. There have been many measures, I think, that have appeared to be a little insincere—improper. But so far as sincerity of purpose to do what can be done for the farmer is concerned, there are a number of Senators here who have created the railroad rates, and there is a difference of opinion as to the rebates that shall be given from the railroads. I believe the farmers want to be treated as other folks are treated in such cases.

Mr. HOWELL. I yield for a question.

Mr. KING. Mr. President, I wish to say that I have not now before me some sort of an animal, separate and distinct from the rest of the human tribe of animals. Has it occurred to the Senator that farmers ride in Pullman cars, and that a reduction in Pullman rates will benefit the farmer who rides in such cars? The farmer does not ride on the cowcatcher or in a caboose; he rides as other folks do. Therefore, if we are going to legislate for those who ride in Pullman cars, can we not go a step further and do for the farmer something which we know the Interstate Commerce Commission will not do?

Mr. REED of Missouri. Mr. President, we are always dealing with the same old proposition of the Pullman surcharge and has refused to give relief, just as it has refused to give relief in the case of freight rates upon agricultural products. Now it is proposed that we make an exception; that Congress shall fix this rate; and if Congress can fix a rate for a Pullman car, it can fix a rate for hauling wheat. Therefore, if we are going to legislate for those who ride in Pullman cars, can we not go a step further and do for the farmer something which we know the Interstate Commerce Commission will not do?

Mr. ROBINSON. Mr. President, I will say to the Senator that I concur with the Senator from Missouri. Since this is manifestly an effect to embarrass the adoption of the amendment, which I have offered, preventing the collection of the Pullman surcharge, and since the two propositions are entirely independent, I shall ask the friends of the amendment for the elimination of the Pullman surcharge to vote for it. If the Senator persists in an effort to attach it to the surcharge amendment, I shall ask the Senate to vote it all off the Pullman charge, and then that an equal amount should be taken off of the Pullmans, and I do not see how it is inconsistent to offer this as an amendment to the other.

Mr. HOWELL. Mr. President, I wish to assure Senators that the proposition I have before me is not a caravansary, nor a very strongly respecting what should be done in the matter of railroad rates, and I feel that this amendment strikes right at the principle of the whole matter. It is recognized that, taking
the railroads as a whole, the Interstate Commerce Commission is endeavoring to provide rates that will pay 5% per cent on the railway systems as a whole. If we reduce the income of the railroads to the point where less than $40,000,000, we put off just so far the time when we can ever expect relief for agriculture.

Why? The president of the Union Pacific Railroad last year and I, through 1923, that traffic in the history of the railroads the total earnings amounted to but 4.61 per cent upon the value of those properties as assumed by the Interstate Commerce Commission. In other words, they had only 2 per cent earning the 5% per cent. Suppose we begin now to reduce the earnings of these railroads. It puts off the time when they will arrive at 5% per cent; and if we put off that time by canceling the Pullman surcharge, we get far in the future the time when we shall be able to reduce rates for the farmer's products.

I am not talking about the farmer as a pitiable object, but I have been tremendously impressed with the fact that if we compare 1923 with 1913 we find that the president of the Union Pacific Railroad, and it is proposed to proceed at the top end of this rate schedule, I want to go down the line.

Mr. REED of Missouri. That is the point.
Mr. WATSON. I can not answer that.
Mr. HOWELL. They have refused to do it.
Mr. OLIER. They do not seem to know, themselves.
Mr. WATSON. The majority believe in reducing it at least one-half.
Mr. HOWELL. They could do it to-morrow if they saw fit to do so.
Mr. WATSON. They have already said they are in favor of reducing it one-half. Why do they not say the other half I do not know.
Mr. HOWELL. I say that the majority could to-morrow do that if they saw fit to do so.
Mr. WATSON. I am not disputing that. Mr. HOWELL. They have not acted. They refuse to act, and now Senators say, "Inasmuch as the Interstate Commerce Commission has refused to cancel this Pullman surcharge we will proceed to do what we think is right." Precisely; I understand that.
Mr. HOWELL. Then why not reduce rates on agricultural products?
Mr. WATSON. The commission has not refused to reduce the rates on agricultural products. On the contrary, ever since the close of the war there have been constant reductions in the freight rates on agricultural products. Five thousand reductions in freight rates have been made by the Interstate Commerce Commission.
Mr. SMITH. That is true.
Mr. WATSON. My friend can get a list if he will send for it. That has been the law for years.
Mr. HOWELL. But to-day agriculture is in a worse condition than any other industry in this country.
Mr. ROBINSON. Mr. President, will the Senator from Nebraska yield to me for a brief statement?
Mr. HOWELL. I yield.
Mr. ROBINSON. I am so fully satisfied as to the purpose and effect of this amendment offered by the Senator from Nebraska that it is now presented that, as already stated, I shall ask Senators who favor the amendment which I have offered to vote against the amendment of the Senator from Nebraska, in the event it is held in order. Of course, I shall not now attempt to make the point of order, but I felt it proper to inform the Senator from Nebraska that in my judgment his amendment is plainly subject to a point of order under the rules of the Senate, and since he has refused to permit the Senate to take a separate vote on the Pullman surcharge question and has insisted upon complicating the questions by proposing an amendment the effect of which he himself estimates, and which, stated by my colleague, the junior Senator from Arkansas [Mr. Caraway], would probably be construed by the commission as a legislative direction to the commission to reduce freight rates in a comparative degree and no more, I intend to make a point of order against his amendment.
If the Senator will permit me to state the point of order while he has the floor, I will do so. It is that, under the rules of the Senate, his amendment not only germane to the amendment which I have offered, it is not subject to consideration at this time, because he has not given the one day's notice which the rules of the Senate require in order to suspend the third paragraph of Rule XVI.
With the further indulgence of the Senator from Nebraska--
Mr. HOWELL. I yield further.
Mr. ROBINSON. Plainly, the object of the notice to suspend the rules is to apprise the Senate of the character of the proposal to be submitted. If the rules are suspended in order to accomplish that purpose it is the practice of the Senate to incorporate the amendment to be offered in the notice. The rule requires that, in fact, as I construe it. Of course, if the rules are suspended the amendment then in order is subject to the same rule; it is not necessarily subject to amendment by a proposition which is entirely different from and is not germane to the original amendment. Otherwise, if the Senate saw fit to suspend the rules to consider this point at all, it would have no right to offer any amendment which he chose, and the very purpose of the rule of the Senate in requiring notice of a motion to suspend the rules is to prevent it.
Mr. WATSON. In the language of the amendment from Nebraska presented is entirely different from that embraced in the amendment which I have proposed.

Most of us sympathize with a proposal to reduce freight rates. The motion to proceed to investigation, offered by the Senator from South Carolina [Mr. Smith] relating to that subject, and the Senate has heretofore unanimously adopted the amendment which I have offered. Nothing substantial would be accomplished by a motion from Arkansas that the Interstate Commerce Commission would be abolished. The proposition which the Senator from Nebraska offered that a two-thirds vote, for the purpose of considering an amendment affecting railroad rates, is subject to a point of order. It is certainly not in accordance at least with what one may term raw equity to hold that an amendment to that amendment also affecting railroad rates, is subject to a point of order.

Mr. ROBINSON. Mr. President, will the Senator yield for a question?
Mr. HOWELL. Certainly.
Mr. ROBINSON. Does the Senator take the position that a suspension of the rules of the Senate, either by unanimous consent or by a two-thirds vote, for the purpose of considering a specified amendment, opens the gateway for any amendment which any Senator may desire to propose? If so, what effect does he give to the notice required in the rules of a motion to suspend the rules?
Mr. HOWELL. I do not believe that, when an amendment is subject to a point of order but nevertheless comes up for consideration under suspension of rules, that one must give a day's notice before proposing a germane amendment thereto.
Mr. ROBINSON. Mr. President, I make the point of order against the amendment of the Senator from Nebraska.

The PRESIDING OFFICER. The Senator will state his point of order.

Mr. ROBINSON. I make the point of order that the amendment proposed by the Senator from Nebraska is not now in order, because it is not germane or relevant to the amendment which is pending; and for the further reason the Senator has not made by Rule XL of a motion to suspend the rules in order that the Senate may consider his amendment, the amendment which he offers being not germane to the amendment which I have proposed.

The PRESIDING OFFICER. The Senator bases his point on paragraph 3 of Rule XVI?
Mr. ROBINSON. Yes; and on Rule XL.

The PRESIDING OFFICER. Paragraph 3 of Rule XL reads in part:

All questions of relevancy * * * when raised, shall be submitted to the Senate and be decided without debate.

The question before the Senate is whether the amendment proposed by the Senator from Nebraska [Mr. Howell] to the amendment proposed by the Senator from Arkansas [Mr. Robinson] is relevant. [Putting the question.] The does have it, and the Senate decides that the amendment to the amendment is not relevant.

The question now is upon agreeing to the amendment proposed by the Senator from Arkansas.

Mr. BRUCE. Mr. President, I want to ask the Senator from Arkansas a question. My position, as far as his amendment is concerned, is such that the Senator from South Carolina [Mr. Watson] has said, the Pullman surcharge is illogical, it is an anomaly in the rate structure, and on that account I have a friendly feeling toward the amendment offered by the Senator from Arkansas. But I would like to ask just how this sum of $35,000,000 is to be made up to the railroad companies if it is taken away from them?

Mr. SMITH. In the first place, Mr. President, as pointed out clearly by the Senator from South Carolina [Mr. Smith] in his remarks, and as also mentioned by myself,
Mr. BRUCE: I suppose that would be the practical result. If we take this $55,000,000 away from the railroad companies, they will revise their contracts with the Pullman Co., I imagine.

Mr. ROBINSON. The Junior Senator from Arkansas has shown that the Pullman contracts ought to be revised, because it has developed during the course of this debate this morning that not all the railroads receiving the surcharge as in payment for the extra service which they render a passenger who travels in Pullman cars, but the railroads are actually collecting back a part of the charge fixed and sustained by the Interstate Commerce Commission as a just and reasonable charge to be made by the Pullman Co. So that some readjustments in all probability will follow.

The PRESIDING OFFICER. The question is upon agreeing to the amendment proposed by the Senator from Arkansas [Mr. Robinson].

Mr. HOWELL. Let us have the yeas and nays.

The yeas and nays were ordered, and taken.

Mr. STANLEY (after having voted in the affirmative). I transfer my pair with the Junior Senator from Kentucky [Mr. ERNST] to the senior Senator from West Virginia [Mr. NEELY], and allow my vote to stand.

Mr. SWANSON (after having voted in the affirmative). I have a pair for to-day and to-morrow with the senior Senator from New York [Mr. WADSWORTH]. I transfer that pair to the senator Senator from Rhode Island [Mr. GERRY], and allow my vote to stand.

Mr. ROBINSON. The Senator from West Virginia [Mr. NEELY] is necessarily absent. If he were present, he would vote "yea.

Mr. SMITH. I rise to inquire if the Senator from South Dakota [Mr. STERLING] has voted?

The PRESIDING OFFICER. The Senator has not voted.

Mr. SMITH. I have a general pair with that Senator. I transfer that pair to the Senator from Mississippi [Mr. STEPHENS] and vote "yea." If the Senator from Mississippi were present, he would vote "yea.

Mr. GEORGE. I wish to announce that the Senator from Michigan [Mr. FERRIS] is necessarily absent. If he were present, he would vote "yea.

Mr. BAYARD. I have a general pair with the junior Senator from Pennsylvania [Mr. REED]. In his absence I transfer my pair to the junior Senator from New Jersey [Mr. EDWARDS], and vote "yea.

Mr. MCKELLAR (after having voted in the affirmative). I have a pair with the senior Senator from Ohio [Mr. WILLIS]. I transfer that pair to the Senator from Michigan [Mr. FERRIS] and allow my vote to stand.

Mr. FLETCHER (after having voted in the affirmative). I transfer my pair with the senior Senator from Delaware [Mr. BALL] to the senior Senator from Nevada [Mr. PITTMAN], and allow my vote to stand.

Mr. HARRISON. The senior Senator from Rhode Island [Mr. GERRY] is necessarily absent on account of sickness. His pair has been announced. If he were present, he would vote "yea.

Mr. JONES of Washington. I wish to announce the following general pairs:

The Senator from Maine [Mr. Hale] with the Senator from Washington [Mr. DILL]; and

The Senator from West Virginia [Mr. ELKINS] with the Senator from Oklahoma [Mr. OWEN].
Mr. SMOOT. Mr. President, the pending amendment is the one in relation to the Tariff Commission. Is it not?
Mr. MCKELLAR. If that is the pending matter, I will wait until we reach the Shipping Board item. I am ready to vote on the Tariff Commission item.

Mr. KING. Mr. President, I inquire what is the pending amendment?

The PRESIDING OFFICIAL (Mr. O'Odie in the chair). The pending amendment is that reported by the committee on page 291, line 17. It is the one on the standing order, the amendment reported by the Senate from North Carolina [Mr. SIMMONS] addressed the Senate; he was followed by the Senator from Massachusetts [Mr. WALSH]; then by the Senator from New Mexico [Mr. Jones]; and finally Mr. Parker took the floor, and having occupied it for some time I yielded for the consideration and passage of a number of bills.

Mr. SMOOT. I say to my colleague that the amendment reported by the Senate from North Carolina [Mr. Smoot], the Senator from North Carolina, has been some time acted upon, and that the amendment has not been acted upon; but if it has been acted upon that is entirely satisfactory to me.

Mr. KING. My recollection is that when the proviso report was before the Commission they asked the Secretary of the Commerce Department from North Carolina [Mr. Smoot] to address the Senate; he was followed by the Senator from Massachusetts [Mr. Walsh]; then by the Senator from New Mexico [Mr. Jones]; and finally Mr. Parker took the floor, and having occupied it for some time I yielded for the consideration and passage of a number of bills.

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The PRESIDING OFFICIAL (Mr. O'Odie in the chair). The item has to do with the Emergency Fleet Corporation. When we adjourned last evening, as I understood, we had under consideration the amendment respecting the Tariff Commission.

Mr. MCKELLAR. Senators were discussing it, but the amendment had been agreed to.

Mr. FLETCHER. The amendment was not before the Senate. Mr. MCKELLAR. It was being discussed, although it was not the amendment before the Senate, as is very frequently the case.

Mr. SMOOT. As is generally the case.

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Mr. SMOOT. As is generally the case.

Mr. KING. My recollection is that when the proviso report was before the Commission they asked the Secretary of the Commerce Department from North Carolina [Mr. Smoot] to address the Senate; he was followed by the Senator from Massachusetts [Mr. Walsh]; then by the Senator from New Mexico [Mr. Jones]; and finally Mr. Parker took the floor, and having occupied it for some time I yielded for the consideration and passage of a number of bills.

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who was working before as the head of the sales department for $11,000, and I suppose he does just as good work for the $18,000 he is now receiving—$3,000 more than the Chief Justice of the United States gets—and so it is with Mr. Keene.

Now for the other one. Mr. McKellar. He was one of those who last year the Emergency Fleet Corporation paid $25,000, and I remember it was argued that Mr. Sheedy would at once resign if his salary was cut. The Congress did cut it to $18,000, and I notice that he is still working for the corporation, notwithstanding the cut from $25,000 to $18,000.

Mr. WARREN. Yes. I do not remember what the Senator says about his threatening to leave, because he did not make it a serious threat to me.

Mr. McKELLAR. Oh, no; I did not say that he threatened to leave, but Senators who were arguing for the very high salaries that the Shipping Board was then paying, or the Emergency Fleet Corporation, whichever it was, took the position that unless we gave these enormous salaries the men would leave. The Senator will remember that it was argued that they should have $35,000, and I think there were three at $35,000 for a long time; but some of us have been trying to get these enormous salaries cut to a reasonable figure, so that they will not be far out of line with the salaries paid other employees of the Government.

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the amendment be voted down. It is a committee amendment. The amendment ought to be voted down in the interest of economy.

We talk about economy, and I call attention again to the fact that this is talked about in the papers, but it is not actually practiced by the departments or by the Congress. The truth is that we are creating more bureaus, we are creating more post offices, we are increasing salaries, we are increasing government activities, and the cost of Government activities every year. A skilful man with figures can prove almost anything, but the truth and the fact is that we are not having the return of the money we are spending.

Mr. McKELLAR. The amendment ought to be voted down in the Senate. The amendment be voted down in the House.

Mr. WARREN. The idea of paying these large salaries to some of these positions, we are increasing salaries, we are increasing every year. A skillful man with figures can prove almost anything that can merchant marine, that can provide almost any argument. The amendment ought to be voted down in the Senate.

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we have as many American ships about this year as we had last year?

Mr. FLETCHER. No; I think not.

Mr. FESSLER. The number has decreased?

Mr. FLETCHER. Yes; the number of vessels has decreased.

Mr. FESSLER. Is the tonnage we are carrying decreasing also?

Mr. FLETCHER. Yes; the proportion of the tonnage moving across the ocean in our vessels is decreasing. It is less than it was a year ago. At least, we are carrying in American vessels a smaller proportion of the commerce moving back and forth than we did a year ago.

Mr. FESSLER. That was my information.

Mr. WARREN. But we are increasing the quantities somewhat.

Mr. FESSLER. What about the costs? Are we losing as much this year as we did last year?

Mr. FLETCHER. No; I am glad to say that we are not, and this bill carries only $24,000,000 instead of $40,000,000, which I think was carried in the bill last year, or something like that, perhaps $50,000,000. This bill carries only $24,000,000. We are getting in better condition all the time, in my judgment.

Mr. FLETCHER. Have we any ship routes that are operating at a profit?

Mr. FLETCHER. I think so, to some extent. Some of the vessels we have taken from service have been sold to private operators, so I call, and probably 21 operators. Some of the services, taken as a whole, are just about breaking even, I think. Some are losing money.

Mr. FLETCHER. If I am not mistaken, is the Senator encouraged as to the possibility of our building up an American merchant marine so that it will be a permanent activity of the Government?

Mr. FLETCHER. I have no doubt it can be done and can be conducted without costing the Government any money. It would pay its way. It can be done eventually, provided, of course, Congress is willing. That has to come, because these vessels will not last forever. The life of these vessels we have now to operate will expire this year, and we have to replace them.

Mr. FLETCHER. That suggests the other question I am going to ask, whether with the large number of vessels built during the war, many of which we could not use because the trade did not seem to demand them, we will have to build additional vessels because of different types being needed.

Mr. FLETCHER. Undoubtedly we will have to build additional vessels, and we will have to build them and operate them and plan them according to modern conditions. Many of our vessels are obsolete, and if they were put into service they could not be operated profitably.

Mr. FLETCHER. I am very much obliged to the Senator, because he has given me the information I wanted.

Mr. FLETCHER. I say to the Senator, for instance, that it appears that if we can introduce the Diesel engine to take the place of the coal boiler, we can save a great deal of money in the cost of operating the ships. We are improving the conditions.

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

The PRESIDING OFFICER (Mr. Moss in the chair). Does the Senator from Florida yield to the Senator from Tennessee?

Mr. FLETCHER. I yield.

Mr. McKELLAR. I want to ask the Senator if any of the ships have been taken off during the past year or if any of the ships have been taken out of service?

Mr. FLETCHER. I do not understand that any of the services have been abandoned, and I do not think any of the ships have been taken off of any of the routes that were established. The danger is, however, if we keep on selling the ships, and if we sell them down to the last one, we may lose the market that we have got to a point where we will not have ships enough to supply the routes they are now serving and afford the facilities for moving the commerce and enable them to maintain the schedules to make contracts. The business will all go down then.

A shipper, for instance, will not patronize an American vessel unless he is assured that that vessel will be able to carry his goods at a safe rate and at a certain rate. We will get to the point after a while, if we keep selling off the ships, where we will be unable to supply a definite, certain service. When we get to that point, then we will begin to lose money and the whole commerce will go down and become a failure. We will have to sell off the few we will have left or give them away and quit the business then for a certainty.

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

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

Mr. FLETCHER. Certainly.

Mr. GLASS. This brief address by the Senator from Florida, interpersed with interrogatories as it has been, is very enlightening to me. There seems to be a singular sort of revelation to me. Mr. FLETCHER. Do I understand you to mean that you are not considering abandoning the American merchant marine because it does not pay?

Mr. FLETCHER. I think the present policy, so far as I can understand it, is to liquidate, and that, of course, is based on the idea of having the Government go out of the shipping business. I am afraid that means we will have no merchant marine.

Mr. GLASS. I was prompted to ask the question by the inquiry of the Senator from New Jersey (Mr. Edge). I supposed the Senator from New Jersey belonged to that school of statesmanship which insists that we shall subsidize an American merchant marine in order to keep it alive if now he is lamenting that the Government is losing money on the operation of its merchant marine. Do I understand that the Senator from New Jersey would simply change the process a little and let the Government grant subsidies to private persons to run the merchant ships or pay it out of the common fund?

Mr. EDGE. If the Senator will permit an interruption at the time.

Mr. FLETCHER. Certainly.

Mr. EDGE. Apparently the Government of the United States is paying a very large subsidy. As nearly as I can recall the present Government has been paying a subsidy of something like $40,000,000 to $50,000,000 a year to make up their own operation. The Senator from New Jersey is a very positive advocate of that type of statesmanship—which, I believe, is the idea of the bill offered by the Senator from New Jersey—which would prefer to encourage private initiative and private enterprise of our own citizens to take upon themselves all large business, small business development rather than have the Government itself attempt administrative intervention in our enterprises.

Mr. GLASS. Oh, I believe.

Mr. EDGE. Wait a moment. I am coming to the Senator's question. When it becomes necessary, as I believe with the present Government, I think it will be necessary, to maintain and encourage the development of that merchant marine for the Government to establish a subsidy, yes; I believe the Government should establish a subsidy, but establish a subsidy so that private men and women, if they desire, can go into the business and develop it, and the Government will not be in any manner responsible for the administering of the subsidies.

Mr. GLASS. What the Senator favors is that we should lose it to private persons rather than from the common fund. In the last analysis we lose the money just the same.

Mr. EDGE. The operation of a subsidy, as the Senator from Virginia well knows, although he may be opposed to the principle, which to-day is practiced by every successful nation in the world in the operation of a merchant marine, is one which encourages private initiative. I would very much prefer to use the $40,000,000 or $50,000,000 in encouraging private enterprise throughout the country than to be using it to make up a deficit every year in Government operation; which operation, as the Senator from Florida said, is decreasing, the fleet is becoming outdated, and getting into a class that we will be compelled in ten years to replace with hundreds of millions of dollars to replace. I would very much prefer to have the Government pay the necessary subsidy for services rendered in order to assure the maintenance and development of a real merchant marine of which we could be proud. That is the idea of the Senator from New Jersey.

Mr. GLASS. Of that I was perfectly confident, but I merely wish to bring in the thought of the Senator’s amendment pending and confine my remarks to that. Of course we had last year a few hours and a few days on the subsidy ques-
to build ships. That was a proposal to pay out about $75,000,000 a year for 10 years, or $750,000,000 of the people's money, for the benefit of a few shipowners—a most outrageous proposition, which, of course, we did not favor. The measure was defeated. That will be the trouble with every proposition of subsidy that comes up. It will be devised for the benefit of some particular few individuals who want to get their hands into the pockets of the United States. 

I think I could demonstrate to the Senator from New Jersey that it is not customary with maritime nations and it is not universal with maritime nations that subsidies are given. That is no doubt to-day successfully operating a merchant marine owned and successfully operated by the Government without any subsidy. 

The Senator [in creeds] raised the question as to whether we are making progress in the way of developing and successfully operating a business on a basis that will be profitable and advantageous. We are doing that. My information is, and I think perhaps it is true, that the expenses of the Shipping Board and the personnel have been very greatly reduced and that the total expenses will be reduced something like a million dollars in the next year. The overhead is being reduced and, in addition, the President of the Board has charge of the Fleet Corporation. We are finding that we can eliminate overhead expense and accomplish results. We are gradually getting men who know something of the business. When the Government subsidizes a merchant vessel it is customary with maritime nations that subsidies are given at all. 

That put upon the Emergency Fleet Corporation. It was very much like our situation when we undertook to build ships during the war. We took men out of other trades and put them into the yards to build ships. They did not know a thing in the world about building ships. We only had about 30,000 shipbuilders in the country when we undertook to construct our merchant ships, and we needed 300,000 in order to build 3,000,000 tons of shipping a year, as we undertook to do. If we were to have to train the men. It was a very expensive proposition.

So it has been with reference to operating ships. We have had a lot of people who really were in each other's way. We have thrown money away to them when they ought not to have been there at all. We are gradually getting away from that condition now. At one time we had two men at $35,000 a year, and one at $30,000 a year, $85,000 a year for three men, and we called them vice presidents. We thought they were going to establish the operating business on a sound basis, but they could not get proper assistance or we did not get the right men. We have gradually cut those expenses down and now the overhead is so that the appropriation this year carried in the bill is only $24,000,000. We are keeping up the service and the routes and I hope we will continue to do it. We must have a fleet.

In the Emergency Fleet Corporation, men who know the business, who are capable, competent men and who can render service that is required in order to make the enterprise a success. I always opposed a reduction of operating expenses, for economies in every direction, and for getting the whole operation upon an efficient, effective basis. I believe it would be a mistake now to disagree to the amendment.

In the first place, back in September, 1921, the Shipping Board passed a resolution turning over certain duties to the Emergency Fleet Corporation. In January, 1924, the Shipping Board passed another resolution transferring to the Emergency Fleet Corporation a great deal of the work which had heretofore been looked after by the Shipping Board, details in connection with the operation of the ships. That was in January, 1924. Mr. McKellar. Well, it was a resolution of December, 1924. I think perhaps they have gone further than they had any right to go under the law in that resolution. I think that resolution undertook to delegate to the Emergency Fleet Corporation powers and duties which were not delegated by the law which Congress has enacted, somewhat quasijudicial in their nature, which the Shipping Board can not legally undertake. However, the resolution of December, 1924, transferred to the Emergency Fleet Corporation practically the whole duty of operating the ships. That put upon the Emergency Fleet Corporation additional responsibilities and they, therefore, need the very best and most capable men they can find in the country to carry on that work. There is not any question about that.

Mr. McKELLAR. Mr. President, will the Senator yield to me for just a moment?

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

Mr. FLETCHER. I yield.

Mr. McKELLAR. I desire to ask the Senator from Florida who are these two additional $18,000-a-year men?

Mr. FLETCHER. Well, Sir, it is Admiral Cone, who is the President of the United States Shipping Board, and Admiral Palmer is the President of the Panama Canal Company.

Mr. McKELLAR. Mr. FLETCHER. Yes, Mr. President, is it not?

Mr. FLETCHER. Mr. McKellar. Mr. President, if the Senator will yield to me, I desire to say that I have found Admiral Palmer's explanation.

Mr. FLETCHER. I yield to the Senator.

Mr. FESS. Mr. President, referring to Admiral Cone it is said:

It is through his personal and aggressive efforts that we reduced $800,000 in the salaries of personnel alone for the last 10 months of the calendar year 1924. In the month of January just completed he made another reduction of $100,000 in annual salaries—
Mr. FLETCHER. It has been largely Admiral Cone's work to cut down or reduce the overhead and to get this whole undertaking on a business basis.

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

Mr. FLETCHER. I yield in just a moment. I desire to say that this is not a question of what these men want; it is not a question of whether or not they leave; it is a question of whether they merit and deserve this salary. That is the whole question. Do we desire to keep a man simply because he is public spirited enough to serve for half what he is worth, when he can by stepping outside get twice as much as we pay him? Is that what we desire to do? The question is, Do these men deserve this amount of compensation? Above all else, the expectation is that the operators are getting their 7 per cent. As the chairman has just stated, Admiral Cone was getting nearly twice or more than twice what he is getting now when he came to the Emergency Fleet Corporation.

Mr. MCKELLAR. What was his salary and where was he employed?

Mr. FLETCHER. He was employed in charge of the Panama Steamship Line.

Mr. MCKELLAR. And the Government paid him more than that?

Mr. KING. My recollection is he was getting $12,000 a year. I should like to say to the Senator, with his permission, Mr. President, that I thought it was a saving of $24,000,000, and, in some respects, I think, already are necessary to serve the operators from something like 300 down to 21, and are getting better results. They are now getting, of course, more experience in the business. They have not abandoned any route; they have not abandoned any service up to this time; but they are getting better results. They have employees who know more about the business. I do not think it is going to be necessary to abandon any route. If I thought it were necessary to abandon any route in order to come within this $24,000,000, I would move to increase the appropriation, because I do not think it is fair to the people that the operators that the routes which have been established under the order of Congress should be abandoned or that the service should be in any wise crippled. We ought to furnish the ships that are necessary and we can convert every part that can furnish the business.

Mr. GLASS. Mr. President, I thought it was a saving of $24,000,000, and, in some respects, I think, already are necessary to serve the operators from something like 300 down to 21, and are getting better results. They are now getting, of course, more experience in the business. They have not abandoned any route; they have not abandoned any service up to this time; but they are getting better results. They have employees who know more about the business. I do not think it is going to be necessary to abandon any route. If I thought it were necessary to abandon any route in order to come within this $24,000,000, I would move to increase the appropriation, because I do not think it is fair to the people that the operators should have skill and ability at the same figures, because these gentlemen are perfectly willing to serve at the present salaries.

Mr. GLASS. My friend from Tennessee a while ago was lamenting that Mr. Sheedy—I believe that is his name—was remaining in the employ of the Shipping Board notwithstanding his salary had been reduced from $35,000 to $18,000, but it turns out that he is not remaining—that he has gone on the other side, and gets a very much higher salary than was paid him here.

Mr. MCKELLAR. Not at all; but he is now, according to my information, in the employ of the Shipping Board as its representative in London. He is on the other side, but he is still working for the Shipping Board at $18,000.

Mr. FLETCHER. I understood the chairman said otherwise.

Mr. GLASS. The chairman is mistaken about that.

Mr. WAHREN. Mr. President, I may or may not be mistaken. The Senator from Tennessee, of course, can not be. I may have to admit the salary argument that he is right.

Mr. MCKELLAR. The hearings show that he is in London at $18,000 a year.

Mr. KING. Mr. President, I can assure the Senator from Virginia and the chairman of the committee that Mr. Sheedy, who I believe himself said it is in part, that Admiral Palmer over to the other side, and he is there now, drawing the same salary, and working for the Emergency Fleet Corporation.
Mr. GLASS. I accept the statement of the chairman of the committee in any letter, if Mr. Smith is worth $18,000 a year I am in favor of paying it to him.

Mr. FLETCHER. That is the whole question here—whether these men, or men who are required to fill their positions in connection with the work of the Emergency Fleet Corporation, are worth $18,000 a year. It is not a question of whether they will quit and seek engagements elsewhere. It is not a question of whether they can have that amount of money paid from some other source. All this is not anything in my mind that either of those gentlemen could command a salary in excess of $18,000 if he should undertake to start out and look for it. I am quite sure they are worth that amount of money.

Mr. GLASS. The only reason why the Government gets some of us here in the Senate as $7,500 a year is because there is so much activism.

Mr. FLETCHER. Mr. President, I had not intended to take up this much time. I want to see the Senator from Wyoming proceed with his bill and get through with it, but I feel that this amendment is a wise amendment, especially now, when we have put these additional responsibilities and duties on the Emergency Fleet Corporation, calling for this class of men to conduct their affairs down there and direct things. We have put the right kind of men in the right kind of positions of the work, and, if we do not keep these men and get inferior men, or if we do not get any at all, the whole enterprise will suffer.

I feel it is important now to test out this thing. Let us see what the Emergency Fleet Corporation is going to be able to do in pursuance of the resolution which was passed last December, transferring to them the details and many of the duties that theretofore the Shipping Board had been undertaking to perform. The Shipping Board has plenty to do without undertaking to operate the ships. I regret very much that they have not done many things that we have authorized them to do and pointed out to them that they should do, things of a regulatory character, rules and regulations, things of an administrative character, things of an investigatory character, or the conditions of shipping the world over, and what they can recommend to us in the way of regulation, or any other action on our part that would strengthen our merchant marine and make it more possible for us to build up an adequate marine.

All these things the Shipping Board has in hand under the law, and I think perhaps it is wise to intrust at least a good portion of the whole work of operating the ships to an Administration agency and hold that agency responsible for the day-to-day head organization, which is the Shipping Board. They have done that now. Admiral Palmer is president of the Fleet Corporation, and his assistant manager of a certain portion of the work. Mr. Davidson is wanted to take charge of a certain other field in connection with the operation of the ships. The other men who are designated are also men of experience and high character and splendidly equipped to discharge those duties. We can not expect to retain that kind of men without paying somewhere approaching what they can get outside and what they are worth. I put the thing purely on merit, and I mention these conditions as showing that there is justification for asking for these additional men at this additional pay.

Mr. President, with reference to the merchant marine general and staff that the Administration has in charge, I shall have some views to submit, perhaps, later. I shall not take the time to do so now, but, among other things, we ought to build up in this country a desire on the part of our people to encourage our own merchant marine, to pat­ tern out what we can get the right kind of, moral we do not pay them fair salaries. If we do not keep these men and get inferior men, or if we do not get any at all, the whole enterprise will suffer.

The discipline of the crews and the employees is of the highest order. The crews are large, roamly, and well furnished; the table is perfect, and the attention all that the most fastidious traveler could demand or expect. The boats are always on time in the running of unusual and long distances, while the facilities for accommodating the public are equal to those of any competing line.

The conditions of the present and the future of this country depend upon American vessels being a recommendation; but I have yet to hear of an American patronizing his own line because it represents his vessel. It pretends to be, the absence of the bar which may be a mere repetition of conditions with which you are already familiar, in which event it will at least do no harm.

I am not quite sure I exaggerate when I affirm that this line is the subject and may become the victim of a system of propaganda inspired by and operated in the interest of foreign competing lines through agencies which are very effective in America.

Early in the season of 1924 the Leviathan grounded in a mud bank off New York Harbor, and was ordered to the Rock Barge for inspection and repair. The incident was the subject of disparaging discussion all over the United States. The injury to the boat was greatly exaggerated and the general impression created that the accident was due to inefficiency, or possible or probable carelessness. As a matter of fact, the injury was very slight and easily repaired, the boat being out of commission but a very few days. During the same season the Leviathan, if I remember correctly, encountered a similar mishap, which was barely noticed by the press, although quite as serious as that befalling the Leviathan.

Early last August the Leviathan broke a propeller blade, in consequence of which it was compelled to remain at anchor for several weeks, and was not able to proceed on its voyage from New York to Southampton until about the 21st of September. The propeller was replaced by a new one, and the ship continued its voyage. On the 21st the vessel was to have left Boston, but a new propeller was supplied which put it into commission. The incident was made the subject of disparaging discussion all over the United States. If the American people were able to continue the line, it could be a most important factor in the success of the Emergency Fleet Corporation.

As a matter of fact, the injury was very slight and easily repaired, the boat being out of commission but a very few days. During the same season the Leviathan, if I remember correctly, encountered a similar mishap, which was barely noticed by the press, although quite as serious as that befalling the Leviathan.

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Mr. WARREN. Mr. President, I do not wish to take time that other Senators may desire to take, except to remark that this whole matter of the Shipping Board and the Emergency Fleet Corporation is an orphan that was left on our doorstep by the late war. We have taken it up and have been nursing it along the line that it is going to provide for the merchant marine that has been before Congress since long before I came here, perhaps since before I was born, and is still an undecided question. The progress that has been made since Admiral Palmer took charge here has been remarkable, and the reduction in expenses most notable. A feature of it all is the one of increasing trade that has followed his efforts. He has reduced expenses to a point where we are appropriating in one direction some $14,000,000 and in another direction $8,000,000 less than we were formerly appropriating. He is maintaining all the routes, although taking off some vessels, but touching at all the different points with the smaller number of vessels. Therefore, with greater speed and better management, he touches at all these points, secures more vessels. Therefore, with greater speed and better management, he touches at all these points, secures more vessels.

Mr. McKELLAR. The Senator accepted it with reservations made to me, and the Senator's reservations were entirely wrong.

Mr. KING. I thank the Senator, but desire to have the matter accurately put in the Record.

Mr. McKELLAR. The Senator accepted it with reservations made to me, and the Senator's reservations were entirely wrong.

Mr. KING. I have here a record of the testimony given before the subcommittee of the House Committee on Appropriations, and on page 550 will be found a statement by Mr. Palmer as follows:

The next one is Mr. Sheedy. Mr. Sheedy was our operating manager. That is, he had the supervision of the actual operations of the ships all over the world. He had been on a $25,000 salary. Very shortly after I came in, he was on the sick list for a considerable time. His doctor said that he was overworked and that he should take a rest. He went away, came back, stayed for a month or more, and the doctor directed that he should leave again; that he was then physically unable to stand the strain. That could not continue in the kind of business we had. We had to have somebody who was there all the time.

I looked around after I came into this position and could not find a man available that we could send to Europe. When Mr. Sheedy's health was such that we could not depend upon him being present here all the time—it is a position that means going night and day—I decided to send him abroad, to take the position which it was necessary for us to establish.

Mr. WARREN. The Senator will not overlook the fact that Mr. Sheedy was getting $25,000, but was reduced to $14,000 a year or so ago, and accepted that reduction because of his desire to build and help through this great corporation, the largest corporation in the world.

Mr. KING. I continue the reading:

This position is a very important one, but not as strenuous physically as that of operating vice president. He had been with us, as I say, at $25,000 and I had reduced this to $16,000, together with the other vice president. He went abroad at that salary.

Mr. Palmer continues, etc. During the war an investigation was ordered and a great mass of testimony taken which tended to show inefficiency, gross incompetency, and an unparalleled waste of public funds.
brought about it is doubtful whether there would be a hundred million dollars to be covered into the Treasury of the United States. So it can be said that the Government has lost substantially the entire amount appropriated, viz, the stupendous sum of $34,000,000.

We are asked now to appropriate $34,000,000 to meet the operating expenses for the next fiscal year. These organizations are selling property, as they have been authorized to sell in accordance with the spending funds derived from the various sales, and yet the Government is compelled to appropriate from year to year enormous sums to meet operating expenses. I submit, Mr. President, that the record of these organizations under the general liability of the Government, those who are interested in building up a merchant marine and to those who are interested in their country’s welfare.

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

Mr. KING. I yield.

Mr. MCKELLAR. The Senator understands that all of the duties of the Shipping Board have now been transferred to the Emergency Fleet Corporation. The Shipping Board virtually has nothing to do with the present operation or control of the American merchant marine.

Mr. KING. Mr. President, the Senator has stated the facts substantially correctly, and in order that there may be no misapprehension in the matter it may be well to put in the record just the form in which the abdication of its functions by the Shipping Board was accomplished and the deliberate resolution which was remuneration of its functions and transferred them to the Emergency Fleet Corporation. I call attention to the Eighth Annual Report of the United States Shipping Board for the fiscal year ended June 30, 1924, which is the latest report of this organization. I read from page 7 of the report:

The shipping act, 1916, provided for the creation of a corporation, owned and controlled by the board, to which could be delegated the technical details of operation of the board vessels. The merchant marine act of 1920 specifically authorized the Shipping Board to exercise its authority where not otherwise provided either directly or through the Emergency Fleet Corporation. The board, therefore, had delegated to the Emergency Fleet Corporation certain powers by resolution of September 30, 1920, and the resolution in question.

I shall not read all the resolution, but direct attention to the following:

Resolved, That it is the sense of the United States Shipping Board that its chairman should retire as president and that its members should retire as trustees of the said United States Shipping Board Emergency Corporation, and that there should be elected a separate president and a separate board of trustees for the said United States Shipping Board Emergency Fleet Corporation.

Mr. MCKELLAR. Mr. President, if the Senator will permit me, I think it was probably within the last three or four months that a resolution was adopted by the Emergency Fleet Corporation that its chairman should retire as president and that its members should retire as trustees of the said corporation in the manner provided for in the by-laws of said corporation.

Mr. KING. Mr. President, I am familiar with the resolution which was passed on January 10, 1924, and I purpose calling the attention of the Senate to that resolution. But I should first direct attention to the resolution which was adopted at an antecedent date, because the two resolutions are connected with the first resolution, and the one from which I was just reading, proceeds further to state that the United States Shipping Board Emergency Fleet Corporation shall have charge of the general maintenance, repair, and reconditioning of vessels, provided that no established line shall be discontinued, or new line established, or allocation of passenger vessels made, without the approval of the United States Shipping Board.

Then the power is given to the Emergency Fleet Corporation to construction of certain vessels, and so forth.

Then, on January 10, 1924, the Shipping Board passed a resolution which was amendatory of the resolution of September, 1921, to which I have just called attention, and in this last resolution it was provided that the Emergency Fleet Corporation practically all of its duties, as stated by the Senator from Tennessee. The resolution in part reads as follows:

1. The selection, employment, or removal of all officers and employees of the Emergency Fleet Corporation and their compensation shall be under the control of the board of trustees of said corporation in the manner provided for in the by-laws of said corporation.

2. The establishment and operation of lines and routes which the Shipping Board, under the powers conferred upon it by section 7 of the Merchant marine act of 1920, hereby or hereafter may authorize, and with the consent of the President, shall have charge of.

3. The operation and sale of dry docks; all sales at such prices and on such terms and conditions as the United States Shipping Board may prescribe or approve.

4. The operation and sale of housing projects, real estate, railroad, telephone, or telegraph lines; all sales at such prices and on such terms and conditions as the United States Shipping Board may prescribe or approve.

5. The insurance of vessels and other property in its custody, and the exercise of such similar property, subject to confirmation by the United States Shipping Board before any final contract of sale is made.

6. The custody and sale of all other property and materials.

7. The operation and sale of dry docks; all sales at such prices and on such terms and conditions as the United States Shipping Board may prescribe or approve.

8. The custody and sale of all other property and materials.

9. All accounting for the Emergency Fleet Corporation.

10. The insurance of vessels and other property in its custody, and the exercise of such similar property, subject to confirmation by the board and supervision of the board with respect to the placing of insurance.

11. The operation of piers and pier facilities owned or leased by the Shipping Board and at present used by its vessels, and the operation of such other piers and pier facilities as may be transferred to it by the Shipping Board.

12. The disbursement and expenditure of all moneys arising out of operation, and such other funds as may be allotted to it from appropriations hereafter made to the Shipping Board, or which may hereafter be made to the Shipping Board, and also moneys arising from appropriations hereafter made by Congress for the exclusive use of the Emergency Fleet Corporation.

13. The leasing and rental of offices, warehouses, dock and storage facilities deemed essential by it for its business and for its terminal facilities, but no lease for a period exceeding one year shall be made without the consent of the Shipping Board.

14. The settlement, including payments or collections, of all matters arising out of the above-mentioned powers before or after the date of this resolution.

15. All matters incidental to any of the foregoing powers, including the execution of contracts, charters, bills of sale, leases, and other instruments necessary or convenient to the exercise of such powers are hereby conferred upon the Emergency Fleet Corporation.

Mr. KING. This resolution is constructed by Mr. O’Connor, the chairman of the Shipping Board, in the time he gave before the House committee in December last year. Without consuming the time of the Senate to read his testimony, I am in firm belief that Mr. O’Connor, in interpreting his testimony, concedes that the Emergency Fleet Corporation has practically unlimited authority in the operation of the ships.

The Senator from Florida [Mr. FLETCHER] calls attention to the legal question involved in this attempt to delegate to the Emergency Fleet Corporation the powers of the Shipping Board, and it could not divest itself of these powers.

Mr. President, I have examined with considerable care the hundreds, indeed thousands, of pages of testimony which are found in the various hearings which have taken place during the past six or seven years. I was interested in this great project of the Government and was distressed because of the incontrovertible evidence of the waste of money and the incompetency which attended the administration of the activities of these two governmental agencies. I confess that I had but little confidence in the capacity of the Government to handle a great fleet of merchant vessels and expressed the view upon many occasions that failure would attend the enterprise. I did not think, however, the failure would be so colossal and the loss to the Government so stupendous.

The purpose, the fact must be taken into account that when the United States entered the war the demand for ships to carry our soldiers and cargoes to the shores of Europe was so imperative that it was to be expected that the construction and operation of ships would be very costly. But no one conceived that the enterprise would fall so ignominiously and that
such gross incompetence and inefficiency could be possible. I have stated that all efforts to bring about reforms failed, and it is evident that the Government will soon be compelled to wind up the enterprise. For since Mr. Lasker had control of the Board and brought with him the assumption that its efforts have been defeated. Substantially all of the vessels which were constructed by the Shipping Board were completed after the war. However, the Government would have been charged with its results with negligence if it had not in 1917 embarked upon a program to construct ships to aid in the prosecution of the war. I have been unable to understand why, after the armistice, reforms were not introduced in the charge of the Shipping Board and why greater incompetency and inefficiency existed after that date than during the active construction of the ships in 1917-18.

The other directors were given to understand that under his administration to retain the same. He charged that the accounts had been so kept that even to this date many of the ships were indefensible and had resulted in enormous losses to the Government, he continued in force; and some of the individuals and companies who held such contracts were permitted under his administration to retain the same.

In other words, the Shipping Board and the greater incompetency and inefficiency existed after that date than during the active construction of the ships in 1917-18.

The MO-4 contracts, which Mr. Lasker had so strenuously assailed and which he had charged were made as a means of profiteering and had been in fraud and had resulted in enormous losses to the Government, he continued in force; and some of the individuals and companies who held such contracts were permitted under his administration to retain them. He particularly condemned the MO-4 contracts, which had been so prolific of frauds and had cost the Government tens of millions of dollars.

Perhaps no stronger indictment has been drawn against the Shipping Board and its derelictions, transgressions, incompetencies, and so forth, than that submitted by Mr. Lasker. He declared that he would inaugurate important reforms and that the Shipping Board should be made to operate in a satisfactory manner, not as a paying basis. He referred in his testimony to the fact that more than $3,300,000,000 had been expended in the attempt to establish a merchant marine that several thousand vessels had been purchased; and at a time when he was testifying the number had been reduced to between 1,600 and 1,700. He testified that many of these vessels were useless and obsolete; that they should not have been acquired; and he had asked that with respect to many of this number costly repairs were necessary before they could be put into commission. He asked for an appropriation of a hundred million dollars for the first year of his administration in addition to all sums that might be obtained from the sale of properties, personal or real, owned by the Shipping Board.

My recollection is that he stated that the inventories showed that the Shipping Board had title to property of the value of hundreds of millions of dollars, of which few had been realized. This resulted in the status of the Government in the eyes of others than himself. The greater part of this property was to be sold. The Shipping Board also had claims aggregating millions of dollars against various corporations and individuals, and all sums obtained in settlement of these claims were likewise to be employed by him in the operations of the board. In other words, he sought authority to convert whatever assets the Shipping Board had into money, and to devote the sums so received, as he recalled, $100,000,000,000 for the first year's operations under his administration.

I regret to state that the claims made by Mr. Lasker when he appeared before the Senate Committee were not founded upon, and the number had been reduced to 1,400.

Mr. Lasker brought a Mr. Schlessinger from Chicago to head the legal department and surrounded him with scores of lawyers, to whom, in many instances, compensation disproportionate to the value of their services had been paid. Many of these lawyers were employed for special work, to whom very large fees were paid.

The MO-4 contracts, which Mr. Lasker had so strenuously assailed, were still far from satisfactory. His reign ended, but the Shipping Board was not realized.

And with the millions which have since been expended, and with the changes which have been made in the personnel and in the management, the situation of the Shipping Board and the Emergency Fleet Corporation progressively deteriorated. Certainly the value of the assets shrank, and notwithstanding the enormous appropriations made by Congress, and which have been made from the proceeds of the sale of surplus property, the property of the Shipping Board has diminished until to-day, as I have indicated, if the corporations were required to liquidate, it is doubtful whether the Government would realize more than in a hundred, at most, among them.

I recall, that when appropriations for the Shipping Board were being discussed at the time Mr. Lasker assumed control, the Senator from Washington [Mr. Jones] appealed for support of the final expenditures for the Shipping Board and this governmental enterprise. He admitted all that was charged against the Shipping Board, but expressed the belief that Mr. Lasker would effect reforms and save the enterprise from destruction. Congress appropriated the amount demanded, namely, $100,000,000, and since then has appropriated at least $150,000,000 more. These huge sums have all been lost. They have been consumed in expensive administration, in paying high salaries to thousands of unnecessary employees, and in settling the losses which resulted from mismanagement and incompetent administration. The picture is a sordid and a soiled one. It does not reflect any credit upon the Government.

Mr. Lasker asked for an appropriation of a hundred million dollars from the sale of surplus property, he still asked for and obtained in settlement of these claims were likewise to be realized.

Each session of Congress, when appropriation bills are being drawn up, representatives of these two corporations appear. They have some new plan and some new scheme and give the most cheerful assurance that with another appropriation all will be well and the enterprise will be brought to a state of efficiency.

The investigation which is now being conducted by the Committee on Merchant Marine and Fisheries of the House confirms this view, and I submit demonstrates that there is no chance of rehabilitating or saving this enterprise. The patient is {

Mr. President, as I have indicated, hundreds of millions of dollars of supplies have been sold and the proceeds eaten up by the Shipping Board. Hundreds of ships have been disposed of for amounts deemed to be insufficient to cover the cost and charges of the same. The result has been a loss to the Government. As I recall, by officials of these corporations that many of the ships should be scrapped; indeed that some should be taken out to sea and sunk. We are asked now to appropriate
$24,000,000 for the coming year. In addition they are to have the entire amount on hand July 21, 1925, but not in excess of the sum sufficient to meet obligations incurred prior to July 21 and then unpaid.

How many millions of dollars will be derived from this source, perhaps no one can tell. The bill before us provides that in addition to the sources of revenue which I have enumerated the Emergency Fleet Corporation shall receive so much of the total proceeds of liquidation received during the fiscal year 1925, but not exceeding $4,000,000, as is necessary to meet the expenses of liquidation, including also the cost of tie-up and the salaries and expenses of the personnel engaged in liquidation.

Also:

That portion of the special claims appropriation, contained in the independent offices appropriation act for the fiscal year 1923, committed prior to July 1, 1923, and remaining unexpended on June 30, 1923, shall continue available until June 30, 1925, for the same purposes and under the same conditions.

Mr. President, no one reading the appropriation bill now under consideration can determine what will be expended by the Shipping Board and the Emergency Fleet Corporation for the coming year. They are to obtain the proceeds derived from the 314 ships now in charge of the Emergency Fleet Corporation and other fountains from which, as indicated on pages 27 and 28 of the pending measure, and in addition they are authorized, subject to the condition of the sale of the ships or other property and to expend $24,000,000 carried in the bill now under consideration.

Mr. EDGE. Admitting what the Senator has said is substantially correct, what is the Senator's solution? We are faced with a decision, as I view it, to do one of the two things—either scrap the ships and tie them up or operate them. Assuming that the reports are correct, would the Senator go out of business or would he operate them as reasonably as possible?

Mr. KING. The question of the Senator is a fair one and is pertinent in the discussion of the activities of the Shipping Board and the Emergency Fleet Corporation. I confess that it is difficult to determine just what course should now be pursued. We have blundered along for so many years and have squandered so much money that we are like the traveler who plods toward the summit, hoping soon to reach the top and look out upon the promised land. It may be a rash statement to make, but I shall hazard it because I have made it over and over again during the past five or six years. As I recall, the Senator from New Jersey made it a similar statement a number of years ago, namely, that the vessels, title to which was held by these corporations, should be sold to Americans under stipulations and provisions that they should be held by Americans and operated under the American flag.

Immediately after the Republicans came into power in March, 1920, I urged the Senator from Washington (Mr. Jones), the chairman of the Committee on Commerce, to formulate a bill providing the sale of all property, including the sale of all property, including the vessels owned by the Shipping Board. A number of vessels had been sold at that time. At prices ranging from $175 to $226 per ton.

It is true that only partial payments had been made, the Shipping Board taking mortgages upon the ships or reserving title until full payment was made. It is quite likely that all of the ships could not have been sold for cash, but it is certain that all vessels which had any utility or any value could have been sold at that time at prices ranging from $100 to $225 per ton, with cash payments of from $25 to $50 per ton for each vessel.

I should add that these exceptional sales had been made with American citizens or with corporations, the stock of which was owned by Americans.

Senators will recall that freight rates and passenger rates were high and large profits were being made by those companies which were operating vessels in a business-like and efficient manner. During the war and for some time thereafter those engaged in the shipping business derived large profits upon their investments. It is not then anticipated that there would be so great a slump in the shipping business and many Americans were willing to purchase the Shipping Board's vessels, providing first payments were not too great and liberal terms of payment were granted. I urge that we attempt to save the present condition and situation.

The Shipping Board owned at that time, as I recall, between nine and ten million tons. If sales had been made at $225 per ton, it would have been of great advantage to the Government. But that was not done. A lay was enacted which has proven most unsatisfactory. I predicted when the last discussion that this result would be brought about by the Government's inability to engage in the shipping business in competition with private persons, and that for an indefinite period the Government would be required to make these payments to the merchants without their consent and privileges resulting from governmental operation of its so-called merchant marine.

Mr. EDGE. I merely rose to observe that I do not differ greatly with the Senator's observation in that regard. I believe at that time that under certain restrictions, with American ownership and operation and continuation of freight rates, we should have sold them. In other words, about $3,000,000,000, and as I recall the figures, has been reduced to about $300,000,000.

Mr. KING. I do not think that all the ships now owned by the Shipping Board and the Emergency Fleet Corporation could be sold for $300,000,000.

Mr. EDGE. I rather question that figure. It is less than that, perhaps; but those of us who believed, as we all did undoubtedly, in the maintenance of an American merchant marine, and who believed in doing what was apparently necessary, with the other maritime nations of the world—grant a subsidy—I think would very much prefer to have allowed a subsidy of $300,000,000 to $30,000,000 a year during the past six years, as compared with the loss of $2,750,000,000, which is represented in the present situation.

Mr. KING. The payment of the subsidy mentioned would not have recouped the loss which I am discussing. It is not sustained. I was opposed to the granting of a subsidy, because I believed it an unwise policy economically; and I also regarded such a course as being in contravention of the Constitution. I am willing to tax the American people to pay subsidies to private shipping interests.

Mr. EDGE. There is undoubtedly an honest difference of opinion as to the appropriateness of a subsidy; but the fact remains, the picture as pale red, so to speak, as represented by the Shipping Board from Utah of present conditions as compared to what conditions might have been with a subsidy that would possibly have insured a merchant marine on a basis at least that we could thereafter carry with us without prejudice to the nations of the world, I think the shipping interests of this country have been willing to pay American vessels generous compensation for carrying our foreign mail. Such payments are not subsidies, but mail contracts which have always been made between the owners of shipping and the Government, and are regarded as most profitable. These payments are called subventions, but I insist they are not subsidies.

Mr. EDGE. A subsidy is a form of subsidy. It is merely a question as to how it is defined.

Mr. KING. We have to pay anyway, may I say to the Senator, for carrying the mails. We pay the railroads of our country tens of millions of dollars annually for carrying the mails. If the railroads were not used for this purpose, the Government might be compelled to return to the days of the old stagecoach and use it to carry mail.

Mr. EDGE. That is very true, but subsidies take many forms, subventions, premiums for speed, extra amounts for carrying mail; and so forth. It is a matter of detail, of course, that we work out; but, be that as it may, it has been found satisfactory, according to my investigation, by every nation in the world, successfully maintaining a merchant marine to allow to it in some form or another, call it what you may, some governmental assistance.

Mr. KING. I differ from the Senator as to that. The Senator from Florida is accurate when he stated a few moments ago that Canada maintains an efficient merchant marine with or without subsidy. It is in the dishonesty of the discussion of the question of subsidies or their effect upon our merchant marine that the Government is concerned. I believe, without any reservation that the Canadian Government maintained a merchant marine for the same purpose, specifically for the maintenance of an American merchant marine.

Mr. President, I believe we should change the entire personnel of the Shipping Board; get rid of thousands of unnecessary employees and select some suitable and competent persons to
dispose of all property of the Shipping Board and wind up its affairs at the earliest possible moment. If this course is not pursed, within a few months Congress will again be asked to appropriate millions of dollars more to meet the deficits of the Shipping Board and the Emergency Fleet Corporation. The activities of both agencies will grow loss. Their assets will diminish, but they will still be a liability to the Government.

The life of vessels, as Senators know, is brief. Most of the vessels are of unsatisfactory types; they were constructed under unfavorable conditions; changes in ships for cargo purposes are constantly being made, and new and better types of boats have been built in other countries since the war. Within a very few years the Shipping Board vessels will become obsolete. Many of them now have so deteriorated as to be incapable of service without important repairs being made. Within the next year or two, ships will be practically valueless. I repeat, it would be better for the Government and better for American shipper, both those who export and those who import, if the few ships which the Government now owns were disposed of. I urge the sound the "sale" seem to have in it. Of course, I annex to this statement the qualification that suitable limits should be imposed upon those who take over or acquire such vessels.

Mr. President, I feel sure that if Senators would read the annual report of the Shipping Board for the fiscal year ending June 30, 1924, they would have but little confidence in the ultimate success of any enterprise under governmental control. This report clearly indicates failure and disaster.

Mr. WARREN. Mr. President, will the Senator from Utah yield to me?

Mr. KING. I yield.

Mr. WARREN. I rather think the Senator from Utah will join me in the hope that the Shipping Board may succeed, and in believing that it will succeed, if we give it proper support.

While I am on my feet, I will ask the Senator a question. There has been considerable debate on the pending amendments to the bill, and there are four or five amendments still pending to the bill before us, and I dare say the Senator from Utah does not wish that the bill shall go over until to-morrow, and I ask him if he is now ready to have taken up the remaining amendments to the bill, or does he wish more time?

Mr. KING. The Senator from Nebraska [Mr. Howell] has an amendment to offer, and I shall submit one before the bill is disposed of. I am willing to aid the Senator in having the bill disposed of at an early hour. I want to say in conclusion that there is nothing in the record of the Shipping Board and the Emergency Fleet Corporation, as that record is now presented, to give any assurance even to those most optimistic of the future of the adventure of the Government into the shipping business. We ought not to accede to the demands of those in charge of these corporations to appropriate for the coming year $24,000,000. Of course, if the policy of the Shipping Board is to be followed, some appropriation must be made, but it should be reduced to an amount not exceeding $15,000,000.

Mr. President, much could be said concerning the future of the public marine, but I am willing now to take a vote upon the amendment pending.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the committee. [Putting the question.]

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

The PRESIDING OFFICER. The Secretary will call the roll.

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

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The PRESIDING OFFICER. Sixty-four Senators having answered to their names, a quorum is present. The question is on agreeing to the amendment proposed by the committee.

The amendment was agreed to.
The President pro tempore addressed the Senate in support of his amendment. After having spoken for about 20 minutes, Mr. SHORTRIDGE. Mr. President—

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

Mr. HOWELL. I yield.

PUBLIC CAMP GROUNDS—ANGELES NATIONAL FOREST

Mr. SHORTRIDGE. I ask unanimous consent that the Senate take up out of order House bill 9494, to enable the board of supervisors of Los Angeles County, Calif., to designate and segregate under the provisions of section 55c, as amended, of said national defense act of June 3, 1916, and the act of May 12, 1917, as amended by the act of June 4, 1920, any lands so designated as free public camp grounds under conditions which will allow the fullest use of the lands for recreational purposes without interfering with the objects for which the national forest was established. (I also ask that an amendment be made to section 55c, as amended, by the act of June 4, 1920, by inserting the words "in the Angeles National Forest," and that the Senate proceed to the consideration of House bill 9494.)

Mr. ROBINSON. What is the request?

The PRESIDING OFFICER. The request of the Senator from California, that the Senate proceed to the consideration of House bill 9494.

Mr. ROBINSON. I am compelled to make a point of order that the request is not now in order.

Mr. WARREN. I did not object, the understanding being that the bill would lead to no debate. Mr. ROBINSON. What is the bill?

Mr. SHORTRIDGE. It is a bill to enable the board of supervisors of Los Angeles County to designate and segregate under the provisions of the Angeles National Forest. Mr. ROBINSON. I have no objection to its consideration.

There being no objection, the Senator, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby authorized and directed to cause preliminary examination to be made of the Caloosahatchee River, in Florida, with a view to the control of the floods in accordance with the provisions of section 3 of "An act to authorize the Secretary of War for the control of the floods of the Sacramento River, Calif., and for other purposes," approved March 1, 1917.

Sec. 2. The sum of $1,000, or so much thereof as may be necessary, is hereby authorized to be appropriated for examinations, surveys, and contingencies of rivers and harbors to carry out the provisions of this bill.

There being no objection the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

DETAIL OF ARMY OFFICERS AS INSTRUCTORS

Mr. BINGHAM. Mr. President—

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

Mr. HOWELL. I yield to the Senator.

Mr. BINGHAM. I ask unanimous consent for the consideration of Senate bill 2865, to define the status of retired officers of the Regular Army who have been detailed as professors and assistant professors of military science and tactics at educational institutions.

Mr. CURTIS. I did not hear the Senator. What is the bill?

Mr. BINGHAM. It is a bill reported unanimously by the Committee on Military Affairs giving retired officers who are professors and assistant professors of military science status of being on active duty. The Comptroller General has ruled that officers on such assignments are not on active duty; that it is not military duty. The committee believes it is military, and it is the object of the bill to relieve that situation. There is no objection to the bill. It was unanimously reported by the committee.

Mr. WARREN. I shall have to object to the consideration of the bill if it will lead to debate. Otherwise, I shall not object.

The PRESIDING OFFICER. Is there objection to the request preferred by the Senator from Connecticut?

There being no objection, the Senator, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Military Affairs with an amendment, to strike out all after the enacting clause and to insert:

That the authority for detail of retired officers of the Regular Army contained in section 40b and section 55c of the national defense act of June 3, 1916, as amended by the act of June 4, 1920, shall in either case be construed to include authority to so detail retired officers of the Philippine Scouts.

Sec. 2. Duty performed by retired officers of the Regular Army and duly performed by retired officers of the Philippine Scouts, pursuant to or under any of the acts or orders issued under section 40b or 55c, respectively, of said national defense act of June 3, 1916, as amended by the act of June 4, 1920, including in either case temporary duty for attendance on any course of preparatory instruction required by such order, shall be construed to be active duty for the purpose of increase of longevity pay of such retired officers within the meaning of the national defense act of June 3, 1916, as amended by the act of June 4, 1920, and the act of May 12, 1917, entitled "An act making appropriations for the support of the Army for the fiscal year ending June 30, 1918, and for other purposes," and the act of June 10, 1922, entitled "An act to readjust the pay and allowances of the commissioned and enlisted personnel of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service."

Sec. 3. Duty hereafter performed by retired officers of the Philippine Scouts, pursuant to or under any order or act heretofore or hereafter issued under section 40b or 55c, respectively, of said national defense act of June 3, 1916, as amended by the act of June 4, 1920, including, in either case, temporary duty for attendance on any course of preparatory instruction required by such order, shall be construed to be active duty for the purpose of increase of longevity pay of such retired officers within the meaning of the national defense act of June 3, 1916, as amended by the act of June 4, 1920, and the act of May 12, 1917, and the act of June 4, 1920, as amended therein.

Sec. 4. Duty performed prior to July 1, 1922, by retired officers of the Regular Army and duty performed prior to June 10, 1922, by retired officers of the Philippine Scouts, pursuant to War Department orders purporting to have been issued under section 40b or section 55c, respectively, of said national defense act of June 3, 1916, as amended by the act of June 4, 1920, including, in either case, temporary duty for attendance on any course of preparatory instruction required by such order, shall be construed to be active duty for the purpose of increase of longevity pay of such retired officers within the meaning of the national defense act of June 3, 1916, as amended by the act of June 4, 1920, and the act of May 12, 1917, and the act of June 4, 1920, as amended therein.
but the consideration of some local bill, which will not lead "from "through "taken.

The amendment was agreed to.
Mr. KING. I hope the Senator will not press the consideration of the bill at this time. I shall have to object.

The PRESIDING OFFICER. Objection is made.

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

Be it enacted, etc., That the Secretary of the Interior be, and he hereby is, authorized in his discretion to accept on behalf of the United States title to all or any part of privately owned lands situated within the Mora Grant, as described in the patent issued by the United States, located in the counties of San Miguel, Mora, and Taos, in the State of New Mexico, and adjoining one or more national forests, if in the opinion of the Secretary of Agriculture public interests will be benefited thereby and the lands are chiefly valuable for national forest purposes, and in exchange therefore the Secretary of Agriculture may authorize the grantor to cut and remove an equal value of timber within the national forests of the State of New Mexico or of the State of Arizona, the values in each case to be determined by the Secretary of Agriculture and acceptable to the grantor as a fair compensation. Timber values in the exchange shall be determined and recorded under the laws and regulations relating to the national forests and under the direction and supervision and in accordance with the requirements of the Secretary of Agriculture.

SEC. 2. Lands offered for exchange hereunder and not covered by public land surveys or identified by surveys of the United States shall be identified by metes and bounds surveys, and that such surveys and the plats and field notes thereof may be made by employees of the United States Forest Service and approved by the United States Surveyor General.

SEC. 3. Any lands conveyed to the United States under the provisions of this act shall, upon acceptance of the conveyance thereof, become and be a part of the Carson National Forest or of the Santa Fe National Forest, as the Secretary of Agriculture may determine.

SEC. 4. Before any exchange of lands for timber as above provided is effected notice of such exchange proposal, describing the lands involved therein, shall be published once each week for four consecutive weeks in some newspaper of general circulation in the county in which such lands so to be conveyed to the United States are situated.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

SENATE OF QUARTERS FOR POSTAL PURPOSES

Mr. STERLING. Mr. President—

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

Mr. HOWELL. I yield.

Mr. BURSUM. I ask unanimous consent to take up Senate bill 3883, providing for the acquisition by the United States of privately owned lands in San Miguel, Mora, and Taos Counties, N. Mex., within the Mora Grant and adjoining one or more national forests, by exchanging therefor timber, within the exterior boundaries of any national forest situated within the State of New Mexico or the State of Arizona.

This is a bill providing for the exchange of timber for forest land, or some lands which have heretofore been within the forests, and the title to which has been questioned. It has recently been decided by the courts that the lands belong to private parties.

Mr. KING. I shall not object to the consideration of the bill, but I want to ask the chairman of the Committee on Appropriations whether opportunity is to be afforded Senators to offer amendments to the pending bill. I have some amendments to offer.

The PRESIDING OFFICER. The Chair can assure the Senator from Utah that full opportunity to offer individual amendments will be given.

Mr. WARREN. Let me say to the Senator that I was about to inquire of the Senator from Nebraska, who is entitled to the floor, whether he would be willing to allow the balance of the speech, which he has been engaged in delivering, to be printed, and permit us to conclude the consideration of the appropriation bill before 5 o'clock when, under the unanimous-consent agreement, a recess is to be taken.

Mr. OVERMAN. That is against the rules of the Senate.

The PRESIDING OFFICER. That may not be done, the Chair having said that it would be done under the rules of the Senate; that is, leave to print does not exist.

Mr. WARREN. I was making the suggestion in accordance with the way business is sometimes transacted in the Senate.

Mr. OVERMAN. I would like to know when the Senator from Wyoming expects to get the pending appropriation bill through, if he continues to yield for the consideration of bills on the calendar.

Mr. WARREN. The Senator's suggestion is a timely one, but it seems to have become the practice for some Senator to get up and say he is going to yield for the consideration of some local bill, which will not lead to debate, but here is a request to take up general legislation, and it should not be called up in this way.
The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

EVENING SESSION

The Senate reassembled at 5 o'clock p.m., on the expiration of the recess.

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


evening

Mr. BAYARD. Those interested in the drafting of the bill, who were members of the House Committee on the District of Columbia and the Senate District Committee, a joint committee.

Mr. CARAWAY. Did they not have information enough to know what the salary was going to be?

Mr. BAYARD. No; the classification act will fix the salary.

Mr. CARAWAY. That is already a law. The members of the committee could have read it. Could they not tell what the salary would be under the provisions of the law?

Mr. BAYARD. As a member of the committee, I do not know. I imagine it would be about $5,000. The idea of the committee was to get a first-class, forceful man; otherwise the law will not bring the results we hope for.

Mr. BAYARD. Does the Senator think we can get a first-class, forceful man for $5,000 to regulate traffic in the District of Columbia?

Mr. BAYARD. That I do not know.

Mr. BAYARD. In other words, the Senator is guessing at it absolutely when he refers to the classification law.

Mr. BAYARD. He will be the head of the division. The classification act fixes the salaries of all heads of divisions.

Mr. BAYARD. He will not be the head of a division under the terms of the bill.

Mr. BAYARD. He will be the head of a new distinct department. I do not know what it might be termed, but probably a division.

Mr. BAYARD. He is not stated to be the head of the division under the terms of the bill. May I read it to my colleague?

Mr. BAYARD. The term "director" means the director of traffic of the District of Columbia.

Of what division would he be the head?

Mr. BAYARD. The head of the traffic of the District of Columbia. We are creating an entirely new division.

Mr. BAYARD. Is there a traffic division created by the act?

Mr. BAYARD. When we appoint a director and he performs those duties which are provided by the bill, it seems to me we are creating what we may properly call a division.

Mr. BAYARD. I think we have absolutely left out of the bill any suggestion of the creation of a division. If this man should be appointed head of a division and be classified according to the bill as it now reads, I question whether or not he would be able to get his salary. He would probably have to fight for his salary if appointed in this way.

Mr. COPELAND. Mr. President, the committee discussed the position of a director and what sort of a man we would need and how much we would need to pay him. We started out with the idea of paying $10,000 or $12,000 a year, but when we came to consider the matter of the kind of man who would be in charge of the place we decided that under the classification act, which would, as I recall it, pay $5,000, we could get such a man as we wanted.

Mr. SMOOT and Mr. BAYARD addressed the Chair.

Mr. JONES of Washington. Mr. President, I wish to make a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Washington will state it.

Mr. JONES OF Washington. I ask whether or not the formal reading of the bill, which has been demanded, can be interrupted?

The PRESIDING OFFICER. The Chair is of the opinion that it can not be interrupted if anyone raises the point.

Mr. JONES OF Washington. I raise the point.

The PRESIDING OFFICER. The Clerk will proceed with the reading of the bill.
Mr. BALL. I asked in the beginning to dispense with the formal reading of the bill, but there was objection.

Mr. CLARK. The request to dispense with the formal reading of the bill was objected to. The Clerk will proceed with the reading.

The reading of the bill was resumed and concluded, which is entered as follows:

Be it enacted, etc. That this act may be cited as the "District of Columbia traffic act, 1925."

DEFINITIONS

Sec. 2. When used in this act—
(a) "Motor vehicle" means all vehicles propelled by internal-combustion engines, electricity, or steam, except traction engines, road rollers, and vehicles propelled only upon rails and tracks;
(b) The term "court" means the police court of the District of Columbia;
(c) The term "District of Columbia Code" means the act entitled "An act to establish a code of law for the District of Columbia, approved March 3, 1901," as amended;
(d) The term "District" means the District of Columbia;
(e) The term "commissioners" means the Board of Commissioners of the District of Columbia;
(f) The term "director" means the director of traffic of the District of Columbia;
(g) The term "person" means individual, partnership, corporation, or association;
(h) The term "park" means to leave any motor vehicle standing on a public highway, whether or not attended;
(i) The term "public highway" means any street, road, or public thoroughfare; and
(j) The term "this act" includes all law or regulations issued thereunder by the commissioners.

ADDITIONAL JUDGES FOR THE POLICE COURT

Sec. 3. (a) Section 42 of the District of Columbia Code is amended to read as follows:

"SEC. 42. Constitution: The police court of the District shall consist of four judges learned in the law, appointed by the President, by and with the advice and consent of the Senate. No person shall be so appointed unless he has been an actual resident of the District for at least one year, or is an attorney-at-law practicing in the District and has been in the actual practice of law before the Supreme Court of the District for a period of five years prior to his original appointment. The term of office of each judge shall be six years, except that any judge in office at the expiration of the term for which he was appointed may continue in office until his successor takes office. Each judge shall be subject to removal by the President for cause. The salary of each judge shall be fixed in accordance with the classification act of 1923. The judges shall hold separate sessions and may carry on the business of the court separately and simultaneously, but the holding of such sessions shall be so arranged that the court shall be open continuously from 10 o'clock antemeridian until adjournment each day, and shall be required on the material of cases involving violations of traffic laws and regulations. The judges shall have power to make rules for the apportionment of business among them and the act of each judge respecting the business of the court shall be deemed and taken to be the act of the court. Each judge when appointed shall take the oath prescribed for judges of courts of the United States."

(b) Nothing contained in this section shall affect the term of office of the present judges of the police court or require their reappointment.

(c) The judges of the police court are authorized to appoint not exceeding six additional deputy clerks and four additional bailiffs, if the business of the court requires it. The salaries of such additional deputy clerks and bailiffs shall be fixed in accordance with the classification act of 1923.

(d) The commissioners shall provide for the use of the police court as an additional courthouse, foralhall, bunkroom, stationery, and office equipment as may be deemed necessary for the efficient execution of the functions of the court, and as may be appropriated for by the Congress from time to time.

Sec. 4. (a) Section 45 of the District of Columbia Code is amended to read as follows:

"SEC. 45. Jury: The jury for service in said court shall consist of 12 men, who shall have the legal qualifications necessary for jurors in the Supreme Court of the District, and shall serve a like compensation for their services, and such jurors shall be drawn and selected under and in pursuance of the laws concerning the drawing and selection for service in the Supreme Court of the District. The term of service of jurors drawn for service in the police court shall be for one jury term and, in any case, on trial at the expiration of any jury term until a verdict has been rendered or the jury discharged. The jury terms shall begin on the first Monday and the third Monday of each month of the year. The jury term beginning on the first Monday of each year shall be held over two weeks, and the jury term beginning on the third Monday of each month shall terminate on the Saturday next preceding the beginning of the next jury term. When at any term of said court it shall happen that in a pending trial no jury shall be found, the court may discharge two jurors for the next succeeding term of the court, the court shall proceed with the trial by the same jury, as if said term had not commenced."

(b) The third paragraph of section 264 of the District of Columbia Code is amended so as to compose two paragraphs to read as follows:

"At least 10 days before the first Monday and at least 10 days before the third Monday of each month of the year the said jury commission shall draw from the jury box the names of such number of persons as the police court considers necessary to fill the vacancies from time to time direct to serve as jurors in the police court and shall forthwith certify to the clerk of the Supreme Court of the District of Columbia the names of the persons drawn as jurors."

"At least 10 days before the first Monday in January, the first Monday in July, and the first Monday in October of each year the said jury commission shall likewise draw from the jury box the names of persons to serve as jurors in the juvenile court of the District of Columbia in accordance with sections 14 and 15 of the act approved March 19, 1908, creating the said juvenile court, and shall also draw from the jury box the names of persons to serve as jurors in any other court in the District of Columbia which hereafter may be given cognizance of juvenile trials, and shall certify the respective list of jurors to the clerk of the Supreme Court of the District of Columbia."

DIRECTOR OF TRAFFIC—REGULATIONS

Sec. 5. (a) The commissioners are hereby authorized to appoint a director of traffic, who shall perform the duties prescribed in this act and such additional duties, not inconsistent therewith, in respect of the regulation and control of traffic in the District, as the commissioners may require. The term of office of such director shall be three years and his salary shall be fixed in accordance with the classification act of 1923. The director shall be subject to removal by the commissioners for cause.

(b) The director is hereby authorized, beginning 50 days after the enactment of this act, (1) to make reasonable regulations with respect to brakes, horns, lights, mufflers, and other equipment, the speed and parking of vehicles, the registration of motor vehicles, the issuance and revocation of operator's permits, and such other regulations with respect to the control of traffic in the District not in conflict with any law of the United States as are deemed advisable, and (2) to prescribe reasonable penalties of fine, or imprisonment not to exceed one year in lieu of or in addition to any fine, for the violation of any such regulation. Such regulations shall become effective when adopted and promulgated by the commissioners in accordance with law.

(c) Regulations promulgated under subdivision (b) shall, when adopted, be printed in one or more of the daily newspapers published in the District, and no penalty shall be enforced for any violation of such regulations which occurs more than 60 days after such publication, except that whenever it is deemed advisable to make immediately effective any regulation relating to parking, diverting of vehicle traffic, or closing of streets to such traffic, the regulation shall be immediately printed in the newspapers of the District and before conspicuous signs containing a notice of the regulation, the placing at or upon the public highway of any sign relating to parking or the regulation of traffic, except by the authority of the director, is prohibited.

(d) The commissioners are hereby authorized to appoint one additional assistant to the corporation counsel, whose salary shall be fixed in accordance with the classification act of 1923.

OPERATOR'S PERMITS

Sec. 6. (a) Upon application made under oath and the payment of the fee hereinafter prescribed, the director is hereby authorized to issue annually a motor-vehicle operator's permit to any individual who, in the opinion of the director, is mentally, and in physical condition qualified to operate a motor vehicle in such manner as not to jeopardize the safety of individuals or property. The operator shall cause each applicant to be examined as to his knowledge of the traffic regulations of the District and shall require the applicant to give a practical demonstration of his ability to operate a motor vehicle within a congested portion of the District and in the presence of such individuals as he may authorize to conduct the demonstration, except that the renewal of the operator's permit or license in the event of application and demonstration may be waived in the discretion of the director. Operators' permits shall be issued for a period not in excess of one year, and the fee for any permit shall be $2 except that in case of any permit which will expire within less than six months of the date of its issuance the fee shall be $1. In case of the loss of an operator's permit the individual to whom such permit was issued, shall forthwith notify the director, who shall
furnish such individual with a duplicate permit. The fee for each such duplicate permit shall be 50 cents. No operator's permit shall be issued to any individual under 16 years of age; and no such permit shall be issued to any individual 16 years of age or over but under 18 years of age for the operation of any motor vehicle other than a passenger vehicle used solely for purposes of pleasure and owned by such individual or his parent or guardian, or a motor cycle, or a motor boat for the use of the operator or any subsidiary; or unreasonably to damage the public highway, the use thereof, and the traffic laws of the District.

(b) Each operator's permit shall (1) state the name and address of the holder, together with such other matter as the director may by regulation prescribe, and (2) contain his signature and space for the director's signature for violations of the traffic laws of the District.

(c) Any individual to whom has been issued a permit to operate a motor vehicle shall immediately advise his immediate superior as to all times when operating a motor vehicle in the District, and shall exhibit such permit to any police officer when demand is made therefor. Any individual failing to comply with the provisions of this subdivision shall, upon conviction thereof, be fined not less than $25 or more than $40.

(d) The director shall by regulation for the issuance without charge, upon application therefor, of operators' permits under the provisions of this act to individuals the possession of whom is authorized to be issued to such individuals in the District prior to the enactment of this act. Such permits shall be issued with or without the examination and practical demonstration provided in subdivision (a) of this section, in the director's discretion. All such permits shall expire on March 31, 1926.

(e) No individual shall operate a motor vehicle in the District, except as provided in section 7, without having first obtained an operator's permit issued by the Director of Motor Vehicles and the licensing of operators thereof, shall, subject to the provisions of this section, be exempt from compliance with section 6 and with any provision of law or regulation requiring the registration of motor vehicles or the display of identification tags in the District. Such exemption shall cover the period immediately following the entrance of such owner or operator into the District equal to the period for which the director has previously found that a similar exemption should be extended to legal residents of the State, Territory, or possession of the United States, or of a foreign country or political subdivision thereof, in respect of the registration of motor vehicles and the licensing of operators thereof, shall, subject to the provisions of this section, be exempt from compliance with section 6 and with any provision of law or regulation requiring the registration of motor vehicles or the display of identification tags in the District.

(f) Nothing in this act shall relieve any individual from compliance with the act entitled "An act to amend the license law, approved July 1, 1925, with respect to licenses of drivers of passenger vehicles for hire," approved January 28, 1926.

NON-WRAPAROUNDS

SEC. 7. (a) The owner or operator of any motor vehicle who is not a legal resident of the District, and who has complied with the laws of any State, Territory, or possession of the United States, or of a foreign country or political subdivision thereof, in respect of the registration of motor vehicles and the licensing of operators thereof, shall, subject to the provisions of this section, be exempt from compliance with section 6 and with any provision of law or regulation requiring the registration of motor vehicles or the display of identification tags in the District. Such exemption shall cover the period immediately following the entrance of such owner or operator into the District equal to the period for which the director has previously found that a similar exemption should be extended to legal residents of the State, Territory, or possession of the United States, or of a foreign country or political subdivision thereof. The director shall from time to time ascertain such privileges and cause his findings to be promulgated.

(b) Any operator of a motor vehicle who is not a legal resident of the District and who does not have in his immediate possession an operator's permit issued by a State, Territory, or possession of the United States, or foreign country or political subdivision thereof, having motor vehicle reciprocity relations with the State, shall not operate a motor vehicle in the District unless (1) the laws of the State, Territory, or possession of the United States, or foreign country or political subdivision thereof, under which the motor vehicle is registered do not require the issuance of a motor vehicle operator's permit or (2) he has submitted to examination within 72 hours after entering the District and obtained an operator's permit in accordance with the provisions of section 6 of this act. Any individual who violates any provision of this subdivision shall, upon conviction thereof, be fined not less than $50 nor more than $500 or imprisoned not less than 30 days nor more than one year, or both.

SPEEDING AND RECKLESS DRIVING

SEC. 8. (a) No motor vehicle shall be operated upon any public highway in the District at a rate of speed greater than 25 miles per hour under any circumstances.

(b) No individual shall operate a motor vehicle over any public highway in the District (1) recklessly; or (2) at a rate of speed greater than is reasonable and proper, having regard to the width of the public highway, the use thereof, and the traffic thereon; or (3) so as to create a reasonable danger to any other person (4) so as unnecessarily or unreasonably to damage the public highway.

(c) If the rate of speed of any motor vehicle operated upon any public highway in the District exceeds 20 miles per hour, such rate of speed shall be prima facie evidence that such vehicle is being operated in violation of subdivision (b), and the burden of proof shall be upon the operator to show that the motor vehicle was not being operated in violation of such subdivision.

(d) Any individual violating any provision of this section where the offense constitutes reckless driving, shall, upon conviction for the first offense, be fined not less than $25 nor more than $100 and imprisoned not less than 10 days nor more than 30 days; and upon conviction for the second offense, be fined not less than $5 nor more than $25; upon conviction for the third offense, such individual shall be fined not less than $10 nor more than $1,000, and shall be imprisoned not less than 30 days nor more than one year, and the clerk of the court shall certify forthwith such conviction to the director, who shall thereupon revoke the operator's permit of such individual.

(e) Any individual violating any provision of this section, except where the offense constitutes reckless driving, shall, upon conviction for the first offense, be fined not less than $25 nor more than $100; upon conviction for the second offense, or any subsequent offense, such individual shall be fined not less than $25 nor more than $500, and shall be imprisoned not less than 30 days nor more than one year, and the clerk of the court shall certify forthwith such conviction to the director, who shall thereupon revoke the operator's permit of such individual.

FEWER FROM SCENE OF ACCIDENT—DRIVING UNDER INFLUENCE OF LIQUOR OR DRUGS

SEC. 9. (a) No operator of a motor vehicle in the District, knowing that such motor vehicle has struck any individual or any vehicle, or that such vehicle has been struck by any other vehicle, shall leave the place where the collision occurred and giving his name, place of residence, including street and number, and registration and operator's permit numbers to the individual so struck or the operator of the other vehicle. Such operator shall, in every instance physically unable to do so, report the accident to a police station within 24 hours after the occurrence of the collision or injury.

(b) No individual shall, while under the influence of any intoxicating liquor or narcotic drug, operate any motor vehicle in the District.

(c) Any individual violating any provision of this section shall, upon conviction for the first offense be fined not less than $100 nor more than $500 and imprisoned not less than 60 days nor more than 90 days, and upon conviction for the second offense, be fined not less than $200 nor more than $1,000 and imprisoned not less than six months nor more than one year. Upon conviction of a violation of any provision of this section the clerk of the court shall certify forthwith such conviction to the director, who shall thereupon revoke the operator's permit of such individual.

SMOKE SCREENS

SEC. 10. (a) No individual shall knowingly—

(1) Have in his possession any device designed to cause the emission from a motor vehicle of a dense mass of smoke commonly called a smoke screen;

(2) Use or permit the use of any such device in the operation of any motor vehicle; or

(3) Have in his possession or control any motor vehicle equipped with any such device or specially fitted for the attachment thereto of any such device.

Any individual violating any provision of this section shall be guilty of a felony and upon conviction shall be punished by imprisonment in the penitentiary for a term of not less than one year nor more than five years.

REMOVING BY GARAGE KEPPER OF CARS DAMAGED IN ACCIDENTS

SEC. 11. The individual in charge of any garage or repair shop to which is brought any motor vehicle which shows evidence of having been involved in an accident or struck by bullets shall report to a police station within 24 hours after such motor vehicle is received, giving the make of the motor vehicle, the engine number, the registry number, and the name and address of the owner or operator of such motor vehicle. Any such individual failing so to report shall, upon conviction thereof, be fined not less than $25 nor more than $100 for each offense.

REVOCATION OR SUSPENSION OF OPERATORS' PERMITS

SEC. 12. (a) The director may, in his discretion (except where for any violation of this act revocation of the operator's permit is mandatory) revoke or suspend the operator's permit of any individual convicted of a violation of any of the provisions of this act. The director may, also, for such cause as he deems advisable, revoke or suspend the operator's permit of any individual, upon hearing before the director or his representative after notice in writing of the proposed action and the grounds therefor have been mailed to the individual at the address given in his application for the permit.

(b) In case the operator's permit of any individual is revoked no new permit shall be issued to such individual for at least six months after the revocation, nor thereafter except in the discretion of the director.
(c) Any individual not having an operator's permit issued by the director but having in his immediate possession an operator's permit issued by any State, Territory, or possession of the United States, foreign country or political subdivision thereof shall, upon conviction of a violation of any provision of this act requiring the revocation or suspension for any period of the operator's permit, have his right to operate a motor vehicle in the District during the period for which his right to operate is suspended under this act shall, for each such offense, be fined not less than $100 nor more than $500, or imprisoned not less than 30 days nor more than one year, or both.

IMPOUNDING OF VEHICLES

SEC. 13. (a) The director is authorized to provide by regulation for the removal and impounding of vehicles parked in violation of any law or regulation, and for the release of any such vehicle upon payment of a sum not in excess of $10 for any violation, as he deems advisable.

(b) No such fee shall be collected from any owner of a vehicle under the provisions of this section if such owner can show that the parking of the vehicle in violation of the act of a person not authorized by the owner to have control of the vehicle.

ARSENAL HIGHWAYS OR BOULEVARDS

SEC. 14. For the purpose of expediting motor-vehicle traffic the director is authorized to designate and establish any public highway as an arterial highway or boulevard and to provide for the equipment of any such highway by the installation of required signs and other devices for the proper regulation of traffic thereon, as may be approved for by the Congress from time to time.

ADDITIONAL POLICE

SEC. 15. The commissioners are authorized to appoint 300 additional privates for the Metropolitan police force.

REPEALS

SEC. 16. (a) The provisions of the act entitled "An act regulating the speed of automobiles in the District of Columbia, and for other purposes," approved June 29, 1906, and, in so far as they relate to the regulation of vehicles or vehicle traffic in the District, the provisions of the act entitled "An act to authorize the Commissioners of the District of Columbia to make police regulations for the government of said District," approved January 26, 1887, and of the joint resolution entitled "Joint resolution to regulate licenses to proprietors of theaters in the city of Washington, D. C., and for other purposes," approved February 28, 1892, and of the act entitled "An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1916, and for other purposes," approved March 3, 1917, shall not apply to any person operating any motor vehicle in the District.

(b) Nothing contained in this act shall be construed to interfere with the exclusive charge and control heretofore committed to the Chief of Engineers over the park system of the District, and he is hereby authorized and empowered to make and enforce all regulations for the control of vehicles and traffic, and limiting the speed thereof on roads, highways, and bridges within the public grounds in the District under his control, subject to the penalties prescribed in this act.

(c) Any violation of any provision of law or regulation issued thereunder which is repealed by this act and any liability arising under such provisions or regulations may if the violation occurred or the liability arose prior to such repeal be prosecuted to the same extent as if this act had not been enacted.

EFFECTIVE DATE OF ACT

SEC. 17. (a) The following provisions of this act shall take effect 60 days after its enactment: Sections 6, 7, and 13, and subdivision (a) of section 16.

(b) Except as provided in subdivision (a) of this section and in subdivision (b) of section 5, the provisions of this act shall take effect upon its enactment.

SEPARABILITY OF PROVISIONS

SEC. 18. If any provision of this act is declared unconstitutional or the applicability thereof to any person or circumstance is held invalid, the validity of the remainder of the act and all other provisions of such provision to other persons and circumstances shall not be affected thereby.

Mr. REED of Missouri. Mr. President, I desire to inquire from the Senator whose name appears upon this bill who is its author?

Mr. BALL. The Joint Committee on the District of Columbia of the House and Senate, after very extensive hearings.

Mr. REED of Missouri. Mr. President, I have heard read a bill that is quite strange to my proposition for laws in this free country, and it has seemed to me that sometimes insanity has become epidemic, and that it particularly afflicts those who want to regulate the conduct of other people. Everyone who is sane is willing to have laws passed for the protection of life and limb upon the streets—reasonable, sensible, American laws—but I confess that the reading of this bill arouses every sentiment of indignation of which I am capable.

For a thousand years it has been the rule among the English-speaking people that every man charged with a crime is presumed to be innocent until his guilt is proven beyond a reasonable doubt. It is a part of that principle, which is perhaps the choicest jewel in the law of human liberty, that the burden of proof is upon the prosecutor, upon the Government. A man who is brought into an American court has the right to stand silent and to make no plea at all, and the court must enter a plea of not guilty. If he is not represented by counsel, and desires counsel, the court must appoint counsel for him in nearly every American State, and I believe in every American State, and, it is suggested, in the Territories. When the trial begins, the issue of guilt or innocence is submitted to a jury, and the presumption of innocence continues to run with the defendant until it is overcome by evidence which establishes guilt beyond a reasonable doubt.

That is true in cases of the cruellest murder, the most atrocious rape, the most villainous act of highway robbery—perhaps most criminal acts of which human nature is capable. It is, as suggested by the Senator from Utah [Mr. Kinz], likewise the rule in high treason against the Government, committed in time of war, when the life of the Government is at stake. Now, however, we find a committee that brings in a bill that proposes to place the burden of establishing innocence upon a defendant who drives an automobile through the streets of the Capital of the greatest and freest Nation on earth.

It is astounding. Let me read it to you. I read from page 12, section 8:

(a) No motor vehicle shall be operated upon any public highway in the District at a rate of speed greater than 25 miles per hour under any circumstances.

Mr. BALL. Mr. President, if the Senator will yield for just one moment, I will present it.

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Delaware?

Mr. REED of Missouri.

Mr. BALL. I have an amendment covering that section, if the Senator will permit me to present it.

Mr. REED of Missouri. I should think the Senator would have been the Burnham bill had it been the solemn proposal of a joint committee and brought in in such shape that it can not suffer discussion for three minutes before its apologist rises and says, "Well, we did not mean it, anyway." Now, let us pause a moment; for this will point somewhat to the character of consideration this bill has had and to the kind of bill it is.

At a rate of speed greater than 25 miles per hour under any circumstances.

A man might be obliged to go for a doctor. A man might be obliged to go on an errand for the saving of life. A man might be obliged to go to a fire with his house burning up and his wife and children being there consumed in the flames. A doctor might be riding to save the life of a patient. Any one of ten thousand things might happen, but under no circumstances are you to go at more than 25 miles an hour.

Of course, if the committee had fixed a limit of 25 miles an hour, and then had placed in the bill some exceptions, the bill might have been reasonable; but as it is, it is utterly unreasonable.

What follows?

(b) No individual shall operate a motor vehicle over any public highway in the District (1) recklessly; or (2) at a rate of speed greater than is reasonable and proper, having regard to the width of the highway, the character of the approach, the general condition of the street, or (3) so as to endanger any property or individual; or (4) so as unnecessarily or unreasonably to damage the public highway.
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Just notice the requirements. You must not be reckless, you must not run at an unreasonable rate of speed, having regard to the width of the highway and the use thereof, and you must not endanger the lives of the occupants of any other vehicle or any pedestrian. No matter what the individual is doing, no matter where the property is. You must not endanger this individual, or drive "so as to unnecessarily or unreasonably to damage the public highway." Now notice:

If the rate of speed of any motor vehicle operated upon any public highway in the District exceeds 20 miles per hour, such rate of speed shall be prima facie evidence that such vehicle is being operated at an unreasonable rate of speed. That is, the minute you operate at more than 20 miles an hour, you are presumed to be endangering life, you are presumed to be damaging the highway, you are presumed to be reckless, and you are presumed to be operating at an unreasonable rate of speed. All of those things follow from the fact that you are running more than 20 miles an hour, and "the burden of proof shall be upon the operator to show that the motor vehicle was not being operated in violation of such subdivision."

So that, properly construed, that provision means that whenever you are arrested you have to show that you were not running more than 20 miles an hour. If you can not show that, you have to show all these other things, that you were not running recklessly, and that you were not endangering anybody's life, and that you were not careless, and that you were not damaging any street. All of the burden shifts back to the poor fellow who runs an automobile. He must prove, too, as I have construed the section, that he was not running at 20 miles an hour. He must go to his defense before the State is put to any proof at all.

Then notice the humanity of these gentlemen of modern reform legislation, led by some character who would like to take thumbscrews and twist the thumbs of a tortured man, by somebody who would stretch the body upon the rack and turn and turn until the eyes spring from the sockets and the blood gushes from the ears. I would say that. But coming as it does from this benign and sweet soul, a fountain that could give forth nothing but sweet waters, I can only express my astonishment. The rest of the bill is nearly as bad as what I have read. I offer, for that as a sample of modern reform legislation, led by the upholders, a glimpse, Senators, of the new liberty.

The PRESIDING OFFICER. The bill is before the Senate as in Committee of the Whole and open to amendment.

Mr. BALL. Mr. President, I offer the following amendment. The PRESIDING OFFICER. The amendment will be reported.

The READING CLERK. On page 12, line 12, where the bill reads: "No motor vehicle shall be operated upon any public highway in the District at a rate of speed greater than 25 miles per hour under any circumstances," strike out "25," and insert in lieu thereof "30," and in the same line, after the word "hour," strike out the words "under any circumstances."

Mr. McKELLAR. Mr. President, may I ask the Senator a question? Would not that apply to fire engines, or motors drawing fire engines, or ambulances of any kind? Would it not affect those? I know ambulances and fire engines go at a greater rate of speed than 30 miles an hour, and I am wondering if it is the intention of the committee to prevent this.

Mr. BALL. The idea is to limit the speed of all vehicles to 30 miles an hour.

Mr. HEFLIN. Does it make any exceptions?

Mr. McKELLAR. No; it makes no exceptions at all. I want to ask another question or two in reference to the bill.

Mr. BALL. With reference to this amendment?

Mr. McKELLAR. No; not this amendment.

Mr. BALL. I wish to ask the Senator to look at page 7, where I see the following provision:

The Director is hereby authorized, beginning 50 days after the enactment of this act, (1) to make reasonable regulations—

Mr. BALL. Why not let us dispose of the pending amendment?

Mr. McKELLAR. I do not care to have it disposed of right now. I want to ask the Senator something about the bill. There are some provisions in the bill which, it seems to me, ought to be enacted. I think it contains other provisions which should not be enacted. I think we ought to discuss those which are material and those about which people may differ. On the point where the director is to apply to the court for additional counsel, the idea is to limit the speed of fire engines and ambulances of any kind. Would not that apply to fire engines, or motors drawing fire engines, or ambulances of any kind?

Mr. McKELLAR. No; not this amendment.

Mr. BALL. I ask the Senator to look at page 7.

Mr. McKELLAR. I call the Senator's attention to page 8, where it is provided that—

The commissioners are hereby authorized to appoint one additional assistant to the corporation counsel, whose salary shall be fixed in accordance with the classification act of 1923.

What is the object of providing for additional counsel?

Mr. BALL. The reason why we provide for additional counsel is because the courts are increased by two additional judges.

Mr. McKELLAR. What is the counsel to do?

Mr. BALL. The counsel prepares the cases for these courts. Not only that, but the court is held open from 10 o'clock in the morning to 10 o'clock at night.
Mr. McKELLAR. That is true. I ask the Senator from Delaware to turn to page 13, under subsection (e), and not specifically to that, but the whole section. I take it that the bill was drafted from the language of the Senate. What amendment is that? What other city regulations did the committee use?

Mr. BALL. It was not copied from the regulations of any one city. The committee took some provisions from the regulations of New York City. The committee had the director of traffic of New York City, together with Judge Cobb, of New York City, before them, and they gave us some very concrete suggestions.

Mr. REED of Missouri. The Senator from Delaware said the committee had some regulations from Chicago and New York and that they had consulted the director of traffic of one of those cities. Did the Senator have any consultation with Dravo?

Mr. STANLEY. Mr. President.

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

Mr. McKELLAR. I yield.

Mr. STANLEY. Mark Twain once said after he had been three times arrested, I believe, in the city of Boston, that he would like to go to all the towns in New England and in Boston never be born again. I would like to ask the chairman if many of these regulations were not taken from the laws and ordinances of Boston at the time to which Mark Twain referred?

Mr. McKELLAR. I yield to the Senator from Delaware to answer the question. It is not addressed to me.

Mr. BALL. Mr. President, I do not object to answering a question that is serious. This is a bill of most grave importance to the District of Columbia. If we want to prevent automobile slaughter in Washington we must have some concrete traffic regulations. We must have some well thought out penalties for those who will continue day after day to break the ordinary laws and destroy property and life. If the Senate does not wish to pass any proper bill governing the rate of speed, governing the proper driving of an automobile by a driver who is intoxicated, fixing a penalty for those who growl into a crowd and have an accident and then run away, I am satisfied.

The committee has given the bill very grave consideration. Notwithstanding the very beautiful description given by the senator from Missouri [Mr. Reed] and the delightful sentiments expressed by him for the Senator from Delaware, the Senator from Delaware will take responsibility so far as the humane part of the bill is concerned. I admit that I am not skilled in the law, but I hope that I do know when fair and reasonable and just treatment is given to people on the streets.

I do not propose to discuss the matter further. If there is any reasonable question Senators want to ask I will gladly answer it; otherwise Senators may do with the bill as they see fit.

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

Mr. McKELLAR. I yield to the Senator from Arkansas to ask the Senator from Delaware a question.

Mr. CARAWAY. I want to say that with very many of the provisions of the bill I find myself in hearty accord. I think the reckless driver, who thinks after he has blown his horn that he is excused for anything, and who wantonly destroys all the properties of our community, is twice an offender. I do not object to making the penalties severe. I do not care what penalties.

What I intended to ask the Senator was if he did not feel that by modifying those provisions which tend to curtail the driver who is neither reckless norinclined to be vicious he could not make a better rounded out bill?

The man who wants to drive when intoxicated ought to stay in jail until he has lost his taste for liquor. As to the man who sounds his horn and then expects everybody else to climb out of their way, and runs away if he gets run over, I do not care what penalties may be inflicted upon him.

I wish there were some way to abolish the coroner from the bill. Every time some one runs over some one else and he gets run over, the coroner is entitled to a fee. If the coroner was killed when run over, I do not care what penalties may be inflicted upon him.

The man who wants to drive when intoxicated ought to stay in jail until he has lost his taste for liquor. As to the man who sounds his horn and then expects everybody else to climb out of their way, and runs away if he gets run over, I do not care what penalties may be inflicted upon him.

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can get the man to jail, has found that the child was altogether to blame.

For now, basing it upon a very long experience in driving cheap cars, that wherever anyone hurts another on the street, it is not an unavoidable accident. The man who operates a dangerous instrumentality, as the automobile is, ought to keep it in such a shape that he will not hurt anybody. I would be glad to see some provision in the bill that if one strikes a human being he shall go to jail until, after a fair hearing he is declared not guilty, or after he was not guilty. I do not think he would ever get out under that provision.

Mr. BALL. Does the Senator want to ask me a question?

Mr. CARAWAY. Yes; I was about to ask the Senator a question, but I think the Senator was saying so sweetly at that time thought he was being patient with me. I was going to ask if the Senator did not think he could redraft the harsher terms of the bill?

Mr. BALL. I would like to make a statement to the Senator. The bill does not represent my sentiments entirely. The bill was prepared in the full Committee of the District of Columbia of the Senate and the full committee of the District of Columbia of the House.

Mr. KING. Mr. President, each and every member.

Mr. BALL. I hope the Senator will not include me in that declaration.

Mr. CARAWAY. The only reason why I do not include the Senator is that he failed to attend the committee meetings, not because he did or did not keep in practice.

Mr. KING. The Senator knows that at the time the committee meetings were held the Senator from Utah was attending other committee meetings. I attended one meeting and expressed my disapproval of the provisions then under consideration.

Mr. BALL. I would like to finish my statement, and then I am through; and then I am going to ask to lay the bill aside, because I believe the Senate does not want to pass the bill.

Mr. CARAWAY. I hope the Senator will not be impatient. Nobody is criticizing the Senator, except in the most jocular way, because no one who knows him would for a minute attribute to him either harsh or unkind. The Senator takes too keenly criticism which was half jest. My friend the Senator from Missouri [Mr. Rame], whose criticism the Senator wants to resent, was merely keeping in practice. [Laughter.] He has no feeling toward the Senator from Delaware at all; but a mind like his must be sharpened periodically, and it happened to be that he scented it upon the Senator from Delaware, but with no unkind feeling. I hope the Senator will not take it seriously.

Mr. McKELLAR. The Senator from Delaware is taking it very pleasantly.

Mr. CARAWAY. I hope he does not lay the bill aside, because there is much in the bill that ought to be law. I think, according to population, there are more people killed in the District of Columbia than in any other similar community. I would like to have the Senator take my cherished Central Africa, because it seems to be populated by some of the same kind of folks sometimes, and I think I could escape more easily there than I could here with the reckless driving I do not want the Senator to lay the bill aside.

Mr. McKELLAR. I want to ask two other questions of the Senator from Delaware. I wonder if the Senator would suffer an amendment to be made in line 9, page 16?

Mr. McKELLAR. I was going to propose an amendment to that effect. We should provide for a director who is big enough to issue proper regulations and promptly to decide on such questions as have been mentioned, but the Senator from Tennessee.

That is the only way, in my judgment, that we shall ever have an effective law. Unless we shall have a director able to take care of the situation we shall have nobody taking care of it.

Mr. McKELLAR. Mr. President, I ask the Senator about the provision of the bill on page 15, which reads:

**ADDITIONAL POLICE**

Sec. 15. The commissioners are authorized to appoint 300 additional privates for the Metropolitan police force.

With the police force which we now have in this city, which, I forget the exact number, is the largest police force, according to population, that there is in this country and probably in the world, is it necessary to have 300 additional policemen for this city to carry out the provisions of this proposed act? It seems to me that there would be an enormous amount of work done. I hope the Senator from Delaware will modify that provision, for it ought to be modified.

Mr. BALL. Mr. President, all the Senator from Tennessee has told us is to move an amendment, and if we put the bill up for amendment, but if the bill shall be simply debated in order to take up time, I desire that it may be laid aside.

Mr. McKELLAR. But there are no amendments reported in the bill.

Mr. COPELAND. Mr. President, I should like to say in answer to the question of the Senator from Tennessee that he must realize, as, of course, he does realize when he stops to think about the matter, that when we make provision for 300 extra policemen it does not mean that there will be any more policemen on the streets. They work in relays.

Mr. McKELLAR. Ah, Mr. President, I have been here 14 years, and I have never known a provision of law to be enacted where so many officials were provided for that they were not appointed and appointed very quickly.

Mr. McKELLAR. I am surprised that my friend from Tennessee, who is so acute, should miss the point. If 300 extra policemen were appointed they would not work 24 hours a day. They work in relays of 8 hours, so that if we shall need 100 more policemen it will only mean that we shall have 100 more of them on the street, less those who are sick, as some of them always are. The committee gave serious consideration to the policing of the city and the importance of the subject. I am sorry that my colleague on the committee, the titular author of the bill, has felt inclined to have it put aside, because I am sure that every Senator here realizes the necessity of some regulation of traffic in this city.

This particular item, providing for 300 policemen, is a matter which, if enacted, must go to the Appropriations Committee. We did not anticipate that by this action we were going to get 300 extra policemen.

Mr. McKELLAR. But if we pass the law we shall get them.

Mr. COPELAND. I am surprised that the Senator from Delaware, I wonder if the Senator would suffer an amendment to be made in line 9, page 16?

Mr. BALL. If we can go through the bill, there are a number of amendments that I want to present myself and some that the Senator from Washington [Mr. Jones] wants to present. Amendments from any Senator will be gladly received. Mr. President, I move that the bill be laid aside.

Mr. McKELLAR. I will not yield for that purpose. I hope the Senator, in the interest of the bill and of the legislation which I think is very necessary, will not insist upon this motion. I think we ought to have legislation of this sort for the District. I hope the Senator will be willing to answer remarks about it. I am not opposed to his bill, I am in favor of a bill to regulate traffic in the District of Columbia. It ought to be passed in the interest of life here in the District. I call the Senator's attention to this provision of the bill.

The director may also, for such cause as he deems advisable, revoke or suspend the operator's permit of any individual, upon hearing before the director or his representative.

The PRESIDING OFFICER. The Chair will state that there is an amendment now pending.

Mr. McKELLAR. I understand that.
in all the newspapers that this night session was to be devoted to the consideration of District legislative measures. Let us get down to business.

There is a great deal about this bill that is objectionable, as has been pointed out, but it has some good things in it, and any effort intelligently made to regulate traffic in this city would be a great contribution to the welfare of the city. There has not been a day that I have been here that I have not expected to hear of a terrible accident to some public man of prominence, even the President himself, such as being run down on the streets of this city. Should that happen, we should all be more or less interested for it has been going from bad to worse. I challenge contradiction of the statement that there is not a city in the United States where traffic conditions are so deplorable as they are in this city.

Mr. WALSH of Massachusetts. Let me finish. I do not want to engage in a discussion of the bill, if the Senator will pardon me for a moment.

For the reasons I have stated, I want to see some action taken on this matter; but, Mr. President, what I rose to say is, let us get down and begin to consider the amendments to the bill in an orderly manner; take up one amendment at a time, discuss it, act upon it, and make a decision.

Remember, we are the city government of Washington, or are trying to substitute for the city government. To-night let us give some evidence of our appreciation of that responsibility, so that the people will have confidence in and respect for the Congress of the United States and its capacity to serve them.

Mr. STANLEY and Mr. REED of Missouri addressed the Chair.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Delaware, on page 12, line 13, to strike out "twelve-fifty" and insert "thirty."

Mr. REED of Missouri. Mr. President, let us not be so much of a hurry. Two Senators are on the floor addressing the Chair.

The PRESIDING OFFICER. The Senator from Kentucky is recognized.

Mr. STANLEY. Mr. President, I hearily concur in the very pertinent suggestion of the Senator from Massachusetts. This proposed legislation to regulate the movement of motor vehicles is vitally important and should receive the serious consideration of the Senate; but are we going to consider seriously piling all the operators of motor vehicles in jail in jail in order to secure the safety of pedestrians? Ill-considered legislation containing provisions that are manifestly absurd is not justified because some desirable features may be incorporated in the bill.

On page 14, section 9, it is provided—I will read only a portion of it and eliminating certain other portions—

No operator of a motor vehicle in the District, knowing that such vehicle has been struck by any other vehicle, shall leave the place where the collision occurred without stopping and giving his name, place of residence, including street and number, and registration and operator's permit numbers to the individual so struck or the operator of the other vehicle.

Under the plain wording of that provision, as I read it, if in operating my car on the streets of Washington I come out from a parking place and am bumped by somebody else and "struck" means hit in any way—or if my car is grazed by another car, though I am not at all to blame but the person whose car strikes or touches my car in no way injures me or damages my car, I must stop, call a policeman, and comply with all the requirements of this provision. It is application of an astute lawyer and a measure of unintentional and unavoidable and inflicted no injury. I must not leave the place where the collision occurred without stopping and giving my name, place of residence, street and number, and so forth. I do not think the penalty provided for permitting one's car to be struck and not notifying the police is—

Any individual violating any provision of this section—

Now listen to this—

shall, upon conviction for the first offense be fined not less than $100 nor more than $500 and imprisoned not less than 60 days nor more than six months.

In section 9 there has been mixed up the most petty offenses and the most harmless accidents with the offense of driving when intoxicated, and the same penalties are provided for the whole hodgepodge. Evils cannot be cured by any such scrambled legislation as that.

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

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

Mr. STANLEY.

Mr. CARAWAY. The section the Senator was reading was on page 14, was it not?

Mr. STANLEY. Of course. The Senator is aware that it is not proper to require him at least to stop and disclose his identity and let the court determine whether or not he is guilty of some offense? Can it be contended the bill correctly, section 9, subdivision (c), provides the same penalties for failure to report any character of collision or any character of interference of a theater or a hotel, and they are so close together that in back out my bumper strikes the bumper on the car of the Senator from Arkansas, and I say, "Excuse me, Senator," there is an accident, there is no injury intended, but there is a violation of the provisions of this bill.

Mr. CARAWAY. Unless it is reported.

Mr. STANLEY. Unless it is reported.

Mr. CARAWAY. Unless it is reported, I get out, I get out, I get out, and I go back; yet, I must give all these numbers, my places of residence, street and number, and registration and operator's permits, and so forth. If we fail to do that, we must pay $100 and go jail for at least 60 days. Does the Senator believe in inflicting that kind of penalty for that sort of offense?

Mr. CARAWAY. If that were the kind of offense which was undertaken to be reached, of course not.

Mr. STANLEY. That is the kind of offense that is reached according to the wording of the bill.

Mr. BALL. Mr. President—

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

Mr. CARAWAY. I hope the Senator from Delaware will pardon me for a moment.

Mr. BALL. Certainly.

Mr. CARAWAY. Would the Senator from Kentucky think that too harsh in the case of some reckless driver who runs over a little child in the streets and tries to conceal his identity and gets away from the injury?

Mr. STANLEY. I will answer in this way: If I should scratch the Senator's face with a pin so as to draw blood, that would be a crime of a very serious sort, and if I were found guilty of the offense and I should be put in jail, I would deserve death. Does the Senator mean to tell me that because stabbing a man to death deserves capital punishment there should be a direct switch to it? If I were found guilty of the offense, the death penalty should be provided for both? This bill provides the most serious penalties for the most serious offenses and like-
wise the most serious penalty for the most trivial offenses all held up together.

Mr. CARAWAY. If the Senator will pardon, there is no penalty at all for the striking of the car; the penalty is for the man who tries to conceal his identity after he has committed the trespass.

Mr. STANLEY. I beg the Senator's pardon, that is not so under the wording of the provision which I have read.

Mr. CARAWAY. I beg the Senator's pardon, but it is. Does the Senator want to say that each man who causes an accident shall be his own judge of whether it is serious enough for him to report? In other words, after having run somebody down, shall he be permitted to say, Oh, that fellow is made of rubber and will get up again, and therefore I will not take the time to report the injury to the police? It is absolutely necessary to make the penalty strong. Then all of the burden that rests upon the individual is that he shall tell who he is, and shall report to the police what the occurrence is.

That is not much of a burden to lay upon a man who has caused an injury. If they do not fine him for having committed the act, they will fine him for trying to conceal his identity; and how could we write that section and say, "For an accident in which certain damages are concerned you will be penalized if you do not report it, but certain other accidents you need not report"? Every fellow then will be his own judge.

Mr. BALL. Mr. President, The PRESIDING OFFICER. Does the Senator from Arkansas yield to the Senator from Delaware?

Mr. CARAWAY. Certainly.

Mr. CARAWAY. I think we are all too much interested in the Senator from Kentucky to take any chances of his having troubles of this kind. Therefore, I move that this bill be laid aside temporarily.

Mr. SWANSON. Mr. President, I hope the Senator will not do that.

Mr. McKELLAR. We ought to pass some legislation.

Mr. McKELLAR. The PRESIDING OFFICER. (Mr. Moses in the chair). The Senator from Delaware asks unanimous consent to lay the bill aside. Is there objection?

Mr. McKELLAR. I object.

Mr. BALL. I move that the bill be laid aside.

The PRESIDING OFFICER. The Senator from Delaware moves that the bill be laid aside.

Mr. REFLIN. I hope the Senator will withdraw that motion.

Mr. BALL. We want to get some schools for the District if we can not pass this bill.

Mr. CARAWAY. What is the use of having schools if you are going to have the children who are trying to get to them? The Senator is too easily discouraged.

Mr. BALL. Mr. President, we have this night in which to enact District legislation. There are several very important bills here.

Mr. CARAWAY. And no one of them is quite so important as this one.

Mr. McKELLAR. That probably is true; but there has been no effort to perfect this bill. If the Senate were willing to take it up section by section, and correct those sections which they think are not proper, I should be perfectly willing to stay here all night and discuss it; but there is no disposition on the part of Senators to do that. They are taking a section here and a section there without any amendment being proposed. I have offered an amendment. If the Senate would dispose of that amendment and take up another one and correct and dispose of that, we would be accomplishing some legislation.

Mr. McKELLAR. Mr. President, I hope that will be done. I believe in the way we are going along now, we will stay here all the evening and accomplish nothing. This is probably the only chance to effect really necessary District legislation, and the District must suffer; and yet Congress is incapable of doing anything connected with the District of Columbia!

Mr. WALSH of Massachusetts. And will be held responsible.

Mr. BALL. I do not think it is proper.

Mr. CARAWAY. Mr. President, I have the floor, and after the Senator gets through with his speech I want to say something.

Mr. BALL. I will stop.

Mr. CARAWAY. The Senator puts in most of his time trying to show wherein he can not succeed. The Senator ought to be a bit more accurate. The newspapers have credited with having guessed at the truth, the committee that wrote this bill had it under consideration for quite a long time. Now the Senator is out of his time because the Senate will not accept the bill without even an opportunity to discuss the things that took the committee weeks to prepare.

Mr. BALL. Mr. President, that is not my position. I said that if the Senate would take up the bill section by section, and amend it to suit the Senate, we probably could accomplish something.

Mr. CARAWAY. And if I can just get the Senator to let me hear a minute of my own time, that is what I am fixing to suggest.

There is not any disposition not to consider the bill. I think every man is willing to consider it, and I know that that is the only way in which we will reach a final vote upon the bill; but I do not think it is at all a matter to wonder at that Senators should pick out particularly harsh features of the bill and comment upon them. It is as well to debate them now as to wait until we reach them; but I am sure the Senate is in the motion now of taking up the bill and reading it, and when we reach the provision to which the Senator from Kentucky objects, section 9, a substitute is going to be offered for it.

Mr. STANLEY. Mr. President, I wish to make this matter perfectly clear.

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

Mr. BALL. I do.

Mr. STANLEY. The Senator from Arkansas is not in the habit of shooting at men of straw.

Mr. CARAWAY. I thought the Senator was entirely a substantial man.

Mr. STANLEY. Speaking seriously, I wish to call the Senator's attention to this language. The references are both to the person guilty of the collision and the person who suffers from the collision. They are both jumbled in section 9. Now, I am going to read the Senator the section referring to persons struck, and if I have misread the bill the Senator will correct me.

No operator of a motor vehicle in the District, knowing • • • Now, in line 5—

that such vehicle has been struck by any other vehicle, shall leave the place where the collision or injury occurred without stopping and giving his name, place of residence, including street and number, and registration and operator's permit numbers to • • • the operator of the other vehicle.

Under this bill, as I read it, if you, not driving fast, not exceeding the speed limit, not handling your car recklessly—

Mr. CARAWAY. Let us just concede that.

Mr. STANLEY. Speaking seriously. I wish to call the Senator's attention to the word "recklessly." The references are both to the person guilty of the collision and the person who suffers from the collision. They are both jumbled in section 9. Now, I am going to read the Senator the section referring to persons struck, and if I have misread the bill the Senator will correct me.

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Mr. CARAWAY. The Senator realizes that where there is a collision, each driver will insist that the other fellow bumped him. A man ran into a car I had and came near knocking the kind wheel off, and he insisted that I backed into him.

Mr. KING. Mr. President—

Mr. CARAWAY. Pardon me just a moment. I have the floor.

Mr. KING. Pardon me. I thought the Senator had concluded.

Mr. CARAWAY. I have no right to speak for those who framed the bill, because I had nothing to do with it; but, as far as I am concerned, if the Senator wants to grade the offense for not reporting according to the degree of the accident, here is a third amendment I would like to offer. I yield this much before I yield the floor, and then I am going to do it:

I know just as well as that I live, and every Senator who reads the papers knows, that unless we enact some drastic law here before the next Congress assembles next December, they are going to kill them every day. If we do not think it as a trivial matter. Neither of them are going to do it:

Mr. REED of Missouri. Mr. President—

Mr. CARAWAY. And the Senator is perfectly aware of the fact that no court would call it an accident if the cars merely touched.

Mr. REED of Missouri. Let me not be diverted. This does not say that it is an accident. This language is not that the vehicles shall be violently thrown together. It is enough that they have been struck. Let me follow it out.

Mr. CARAWAY. The PRESIDING OFFICER, Mr. President, it is prohibited to speak out of order.

Mr. REED of Missouri. If the Senator will permit me, I am going to draw the distinction where I think the line ought to be. So, also, if a man runs into another man's vehicle, injures it, and runs away in order to escape the responsibility, that is a case to be dealt with rather drastically, although the two cases are not at all upon a parallel.

Mr. CARAWAY. There is where I want to ask the Senator a question. Are you going to let the man who commits the offense be the judge of whether the accident was serious or trivial? You have to draw the line. If the man who commits the offense is to be his own judge then, of course—

Mr. REED of Missouri. If the Senator will permit me, I am going to draw the distinction where I think the line ought to be. So, also, if a man runs into another man's vehicle, injures it, and runs away in order to escape the responsibility, that is a case to be dealt with rather drastically, although the two cases are not at all upon a parallel.

What this bill ought to do, and what is done in the laws of different States, is to provide that:

I am astounded at the language in the bill. I am astounded at the language to which the Senator from Kentucky has called attention; and I am equally astounded at other provisions to me that committee that are in the very considerations that have been so well mentioned by the Senator from Delaware—

Mr. CARAWAY. Would it not be better to take those amendments up separately and to have the Senator present an amendment which would cover the provision which he suggests?

Mr. REED of Missouri. That is the very thing I was coming to—

Mr. BALL. Mr. President—

Mr. REED of Missouri. Let me continue for just one moment, because I will get my thought better before the Senator, and then I will yield to him.

Mr. BALL. Will the Senator yield just for a question?

Mr. REED of Missouri. Yes; I will yield.

Mr. BALL. Would it not be better to take those amendments up separately and to have the Senator present an amendment which would cover the provision which he suggests?

Mr. REED of Missouri. That is the very thing I was coming to—

Mr. BALL. Idle discussion of this kind is getting us no place, but if the Senator presents an amendment to that section, which the Senate can consider, then we probably can legislate.

Mr. REED of Missouri. The Senate's question anticipates just what I was coming to. In order to draw a proper provision covering the very matter I have immediately discussed, a provision which would give it some weight in the bill, I am prepared here hurry-scurry on the floor of the Senate and in the midst of debate. So with reference to the section I lampooned when I first took my feet. There is some evil there to be legislated. I was directing myself to the individual who has the remedy that is proposed here. That ought to be carefully rewritten.

Mr. CARAWAY. Mr. President, I ask unanimous consent that I be permitted to withdraw my objection.

Mr. REED of Missouri. Mr. President, will the Senator let me interpret this just one of the objections?

Mr. REED of Missouri. If the Senator will permit me, I am going to draw the distinction where I think the line ought to be. So, also, if a man runs into another man's vehicle, injures it, and runs away in order to escape the responsibility, that is a case to be dealt with rather drastically, although the two cases are not at all upon a parallel.

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Mr. CARAWAY. Mr. President, I ask unanimous consent that I be permitted to withdraw my objection.
the Senator and let the bill go over until to-morrow evening. Let us take up other business, and to-morrow evening we can take up the bill. I assure the Senator that I am as ready as any man in this body to cooperate in the enactment of a law that will be in accordance with the principles of our jurisprudence, and will tend, as far as law can, to prevent accidents, and I think we could gain his support if I would undertake to draw amendments to this bill upon the floor myself. I am not so gifted as that.

Mr. BALL. Let me renew my request for unanimous consent.

The PRESIDING OFFICER. The Senator from Delaware is recognized.

Mr. BALL. I ask unanimous consent that the bill be temporarily laid aside, with the understanding that it will be taken up either Monday evening or the first evening we can get.

Mr. CARAWAY. Mr. President, I hope the Senator will not do that. If there is anybody here who wants to take the responsibility of defeating the measure, let him do it. The Senator knows that if we lay the bill aside it will mean that we will not enact it into law at this session. If men are more considerate for drunken drivers than they are for the safety of children who play in the streets, let the bill fall. But I know and everybody knows that if it is laid aside it will be killed. Suppose some harshness does creep into the bill; it is certainly in the interest of human safety, and we had better let a man who is reckless bear a little harsh treatment than let innocent victims be killed in the streets. I hope the Senator will not do that.

Mr. REED of Missouri. Does the Senator from Arkansas mean to say--

The PRESIDING OFFICER. Is there objection?

Mr. CARAWAY. Mr. President, I hope the Senator will not do that.

Mr. REED of Missouri. The Senator from Missouri, because for all his sharp tongue, he is the kindest man in the Senate.

Mr. SWANSON. Mr. President.

The PRESIDING OFFICER. Does the Senator from Missouri desire to be heard?

Mr. REED of Missouri. That there is no law now in the District of Columbia which says that if a man shall run down a helpless victim he shall be arrested? I am willing to help better them; but I am not willing to do it by putting monstrous provisions into the law that he wants.

Mr. CARAWAY. What is the monstrous provision in a law which says that if a man shall run down a helpless victim he shall be arrested if he does not stop and let the people know who killed the victim?

Mr. REED of Missouri. There is no such provision in this bill.

Mr. CARAWAY. There is. If the Senator would just read the bill instead of criticizing it he would find it in there.

Mr. REED of Missouri. I have read it, and I am quite capable of understanding it.

Mr. CARAWAY. I think the Senator is; but the Senator so loves to characterize as harsh and unreasonable provisions of the law that he fails to study the reasons for it. I have no right to speak for the committee, but I would be perfectly delighted to cooperate in trying to seek amendments that would modify the harshness of some of the provisions. But I did want to appeal to the Senator, and I do not want to be harsh about it; I am like the Senator from Missouri, I am growing older.

Mr. BALL. I am afraid I am not growing mild.

Mr. CARAWAY. Merely in our anxiety to protect some reckless, drunken driver, I do not want to see the defeat of this measure, and that is all it means.

Mr. REED of Missouri. Mr. President--

The PRESIDING OFFICER. Does the Senator yield to the Senator from Missouri?

Mr. REED of Missouri. What right has the Senator to say that anybody on this floor wants to protect a reckless, drunken driver?

Mr. CARAWAY. Everybody who delays--

Mr. REED of Missouri. Because he does not agree to drastic penalties that will apply not to a drunken driver but to any good citizen who happens to meet an accident? I think the Senator that I am discussing another; I will go as far as he wants to go, short of killing at the stake, to punish drunken drivers or men who run down little children when they are in the street can be arrested?

Mr. CARAWAY. Delighted to cooperate in trying to seek amendments that would be better than that.

Mr. BALL. I renew my request.

Mr. CARAWAY. Everybody who delays--

Mr. REED of Missouri. I ask unanimous consent that the bill be taken up by the Senator from Arkansas.

Mr. CARAWAY. Mr. President, I do not feel that we should impel its passage by laying it aside for somebody to rewrite it, and then come in and meet this exact situation. Let us read it, and when we reach those sections we are perfectly willing to agree with the Senator from Missouri, because for all his sharp tongue, he is the kindest man in the Senate.

Mr. SWANSON. Mr. President.

The PRESIDING OFFICER. Does the Senator from Virginia desire to be heard?

Mr. SWANSON. I yield.

Mr. SWANSON. I yield to make the suggestion that tomorrow night we meet at 8 o'clock.

Mr. BALL. I yield to the Senator. I thought he was asking for the floor. I will be glad to yield to him for a question.

Mr. BRUCE. I was simply going to ask the Senator whether he does not think that the whole situation could be dealt with much more satisfactorily if somebody would simply offer an amendment embodying the suggestions made by the Senator from Missouri?

Mr. CARAWAY. That is exactly the unanimous-consent request that is pending.

Mr. BRUCE. As far as I am concerned, I think the point taken by the Senator from Kentucky (Mr. STANLEY) and the Senator from Missouri (Mr. REED) is absolutely well taken, but it is not amended. The point should be presented in some concrete form.

Mr. CARAWAY. The unanimous-consent request was that the bill be taken up section by section.

Mr. BALL. I renew my request.

Mr. CARAWAY. I do not feel that we should impel its passage by laying it aside for somebody to rewrite it, and then come in and meet this exact situation. Let us read it, and when we reach those sections we are perfectly willing to agree with the Senator from Missouri, because for all his sharp tongue, he is the kindest man in the Senate.

Mr. SWANSON. Mr. President.

The PRESIDING OFFICER. Mr. President--

Mr. BRUCE. Mr. President--

The PRESIDING OFFICER. Objection is made.

Mr. STANLEY. Mr. President--

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. BALL. I renew my request.

The PRESIDING OFFICER. The Chair has recognized the Senator from Kentucky.

Mr. STANLEY. The necessity for sane and severe legislation punishing reckless driving in the city of Washington is perfectly manifest to every sensible person who has spent 30 days within the limits of the Capital City. That goes without saying. It is as sensible as the duty, and it is presumed to be within the province and the power of legislators, certainly within the power of the Senate, to enact legislation which shall punish the offenses to which the Senator has referred.

a crime, and inflict a jail penalty in either event, as being in favor of drunken drivers, or anything of the sort.

Mr. BRUDEN. The Senator has a perfect right to characterize everybody else as being wholly devoid of human sympathy if they want to put in a provision he does not approve.

Mr. REED of Missouri. No--

The PRESIDING OFFICER. Does the Senator from Arkansas yield to the Senator from Maryland?

Mr. CARAWAY. Pardon me just a minute.

Mr. BRUCE. I was just going to ask the Senator a question.

Mr. CARAWAY. I yield to the Senator. I thought he was asking for the floor. I will be glad to yield to him for a question.

Mr. BRUCE. I was simply going to ask the Senator whether he does not think that the whole situation could be dealt with much more satisfactorily if somebody would simply offer an amendment embodying the suggestions made by the Senator from Missouri?

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Mr. SWANSON. Mr. President.

The PRESIDING OFFICER. Does the Senator from Arkansas yield to the Senator from Virginia?

Mr. CARAWAY. I yield.

Mr. SWANSON. I yield to make the suggestion that tomorrow night we meet at 8 o'clock.

Mr. SMOOT. Saturday night?

Mr. SWANSON. Yes; Saturday night.

Mr. KING. I object.

Mr. SWANSON. Then, I suggest that on Monday night at 8 o'clock we take up this bill, and that no Senator shall be permitted to speak more than 10 minutes on the bill or 10 minutes on any amendment offered. Then we will accomplish something. If we put it off to another night and come here and have interminable debate, the bill will never be passed.

The PRESIDING OFFICER. There are three unanimous-consent agreements which have been offered, and the Chair is not clear which one is to be acted upon. Does the Senator from Delaware withdraw his request for unanimous consent so that the Senator from Arkansas may submit his request?

Mr. BALL. I withdraw my request so that the Senator from Arkansas may present his.

The PRESIDING OFFICER. The Senator from Virginia takes unanimous consent that the Senate meet at 8 o'clock on Monday evening next for the consideration of the bill, and that no Senator shall be permitted to speak more than 10 minutes upon the bill, or any amendment thereto. Is there objection?

Mr. BAYARD. I object.

The PRESIDING OFFICER. Objection is made.

Mr. STANLEY. Mr. President--

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. BALL. I renew my request.

The PRESIDING OFFICER. The Chair has recognized the Senator from Kentucky.

Mr. STANLEY. The necessity for sane and severe legislation punishing reckless driving in the city of Washington is perfectly manifest to every sensible person who has spent 30 days within the limits of the Capital City. That goes without saying. It is as sensible as the duty, and it is presumed to be within the province and the power of legislators, certainly within the power of the Senate, to enact legislation which shall punish the offenses to which the Senator has referred.
The streets, will send their mangled bodies home to broken-hearted parents, and, with his peculiar powers of eloquence and satire, we could almost see before our eyes the body of the bleeding and helpless victim being carried home. Does the Senator realize that if the bill were enacted and made the supreme law of the land and all other acts governing the conduct of automobile drivers were repealed by its terms, it would be practically a license to people to commit the very offenses of which he complains? If a drunken driver in the city of Washington should run down a helpless child deliberately in the declaration which under the complex law would amount to murder and which under the law as it now stands in the city of Washington and the District of Columbia would amount to murder, under this bill he could not be fined more than $500, or imprisoned more than a year.

Mr. CARAWAY. The Senator is entirely wrong. The bill does not punish murder at all. The bill simply says that drivers doing certain things shall be punished in a certain way. There is no punishment for murder provided in the bill.

Mr. STANLEY. It does not reach the offense of which the Senator is complaining.

Mr. CARAWAY. If it does. It gives the director the right to revoke such a driver's permit to drive, and there are a lot of reckless drivers who would think they were ruined if they were not permitted to drive their cars, and they will, therefore, be careful.

Mr. STANLEY. The theory of the Senator is that revocation of a permit is a more powerful deterrent than a noose in the air. The Senator is entirely wrong. The bill simply says that if a reckless driver ever kills a child of mine, I will go and hunt him with a gun like I would a mad dog. If I were a member of the grand jury of the District of Columbia and some reckless driver killed some man's child, and that man proceeded to kill the reckless driver, and his case came before the grand jury, he would not be indicted as long as I sat on the jury. I think it is such a serious matter and the recklessness of drivers in the District of Columbia is such that we ought to do business about it.

Mr. STANLEY. Mr. President, I wish now to reiterate the fact that there is much in the bill that is good and wholesome and should be enacted into law; for instance, the provision that any automobile driver under the influence of intoxicating liquor shall operate any motor vehicle in the District, and the punishment therefor is a fine of not less than $100 nor more than $500 and imprisonment for the first offense. Such a provision is commendable. To impose the same penalty for an accidental collision is absurd.

What the bill needs, as the Senator from Missouri [Mr. REED] has said, is careful rewriting in such way as not to interfere with the legitimate rights of the citizens of the District of Columbia and of the city of Washington and as to driving automobiles to blind the police or by enemies, and at the same time to protect the lives of pedestrians.

For that reason I ask unanimous consent that the bill may be temporarily laid aside; that it shall be taken up at a night session of the Senate on Monday night for passage; that in the meantime those who are interested in the legislation shall prepare amendments with care. It is impossible to amend the bill in proper manner while it is being considered on the floor of the Senate.

The PRESIDENT. The Senator from Kentucky has renewed the unanimous-consent request previously submitted by the Senator from Missouri [Mr. SWANSON].

Mr. SWANSON. Without limitation of debates.

The PRESIDENT. Without limitation of debate.

Mr. SWANSON. I have no desire to waste the time of the Senate. It is 10 minutes after 10 and we have already done more than read the bill. It is useless to take the time of the Senate with these matters unless a limit is placed upon debate.

Mr. HEFLIN. Mr. President, I hope the request of the Senator from Virginia will be granted.

Mr. BRUCE. Mr. President, I rise to a point of order.

The PRESIDENT. The Senator from Maryland will state the point of order.

Mr. BRUCE. I note the fact that there is no quorum present. I think the Senate has demonstrated that it is absolutely incompetent to transact any business to-night. I think this is a farce ought to be brought to an end.

The PRESIDENT. The Senator from Maryland suggests the absence of a quorum. The clerk will call the roll.

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

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<tr>
<th>Name</th>
<th>State</th>
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<tr>
<td>Mr. REED</td>
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<td>Mr. CARAWAY</td>
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<td>Mr. STANLEY</td>
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<tr>
<td>Mr. STANLEY</td>
<td>D. C.</td>
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The PRESIDENT. Forty-one Senators have answered to their names. There is not a quorum present.

Mr. CURTIS. Mr. President, I ask that the unanimous-consent agreement be carried out and that the Senate take a recess until 12 o'clock to-morrow.

The PRESIDENT. Is there objection? The Chair hears none. Under the unanimous-consent agreement heretofore entered into, the Senate stands in recess until 12 o'clock to-morrow.

At 12 o'clock the Senate (at 10 o'clock and 15 minutes p. m.) took a recess until to-morrow, Saturday, February 14, 1925, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

FRIDAY, February 13, 1925

The House met at 12 o'clock noon.

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

Our Heavenly Father, Thou who hast given us life, help us to love Thy will and walk in Thy way. Thy wonderful providence has been in the founding of the fair fortresses of our land. Upon these servants so much of our country's good and prosperity are dependent. O may the vision of our responsibility never pass until wise and wholesome legislation is realized. May a day never go by without us asking God to bless our flag and all that it symbolizes. Whatever each day demands, enable us to be faithful to duty, and with reverent spirit always acquiesce ourselves like men. Through Jesus Christ our Lord. Amen.

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

NATIONAL DEFENSE AND NATIONAL JUSTICE—A GUARANTY AGAINST AGGRESSIVE WAR

Mr. McSWAIN. Mr. Speaker, I ask unanimous consent to be allowed to extend my remarks in the Record on the subject of how to take the profits out of war, offering some definite ideas upon that general theme.

The SPEAKER. The gentleman from South Carolina asks unanimous consent to extend his remarks in the Record in the manner indicated. Is there objection?

There was no objection.

Mr. McSWAIN. Mr. Speaker, so much has been said in a loose way about the general proposition on which both parties agree, "to take the profits out of war," that I feel some
definite statement should be made. There seemed to be about as many different notions of plans and ways as there are speakers. So far all seemed to be somewhat up in the air when definite principles were needed.

No one person or group can justly claim exclusive credit for the idea of the proposition. Certainly many, doubtless thousands, had the rough outline of the idea forced into their consciousness by facts and conditions manifest on every hand during the recent war. It was inevitable that rational minds should thus conclude, seeing the indiscriminate draft of human beings, and seeing at the same time how many who escaped the draft made immense fortunes. Certainly the American Legion was among the first to formulate a statement of the principle. Certainly the Christian Science Monitor is entitled to credit for its far-sightedness. We must not forget that the gentleman from Illinois [Mr. McKinney], now chairman of the Committee on Military Affairs, introduced on November 21, 1921, H. R. 9215, which was identical with H. R. 517 of the present Congress. That bill grew out of the same process of thinking and contains very valuable suggestions of practicable ways and means to remedy the evil.

What is the difference in our proposed plan? In the first place the universal draft is a thing of the past. We could not do so in the face of the fifth amendment and the Selective Service Act.

The universal draft is inadmissible by the fifth amendment and the Selective Service Act. What the Republican party promises.

Plains perfected to stop war profiteering: One of the most important pieces of constructive work done by the department has been to work for a world-wide system for international peace. President Coolidge and the United States should ever enter another war. “If this country is ever forced into another war, there must be no slackers and no profiteers.” The errors of the Democratic administration shall never be repeated if the country has any ambitions or desires. The burden of defending the country must be assumed by all, rich and poor, labor and capital, industrial worker as well as soldier. The owner of an industry and his employees must not be permitted to make millions, while the servants are enduring hardships and dangers and meeting death. Modern warfare is no longer a conflict between armies but between nations, and every individual must do his part in his country’s defense. This is an old and familiar thought. Equality of opportunity is an absolute and ideal equality. We can not mean that all, from the old and young, shall be conscripted. We do not mean that any one man shall be called to endure military service, to be wounded, and perhaps to die, while another man who owes property of every form to the civilian population, including the families of the soldiers at the front, shall pay only by labor, largely by manual labor, producing things to eat and wear, and that this labor will and must be performed in large part by the ex-soldier and his children and grandchildren. So the net result is that the soldier defends the profiteer in war and supports him in peace.

We could not do so in the face of the fifth amendment and the Selective Service Act. If we could, we should set up a special court to compensate all, rich and poor, labor and capital, industrial worker as well as soldier. The owner of an industry and his employees must not be permitted to make millions, while the servants are enduring hardships and dangers and meeting death. Modern warfare is no longer a conflict between armies but between nations, and every individual must do his part in his country’s defense. This is an old and familiar thought.

The conscience of the world approves.

A most thoughtful article covering the whole subject is contributed to the Atlantic Monthly for February, 1925, by Sidney Hildreth, and from it we take the following expression:

It should be recalled that the proposal has been expressed in a single sentence as follows: “In the event of a declaration of war the property, equally with the persons, lives, and liberties of all citizens shall be subject to conscription for the defense of the Nation.” If the wars are chiefly from political, and only secondarily from military, causes, they are often fostered by economic considerations, and when once war begins it is continued longer than need be because vested interests in war are immediately established. Anyone who had the smallest inside knowledge of the great European war must have been struck with the number of people who enrich themselves from 1914 to 1918 and for some time afterwards. For these people the war was a good thing, because they bought war bonds, and because they bought millions trading upon our Government in war supplies or profiteering upon the civilian population, including the families of the soldiers at the front. Furthermore, we have seen these war profiteers take long-moribund credit for being “patriotic” because they bought Liberty bonds with these swollen fortunes. But remember that the interest and principal of all these war bonds can be paid only by labor, largely by manual labor, producing things to eat and wear, and that this labor will and must be performed in large part by the ex-soldier and his children and grandchildren. So the net result is that the soldier defends the profiteer in war and supports him in peace.

The analogy is complete in theory, but was not so in practice. The War Industries Board was comparable on the side of economic power to the American Army on the side of man power. The analogy is complete in theory, but was not so in practice. The War Industries Board was comparable on the side of economic power to the American Army on the side of man power.

The analogy is complete in theory, but was not so in practice. The War Industries Board was comparable on the side of economic power to the American Army on the side of man power.
farsighted, Congress has made no pecuniary provision for the maintenance of a skeleton liaison between the Army and industry, though the Assistant Secretary of War is made responsible for the articulation of the military and industrial forces. Under the new plan, it has been the plan of familiarizing in peace time a nucleus of officers with industrial problems and processes and, conversely, of acquainting manufacturers with military requirements. Coordination of resources is being attempted and the Army and the civilian agencies are meeting with the intent that in another emergency every great manufacturing plant will know what will be required of it. So far as the present offer of service is concerned and for the time being the war, the lesson of broad geographical distribution of requirements seems to be reasonably well understood, as well as the fact that all articles must be translated into terms of commodities.

Because of the information contained I invite especial attention to the following paragraphs by Mr. Baruch. His experience as chairman of the War Industries Board was invaluable in this connection:

ADDRESS BY BERNARD M. BARUCH AT CLEVELAND, OHIO, MAY 26, 1924

War, with its destruction of one's fellow men, is not a pleasant thing to think or talk about; but until some method is found and adopted whereby all classes can settle their differences by the rule of law and reason, instead of by war and destruction, we must, without violence to our traditional predisposition to peace and the pursuits thereof, be led to do otherwise.

Wars are fought and won or lost on the land, on the water, in the air, and on those battle lines behind the front where the civilian forces stand. It is not enough to mobilize a nation's military strength; there must be mobilization of all its other resources, industrial, economic, social, and financial. These must be organized, coordinated and directed with the same strategy that governs the operations of the purely military arms of the service. The prodigious strain upon a country's productive capacity must be translated into terms of commodities. The industrial strategist, at the head of the war supply board, must be a mobilizer of the industrial forces.

Unless the military and naval forces can get what they want when they need it, there can be no mobilization of the industries and the civilian work depends the allocation of men, money, materials, to the war or threatened war, to mobilize immediately, under supervision, the resources of the Nation. That would mean the mobilization of men, money, materials, manufacturing facilities, and maintenance, or food; that is to say, not only the organizing of war orders that it was impossible for the railroads to carry the freight. In such manufacturing districts as New England, New York, Philadelphia, and Pittsburgh there was such enormous congestion of orders that it was not only impossible for the factories to turn them out but it was impossible for the railroads to carry the freight. Power companies also were not only unable to furnish all the power necessary for manufacturing but also for the war and lighting purposes. So bad was the outlook that many of the orders in those districts had to be reallocated to localities where the congestion was not so great. This condition would never have occurred had such a committee been in existence before the war as was created during the war and now in existence.

The industrial strategist when the various needs were placed before him would declare by a system of priorities where the men and materiel would be used; and the regulations and the regulations, he would say where they could not be used. There would be a stimulation of production by putting more men, more money, and more transportation into the production of essentials for war, and a cutting off of demands by denying the use of men, money, materials, and transportation to industries not engaged in war work.

Priority—which means giving to a certain industry or branch of Government activity priority access to requisite labor, service, or material—was and would be the most important instrument in this work, because on it depends the allocation of men, money, materials, and all other resources on the basis of their use toward the quickest winning of the war.

When I use the word "labor," I mean it in its broadest sense, and not in the narrower sense of those who labor with their hands. I mean anybody who renders service, whether a lawyer, a doctor, a banker, or a merchant.

The engineers of the country would be organized just the same as any industry into field engineers, mechanical engineers, electrical engineers, and so on. There should be appointed by the engineering societies committees whose members would know exactly what the men in their field could do.

More than in the war many great problems were constantly coming before us, and would come before this industrial strategy board, which could not be solved by these engineers. Your society would be called in to work with us, and these committees would tend to prevent a rise in prices, and would also prevent competitive bidding for labor.

Let me say here, parenthetically, that the difficulty during the last war was not so much with labor as with the departments of the Government, which bid strenuously one against another without any coordination. Even the departments within the Army itself bid against one another. Labor, like money and materials, would be very important. In the event of war, the laborers would have to buy would be fixed there would be no necessity for demands for increased wages by labor.

The excess proportion, if any, of the profits in industry and internal commerce, would, in addition, result in the taking of profit out of war, increasing the orders for equipment and materiel. The industrial strategist would be the committee of the allied industries, would be associated nations got what they wanted when they declared fixed as of such and such a date, and it would be illegal either to produce or sell at a different price. A War Industries Board, during 1917 and 1918, when we were confronted with the problem of seeing that the fighting forces of the United States would get what they wanted when they needed it without unnecessary dislocation of the industry of our country, unnecessary profit, or unnecessary suffering of our population.

As a result of that experience, I strongly recommend that legislation be enacted that would give to the President, after a declaration of war or threatened war, to mobilize immediately, under supervision, the resources of the Nation. That would mean the mobilization of men, money, materials, manufacturing facilities, and maintenance, or food; that is to say, not only the organizing of war orders, but also the jams that make delivery impossible.

After the war had proceeded but a few months it became evident that the greatest difficulty was the usual well-known manufac-turing plants would result in such a jam that there would be no deliveries. In such manufacturing districts as New England, New York, Philadelphia, and Pittsburgh there was such enormous congestion of orders that it was not only impossible for the factories to turn them out but it was impossible for the railroads to carry the freight. Power companies also were not only unable to furnish all the power necessary for manufacturing but also for the war and lighting purposes.
tion of old and present problems, but most of the new problems that would face the industrial strategy board would have to be put up to and solved by you, for you are the only people capable of solving them.

Even the dissemination of news—and I do not say this in a spirit of gloom and despondency—would be a problem. While the highest intelligence was and is still on the war, it was the opinion of the men associated with me that the matter of censorship should have been handled by a committee consisting of a representative of the Associated Press, the United Press, the Internation-al Press Association, the Associated Press, the magazines, and the newspapers. This censorship committee would be presided over by a chairman, and Melville E. Stone was suggested for this place during the war. The idea of this is that all industries should be directed by the government, through restrictions on labor, money, raw material, and transportation, no manufacturer would have been permitted to sell to any dealer violating the regulations.

The manufacturers in this country of men’s and women’s wearing apparel had, in 1918, been called to Washington, together with the retailers of various goods, and notified that certain regulations would have to be made in regard to retail prices and standardization of clothing because of the need of withdrawing from industry additional men and materials.

In addition some of the prices of materials brought from other countries were high because of the competitive bidding of the Allies and of producing goods. The War Industries Board, but at his right hand always sat the military authority, whose necessities were met as far as possible. Priority would be given to industrial needs, governed by the military needs, although it was always taken into considera-tion that in the use of men, money, and materials we had to keep up the morale of the civilian population, which is one of the greatest forces of our nation and wise use of our resources means the morale of the people and kept them wholeheartedly behind the fighting forces at the front. Indeed, I think the establishment of such an organization as I am outlining ready to function would do much to incite the morale of the people.

As a matter of fact, the War Industries Board as it was functioning at the end of the war was doing, either directly or indirectly, nearly all the things above enumerated.

Charles S. Crowder, who was in charge of the draft, had asked the chairman of the War Industries Board where he could obtain additional men needed for the Army in France with the least possible dislocation of industry. He was told that the men could be provided in the process of replacing male labor with women. By a system of priorities the board was allocating to our own Army and Navy, to the Allies, and to the essential war industries the things that they required. It was giving priority rulings as to transportation, and labor of its own accord would find employment where the demand existed. I am un-}
Ity that marked their toilsome labors day after day, month after month, have made them fit mates and comrades to the men in the trenches and on the seas.

The production, refining, and marketing of petroleum and its products.

Mr. HOWARD of Oklahoma. Mr. Speaker, I ask unanimous consent to insert my remarks in the record. I cannot face the production, refining, and marketing of petroleum and its products.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent to extend his remarks in the record. Is there objection?

There was no objection.

Mr. HOWARD of Oklahoma. Mr. Speaker, at this time there is no discussion relative to the prices of petroleum and its products. For the information of those interested appended hereto I submit a statement of facts and statistics gathered on the subject by myself and submitted to a meeting of the International Petroleum Congress at Tulsa, Okla., in October, 1923:

Were I to express my opinion on "Legislation and the oil industry," in a short and concrete statement, I would so do by saying that, like practically all other great industries, the oil industry needs little, if any, legislation, and that this industry, like most others, would be in a better position and function in the interest of all the people to a greater extent if some of the legislation or attempts at legislation which handicap the industry were eradicated and forgotten.

However, I realize that in these days when much enacted or proposed legislation is based upon political expediency that the oil industry is like other industries. Not expect too often seize upon opportunities through introducing and passing in our legislative bodies laws which for the time appeal to the people, but after some fundamental laws have been a true in the matter of legislation and executive policies of many States in the Union toward the oil industry in the past few years, and there is little doubt but what the industry will, in the future, be subjected to on passing much legislation seeking to control, regulate, and hamper the industry.

I do not seek to deny that relating to all industries there should be some safe, sound, and fundamental legislation, but in the passage of such legislation or the enforcement of executive policies toward the oil industry, I respectfully submit for the consideration of all legislators and executives that within the last few years the importance of production. Attending this circumstance, we have had such legislation which handicap the industry were eradicated and forgotten.

The man on the farm, in the city, in the factory, at the forge, and in practically whatever industry may be engaged at any time all times have at hand a supply of petroleum products as it is to the producer. The production, refining, and marketing of petroleum and its products.

As long ago as April, 1920, when I was a Representative of the oil industry, which at that time showed that we were consuming more than 60,000 barrels of oil per day in excess of our production, and asked why we were losing, logical, with the passage of the law to that instance should bring about a congressional investigation when similar phenomena in other industries were permitted to pass unnoted. And on that occasion I said:

"Yet, to those most familiar with the business the question presents itself, Why was not the investigation of this great industry which distinguished itself above all others during the war and up to the present time in efficiency, promptitude, and patriotic endeavor to supply the petroleum needs of the world, when other industries, not so distinguished, are permitted to pursue their unpatriotic course of profiteering through manipulation of prices and deliberate limitation of production?"

Whatever may be said of the oil men, it cannot not be successfully maintained that they have ever lost the on the job. When we entered the war and the Government was hurriedly taking over one industry after another, great anxiety was expressed concerning the supply of gasoline and oil for the allied armies at the western front. Representatives of the oil industry were called in to see what could be done to secure such a supply. There was talk of taking over the oil business. But the prompt answer of the oil representatives was, the American Army, in advance of Government action, there was an adequate supply of American gasoline and oil at the western front and more of it was on its way across the Atlantic in American-owned tankers, which only when, was being transported across the continent to the Atlantic seaboard in tank cars and pipe lines owned and operated by American oil men.

To my mind one of the bright spots in the history of American business, and one which evidences the keen foresight and business acumen of the American business man has been the remarkable manner in which those of the oil industry, from the smallest producer or manufacturer to the largest companies engaged in the oil industry, have kept pace with the remarkable and ever-growing demand for petroleum and its products. This is especially true when we consider the many, many hazards surrounding the oil industry, and the blind and abetted by false propaganda is one of the phenomena with which it appears we must become accustomed and prepare to combat by a simple exposal of the facts.

And I am no forced to add that, after four years of investigation, and although during all that time and during the war American people were able to buy petroleum products at a lower price in comparison with the pre-war level than they were able to purchase other necessities of life, and although no profiteering was disclosed by the investigation of 1920 and no criminality revealed by the investigation of 1922, nevertheless, it is now proposed to prosecute the oil industry.

In the explicable working of the public mind, and the celebrated, and abetted by false propaganda is one of the phenomena with which it appears we must become accustomed and prepare to combat by a simple exposal of the facts.

Resolutions No. 501, because prices were rising, I arose on the floor of the House of Representatives and cited the statistical position of the industry, which at that time showed that we were consuming more than 60,000 barrels of oil per day in excess of our production, and asked why we were losing, logical, with the passage of the law to that instance should bring about a congressional investigation when similar phenomena in other industries were permitted to pass unnoticed. And on that occasion I said:

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tion, because, if such were permitted, the industry would be given no opportunity to provide in times of plenty for the approaching times of famine.

In my opinion the economic history of the oil business does not justify hostile governmental interference. The only legislation of which I can conceive with reference to the oil industry, which would be constructive and not destructive, would be appropriate enactments in both the Federal Congress and the State legislatures whereby the members of the oil industry would be permitted to cooperate for the conservation of petroleum without danger of being indicted for violation of law. During the past summer this natural resource has been wasted by overproduction and glutinous consumption at ruinous prices. The public may have enjoyed this for a time, but the public will pay the penalty in the end.

But there was no way by which the oil industry, which wanted to conserve the supply, could legally do so. At the first suggestion that such an attempt be made there were threats of prosecution by both Federal and State Governments. This is a shortsighted and erroneous governmental policy. In view of the great need for conservation of petroleum for future use, the governmental attitude should be the exact opposite, and the oil industry should be authorized by law, both State and Federal, to cooperate in times of overproduction in any reasonable program of curtailment of production in order that the excess oil may be left in the ground until needed by the public. During the past summer some 2 or 3 per cent of the wells in the United States was not working. These wells were so-called seven or eight flush pools. If the oil industry had been authorized by law to cooperate in holding down the production of these pools petroleum products could have been marketed at reasonable prices and in a proper manner, and the country would have been assured of a more adequate supply for future use produced in an orderly manner from the known pools as occasion demanded.

The industry which enjoys a constantly and rapidly increasing demand for its product is one sound and I, therefore, believe that the oil industry of this country is fundamentally sound. America is the world's greatest petroleum producing, refining, and consuming country. Petroleum has contributed more to the prosperity of this country than the cash receipts of the units of the industry would indicate. Without it, the automobile would have been impossible. Without it, truck transportation would have been impossible. Without these, the present volume of business would have been impossible because the present volume of business depends upon rapid transportation. Without petroleum fuel and the means of transportation thereby supplied, the country's growth would have been checked in a number of ways, including the inability to feed the vast population of our large cities. The oil industry has matured to the occasion and has supplied these needs at moderate prices. The obvious duty of the public and of the law-making bodies is to view with pride the progress made and to encourage the procedure and cooperation rather than one of harping criticism and threat­ened persecution. With such a spirit and the proper liberalizing of our anti-trust laws so that the industry will be free to cooperate beneficially to the improvements necessary not only now but into the future years to the great glory and prosperity of our people. But if repressive measures, government red tape, and hostile legis­lation should continue, it would be useless, inefficient, expensive, and the country would lose the great loss and humili­ation of the consumer who now complains though in the midst of a paradise.

INTERIOR DEPARTMENT APPROPRIATION BILL

Mr. CRAMTON. Mr. Speaker, last night shortly before adjournment I secured consent to have until midnight to file the conference report on the Interior Department appropriation bill. The report was filed in due time and was sent to the Government Printing Office with the vote for its inclusion in the Record of yesterday, but through some error it was not included. I desire to call the matter to the attention of the House at this time in order that the report may be included in today's Record, and I ask unanimous consent that that may be done.

The SPEAKER. Without objection, the conference report will be printed in the Record of to-day.

There was no objection.

The report and statement is as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the House and Senate on the amendment to the bill (H. R. 10020) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1928, and for other purposes, after further conferences between the Committees agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 15, 23, 31, 36, 45, and 49.

That the House recede from its disagreement to the amendment of the Senate numbered 11, 12, 13, 16, 17, 19, 20, 21, 22, 24, 25, 29, 39, 40, 41, 42, 46, 47, and 48, and agree to the same.

Amendment numbered 14: That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment as follows: At the end of the matter inserted by said amendment insert the following: "$25,000, of which $10,000 shall be available only for the completion of the Taber feed canal"; and the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment amended to read as follows: "Provided further, That the operation and maintenance charges on account of land in this project shall be paid annually in advance not later than March 1, no charge being made for operation and maintenance for the first year after said public notice. Provided further, That the Secretary of the Interior shall assume the duty and responsibility of completing, securing, selecting, and financing of settlers to be used for construction purposes until a contract or contracts in form approved by the Secretary of the Interior shall have been made with an irrigation district or with irrigation districts organized under State law, and the Secretary of the Interior shall have made the appropriation under authority of the district or districts as hereinafter provided. The Secretary of the Interior shall by public notice announce the date when water is available for such operations; and the Senate agree to the same.

Amendment numbered 20: That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment amended to read as follows: "Provided further, That no part of this appropriation shall be used for construction purposes until a contract or contracts in form approved by the Secretary of the Interior shall have been made with an irrigation district or with irrigation districts organized under State law, and the Secretary of the Interior shall have made the appropriation under authority of the district or districts as hereinafter provided. The Secretary of the Interior shall by public notice announce the date when water is available for such operations; and the Senate agree to the same.

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment amended to read as follows: "Provided further, That no part of this appropriation shall be used for construction purposes until a contract or contracts in form approved by the Secretary of the Interior shall have been made with an irrigation district or with irrigation dis-
On Nos. 3, 4, 5, 6, 7, 8, and 9: Strikes out all Senate provisions for salaries and expenses of survey, general and restores the House language abolishing those offices.

On No. 10: Appropriates $540,250, as proposed by the House, instead of $732,820, as proposed by the Senate, for surveying public lands.

On No. 11: Appropriates $175,000, as proposed by the Senate, instead of $125,000, as proposed by the House, for salaries and expenses of registers of district land offices.

On Nos. 12 and 13: Strikes out the language providing for the consolidation of offices of register and receiver at certain specified land offices and provides instead for such consolidation of the offices of register and receiver at such land offices as may now have two or more.

On No. 14: Strikes out the House language limiting the pay of tribal attorneys for the Choctaw and Chickasaw Tribes to $1,500 per annum and retains the Senate language amended so as to authorize the Commissioner of Indian Affairs to determine the pay of such tribal attorneys within a limit of $2,000 per annum each.

On No. 15: Strikes out the Senate language appropriating $115,767.67 for payment of taxes to the counties of Stevens and Ferry in the State of Washington, on allotted Colville Indian lands.

On No. 16: Appropriates $135,000, as proposed by the Senate, instead of $120,000, as proposed by the House, for irrigation on Indian reservations.

On Nos. 17 and 18: Appropriates $550,000 instead of $10,000, as proposed by the House, for the Flathead Indian irrigation project in Montana, and makes the money available for continuing construction as proposed by the Senate, and further provides that $10,000 of the appropriation shall be available only for completion of the Taber feed canal.

On No. 19, and 20, relating to the appropriation for collection and transportation of Indian pupils to and from school, eliminates $7,000 of the appropriation available for obtaining remunerative employment and for payment of transportation and other expenses to their places of employment for "Indians" as provided by the Senate instead of "Indian youths" as provided by the House, and provides for the refund of such transportation and expenses when practicable.

On No. 21: Makes immediately available, as proposed by the Senate, the appropriation of $20,000 for the enlargement of the school building at Sequoyah Orphan Training School, near Tahlequah, Okla.

On No. 22: Appropriates from Osage tribal funds $20,620, as proposed by the Senate, instead of $20,200, as proposed by the House, for the education of Osage children.

On No. 23: Strikes out the Senate language authorizing the maintenance outside the District of Columbia of the office of the director of reclamation economics, and agrees to the same.

On Nos. 24 and 25: Appropriates $430,000, as proposed by the Senate, instead of $405,000, as proposed by the House, for the Boise, Idaho, irrigation project, and eliminates the House language making the appropriation available for investigations, examinations, surveys, or plans for or work upon any extension of the project.

On No. 26, relating to the Sun River project, Montana: Restores the House language modified by the elimination of the provision for terms of payment, and the provision for appraisal, etc., of private lands and by limiting the provision for State cooperation in settlement to the new division.

On No. 27: Appropriates $25,000, as proposed by the Senate, for operation, maintenance, and incidental operations of the Williston (N. Dak.) irrigation project, amended so as to make the money available until December 31, 1925.

On No. 28: Appropriates $50,000, as proposed by the Senate, for operation, maintenance, and incidental operations of the Williston (N. Dak.) irrigation project, amended so as to make the money available until December 31, 1925.

On No. 29: Inappropriates for the fiscal year ending June 30, 1926, and for other purposes, the following statement in explanation of the effect of the appropriation agreed to by the conference committee and submitted in the accompanying conference report:

The managers on the part of the House at the conference on the differences between the two Houses on the amendment of the Senate to the bill (H. R. 10020) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1926, and for other purposes, submitted the following statement in explanation of the effect of the appropriation agreed to by the conference committee and submitted in the accompanying conference report:

On No. 1: Strikes out the language inserted by the Senate authorizing the President in meritorious cases to direct that the partial or total salary of persons paid under the classification act might exceed the average of the compensation rates for the grade in whose place the salary is paid, if the additional compensation is allocated.

On No. 2: Strikes out the language proposed by the Senate authorizing the Secretary of the Interior to fix rates of compensation of field employees to correspond to rates established by the classification act, and provides for the positions in the departmental services in the District of Columbia.
On No. 35, relating to the Umatilla Rapids project, Oregon: Recognizes states and makes immediately available, as proposed by the Senate, the unexpended balance of the appropriation of $50,000 for investigations of the feasibility of this project contained in the act of March 4, 1922 (42 Stat. L. 1540).

On No. 41, relating to the operation of mine-rescue cars: Retains the Senate language making the appropriation available for the purchase of cooks' uniforms, goggles, gloves, and other necessary equipment.

On No. 42, relating to the appropriation for testing fuel: Authorizes $25,000, as proposed by the Senate, instead of $22,000, as proposed by the House, for personal services in the District of Columbia.

On No. 45, relating to the appropriation for the Grand Canyon National Park: Authorizes the construction of a "comprehensive sewage-disposal system," as proposed by the Senate, instead of a "septic tank," as proposed by the House, at administr. costs on the southern side.

On No. 46, relating to Platt National Park, Okla.: Strikes out the Senate language appropriating $11,920 for administration, protection, maintenance, and improvement, and $8,000 for auto camps, including comfort stations, in all, $17,920; and retains the Senate language appropriating a like aggregate amount for the same purposes in a lump sum.

On No. 47, relating to the appropriation for Yellowstone National Park: Authorizes $6,000, as proposed by the Senate, instead of $5,100, as proposed by the House, for purchase, maintenance, and operation of horse-drawn and motor-driven passenger-carrying vehicles.

On No. 48: Appropriates $25,000, as proposed by the Senate, for the development of Carlsbad Cave, N. Mex.

On No. 49: Strike out the Senate language appropriating $1,500 for installing of oil-burning equipment in the governor's residence, Juneau, Alaska.

The committee of conference have not agreed upon the following amendments of the Senate:

On No. 37, appropriating $300,000 for the Spanish Springs irrigation project, Nevada.

On No. 30, appropriating $500,000 for the Vale irrigation project, Oregon.

On No. 34, reapropriating the unexpended balance of the appropriation of $375,000 for the Kittitas unit of the Yakima project, Washington, made by the second deficiency act, 1924, approved December 5, 1924.

Mr. RAINEY. Mr. Speaker, under the authority granted me to-day to extend my remarks in the Recom on this subject, I call attention to a remarkable publicity statement recently issued to newspapers by the Secretary of War and published in many newspapers in the United States.

For a long time we have heard much about the Chicago diversion and the deep-waterway from the Lakes to the Gulf of Mexico. Anticipating the recent decision of the Supreme Court in this matter, the Committee on Rivers and Harbors of the House of Representatives last spring held extensive hearings, which will be printed in a few days, in order that when the Supreme Court rendered its opinion in the Chicago diversion matter, the committee would be ready immediately to act suggesting necessary legislation in order to legalize the flow and to take care of the equities of the lake cities, the Illinois River valley, and the deep-waterway proposition in the matter of which so much money has been expended and is still being expended by the city of Chicago and the State of Illinois.

In a remarkable statement, just issued by the Secretary of War, Congress is to be relieved of all responsibility in the matter, and the Secretary of War, assisted by the engineers, proposes to assume full authority and responsibility and to provide powers which under the Constitution, as I understand it, can only be exercised by Congress.

For the convenience of the Members of Congress and of others who may desire to look into this subject I call attention to the fact that the opinion rendered by the Supreme Court of the United States in this matter can be found printed in full in the CONGRESSIONAL RECORD of January 5 last at page 1288 of the temporary edition.

For the information now of the Congress and others I here-with print the remarkable "release" issued by the Secretary of War on the 9th day of this month:

WAR DEPARTMENT

STATEMENT ISSUED BY SECRETARY WEEKS REGARDING THE QUESTION OF THE DIVERSION BY THE SANITARY DISTRICT OF CHICAGO OF WATER FROM LAKE MICHIGAN

The Sanitary District of Chicago has submitted a request for a permit to divert an annual average of 15,000 cubic feet per second of water from Lake Michigan. This has been considered by Maj. R. W. Putnam, district engineer at Chicago, and by the Chief of Engineers, who both recommend that a permit be issued covering a period of five years to divers from Lake Michigan through main canals and auxiliary channels, an amount of water not to exceed an annual average of 8,500 cubic feet per second, the instantaneous maximum not to exceed 11,000 cubic feet per second. This permit was made to be conditional upon the following conditions: 1. The Sanitary District of Chicago shall submit for approval and carry out a program of sewage treatment by artificial processes which will provide the equivalent of the treatment of all the sewage of a human population of 1,500,000 (42 Stat. L. 1540).

The Sanitary District of Chicago shall pay its share of all such regulating or compensating works to restore the levels or compensate...
for the lowering of the Great Lakes, if and when constructed, and post a guaranty in the way of a bond or certified check in the amount of $1,000,000 for the lowering of the Great Lakes, a guaranty of flood on the Illinois and Des Plaines Rivers.

3. The execution of the sewage-treatment program and the diversion of water from Lake Michigan shall be subject to the supervision of the United States district engineer at Chicago, and the diversion of water from Lake Michigan shall be subject to his direct control in times of flood on the Illinois and Des Plaines Rivers.

4. If within six months after the issuance of this permit the city of Chicago shall fail to execute and complete the program for the amount of water set forth, at least 90 per cent of its water service and provide for the execution of said program at the average rate of 10 per cent per annum thereafter, this permit may be revoked without notice.

The difficulties recommended by the Chief of Engineers provide for the adoption and execution of a program of modern sewage-disposal plants of the maximum amount considered feasible within the next five years as part of a program which will permit the ultimate reduction of the amount of water to be diverted at 4,400 cubic feet per second or lower. The rate at which this program could be carried out would depend upon conditions which may develop in the future, but should be such as to complete the program in any event in not to exceed 20 years. It is believed that this can be done without any unreasonable financial burden upon the city of Chicago.

The Chief of Engineers recently gave me a memorandum in which the question of my legal authority to grant the city of Chicago a permit for a diversion from Lake Michigan of a greater quantity of water than 4,467 cubic feet per second was discussed. This being a strictly legal question, I have referred the matter to the Department of Justice for an opinion. I am not in a position to present arguments, but in holding the hearing I expect to limit the arguments on all sides to one or two persons, and hope to confine the discussion strictly to the matter contained in the application for a permit made by Chicago and the recommendations of the Chief of Engineers.

Understanding from the above “release” that the Secretary of War had referred a memorandum connected with this matter to the Department of Justice for an opinion, in connection with the diversion of water from Chicago I left with Hon. James M. Beck, Solicitor General for the Department of Justice, a brief on the subject, a copy of which I herewith submit:

MEMORANDUM IN THE MATTER OF THE DIVERSION OF WATER FROM THE GREAT LAKES

BY HENRY T. RAINET, Member of Congress from Illinois


THE QUESTION OF LEGAL AUTHORITY TO GRANT THE CITY OF CHICAGO A PERMIT FOR A DIVERSION FROM LAKE MICHIGAN, 1. THAT THE ENGINEERS AND THE SECRETARY OF WAR HAVE NO RIGHT UNDER THE ACT OF 1899, OR UNDER ANY LAW TO PROVIDE A PROGRAM OF SEWAGE TREATMENT, WHICH MUST BE FOLLOWED BY THE SANITARY DISTRICT OF CHICAGO.

2. I RESPECTFULLY INSIST THAT THE ENGINEERS AND THE SECRETARY OF WAR HAVE NO RIGHT TO APPORTION COSTS OF BUILDING CERTAIN COMPENSATING WORKS IN THE LAKES BETWEEN THE CITY OF CHICAGO AND THE FEDERAL GOVERNMENT, OR BETWEEN THE CITY OF CHICAGO AND ANY OTHER CITY.

3. THE ACT OF 1899 DOES NOT CONFER UPON THE ENGINEERS AND TO THE SECRETARY OF WAR ANY AUTHORITY WHATSOEVER TO SUGGEST A SEWAGE TREATMENT PROGRAM FOR THE CITY OF CHICAGO, OR TO PROVIDE FOR ITS EXECUTION WITHIN THE LIMIT OF TIME TO BE FIXED BY THEM.

4. THE ACT OF 1899 DOES NOT CONFER UPON THE ENGINEERS THE RIGHT TO REQUIRE THE CITY OF CHICAGO TO METER ITS WATER SERVICE, OR TO SAY TO WHAT EXTENT THE CITY OF CHICAGO SHALL METER ITS WATER SERVICE.

5. IT IS POSSIBLE FOR THE CITY OF CHICAGO TO ERECT ITS SEWAGE PLANTS IN CONJUNCTION WITH THE DIVERSION OF WATER FROM THE GREAT LAKES.

MEMORANDUM OF THE SUPREME COURT OF THE UNITED STATES IN THE MATTER OF THE SANITARY DISTRICT OF CHICAGO V. THE UNITED STATES OF AMERICA

This was a unanimous opinion rendered by the court on the 5th day of January last affirming a decree for an injunction against Chicago issued by the District Court of the United States for the Northern District of Illinois.

There can be no question but what the opinion of the court is correct. It is a statement of the law to which every citizen of the United States is subject.

The decree for an injunction as prayed is affirmed, to go into effect within 60 days, without prejudice to any permit that may be issued by the Secretary of War according to law.

The law referred to, of course, is the act of Congress of March 3, 1899, which makes it unlawful to alter the channel depths of navigable waters and provides for the execution of said program at the average rate of 10 per cent per annum thereafter, this permit may be revoked without notice.

The questions at issue in the case involve the alteration of certain port or harbor depths on the Great Lakes and the increase in the channel depths of navigable waters. This is the only question considered by the Supreme Court and the only question involved in the Chicago diversion upon which the Chief of Engineers has the right to make any recommendations and over which the Chief of Engineers has the right to exercise any authority whatever under the act of 1899.

The Chief of Engineers has been of the opinion that the jurisdiction of the court does not extend to the making or execution of any such recommendations or to the taking of any steps toward the making of such recommendations.

The question of my legal authority to grant the city of Chicago a permit for a diversion from Lake Michigan has been referred to the Department of Justice for an opinion, in connection with the diversion of water from Chicago.

The city of Chicago can install its sewage-disposal plants in a much less period of time than the Chief of Engineers and the Secretary of War are disposed to grant. The State of Illinois granted to the Chicago Sanitary District extraordinary taxing and bonding powers, and the sanitary district is now levying taxes in addition to the taxes that they can levy under the law of Illinois, and the sanitary district can issue and have outstanding $27,000,000 of bonds, the interest on which is being destroyed by the Chicago diversion, which is worth fifty or sixty million dollars.

If the diversion from the Lakes is to continue, we are entitled to some sort of protection for our farms back of these levees as against this added flow from the Lakes. Our interests may not be as great in dollars and cents as the interest of the Lake cities, but the land back of our levees, which is being destroyed by the Chicago diversion, is worth fifty or sixty million dollars, and many of our farm drainage districts along the river are pumping out from the districts sewage water caused by the added flow from the Lakes, at an expense of a hundred dollars a day.

The city of Chicago can construct its sewage-disposal plants in a much less period of time than the Chief of Engineers and the Secretary of War are disposed to grant. The State of Illinois granted to the Chicago Sanitary District extraordinary taxing and bonding powers, and the sanitary district is now levying taxes in addition to the taxes that they can levy under the law of Illinois, and the sanitary district can issue and have outstanding $27,000,000 of bonds, the interest on which is being destroyed by the Chicago diversion, which is worth fifty or sixty million dollars.

The city of Chicago has the right to erect its plants, regardless of whether or not they can be tax levied under the law of Illinois, and the sanitary district can issue and have outstanding $27,000,000 of bonds, the interest on which is being destroyed by the Chicago diversion, which is worth fifty or sixty million dollars.

If the diversion from the Lakes is to continue, we are entitled to some sort of protection for our farms back of these levees as against this added flow from the Lakes. Our interests may not be as great in dollars and cents as the interest of the Lake cities, but the land back of our levees, which is being destroyed by the Chicago diversion, is worth fifty or sixty million dollars, and many of our farm drainage districts along the river are pumping out from the districts sewage water caused by the added flow from the Lakes, at an expense of a hundred dollars a day.

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months to be suggested by them, in which legislation can be obtained by Congress meeting the problems presented now. It would be intolerable to submit to an executive officer of this Government the questions which now arise in this connection under the decision of the Supreme Court in the Chicago diversion case. The only permit which can be issued by the engineers is a permit under the act of 1899, and the act of 1896 does not permit the adjudication of the questions by the engineers and the Secretary of War.

I have been assuming that the Secretary of War has submitted to you for your consideration the proposition here referred to, to authorize to divert from Lake Michigan of a larger quantity of water than 4,167 cubic feet per second can be granted, and if the Secretary insists that this is strictly a legal question, and is the only legal question, I insist that there is no authority in the law which will enable the Secretary of War to exercise any of the powers he proposes to exercise in the matter he has given out to the press.

If, however, the mere question submitted to you is whether a permit for the diversion from Lake Michigan of a greater quantity of water than 4,167 cubic feet per second can be granted, and if the Secretary insists that this is strictly a legal question, and is the only legal question, I insist that there is no authority in the law which will enable the Secretary of War to exercise any of the powers he proposes to exercise in the matter he has given out to the press.

If 4,167 cubic feet is the largest amount that can be diverted without injuring the harbor depths, and the amount that will not injure harbor depths is a question of fact for the Secretary and the engineers to determine, subject, of course, to review in the courts. If 4,167 cubic feet is the largest amount that can be diverted without injuring the harbor depths, that is the end of it; and if the only question submitted to you is whether a permit for the diversion from Lake Michigan of a greater quantity of water than 4,167 cubic feet per second can be granted, and if the Secretary insists that this is strictly a legal question, and is the only legal question, I insist that there is no authority in the law which will enable the Secretary of War to exercise any of the powers he proposes to exercise in the matter he has given out to the press.

Clearly the only questions of law they can submit to is whether or not they have under the law the right to provide a method of sewage disposal in Chicago, a time in which it can be accomplished without injuring harbor depths, and upon what theory, I submit, can an amount of diversion greater than 4,167 cubic feet be a question of law?

In this connection and in further explanation of the effect of the suggestions contained in the "release" of the Secretary of War I herewith print a copy of a letter I am sending out to landowners in my congressional district:

**H. E. Fletcher, Winchester, Ill.; Hon. H. V. Toel, Racine, Ill., Chairman Board of Directors and Chairman Legislative Committee, Association of Drainage and Levee Districts of Illinois.**

**Dear Sirs:** I am writing to call your attention to the great victory just won by the Sanitary District of Chicago with the assistance of the officers of your organization. May I call attention briefly to what the recommendations of the engineers, if adopted, mean to the Illinois River Valley and to the cities along the river?

1. The dams will be forever retained in the river.
2. Even with the dams retained the cost of a 9-foot channel in the river will amount to $2,458,500, with gross annual costs of $303,000. The cost to the Government of maintaining a 9-foot channel in the Mississippi River to Cairo will be practically prohibitive. The State of Illinois might as well give up its 9-foot waterway. The State of Illinois might as well give up its 9-foot waterway.
3. The taxpayers of the State of Illinois will sacrifice $1,500,000 a year, and this sacrifice will continue indefinitely. The loss of water power amounts to that. It will mean that the net loss of 12,000,000 waterway bond issue must now be met in direct taxes. This is cheerful news for the people of the State of Illinois.
4. In my opinion the proposal to divert from Lake Michigan of a greater quantity of water than 4,167 cubic feet per second can be granted, and if the Secretary insists that this is strictly a legal question, and is the only legal question, I insist that there is no authority in the law which will enable the Secretary of War to exercise any of the powers he proposes to exercise in the matter he has given out to the press.

5. The Illinois River Valley and the levee districts propose to "leave this matter to the engineers." I expect to make this letter public, in order that the valley cities and the landowners in the valley may know where the responsibility for the tremendous defeat which now impends should be placed.

Respectfully yours,

**HENRY T. RAINER, Member of Congress from Illinois.**

**WASHINGTON, D. C., February 11, 1925.**

**EXECUTIVE USURPATION**

This matter, it seems to me, is of tremendous importance. The functions of Congress are rapidly being absorbed by the bureaus of this Government, but I know of no other example of transference of executive authority that will affect so much more than the Sanitary District:

**EXECUTIVE USURPATION**

1. I know of no subject brought before Congress in the last 50 years or even in a longer period of time than that which concerns more cities, more States, more great interests than this. I know of no subject which more imperatively requires legislation by Congress. Members of both branches of Congress will be derelict, indeed, if they quietly ignore this proposal of the Secretary of War and of the Chief of Engineers to "legislate" for the vast interests involved in the subject matter in controversy.

If the Congress permits this usurpation to go unchallenged and these powers can be usurped by an executive official of this Government, it is obvious that the more and more usurpations of the powers of Congress by executive officers, but there can be no usurpation greater than is proposed now in the "release" of the Secretary of War.

I do not know what the opinion of the Department of Justice will be in the matter, but I know what it ought to be. I realize that the Department of Justice has just won a victory in the Chicago river case. thereof. They are quite content to rest on their laurels, but if the program of the Secretary of the War goes through, the Chicago Sanitary District will also have won a tremendous victory, for the reason that the program of the Secretary of War is proposed and has proposed to do for a considerable period of time. The decision of the Supreme Court has not altered or changed her program in the least. After being...
CHICAGO

As citizens of Illinois, we are all proud of Chicago. We point to the resources of that great city and to the美化 of its public buildings such as the Art Institute, the Public Library, and the Soldier's and Sailor's Monument. These are all sources of pride.

We have served in Congress in 22 years with over 2,000 Members of Congress. I have known them all. I have seen them come and go. I can think of none of them who in the same period of time has made a better record than the record made by Congressman William C. Hull, who with so much energy, force, and ability represents now this great congressional district. He has recently introduced in the Congress of the United States a waterway bill. In the form in which it has now been presented it contains provisions for the relief of the valley which I think will meet the situation. These provisions were all contained originally in my bill, which I shall not press for passage. I stand today for the bill introduced by Congressman Hull. It contains the provisions for the relief of the valley embodied in any of the several bills introduced in the last Congress.

While I have gone over it carefully with Congressman Hull, and while I think it is the best bill yet presented, I am aware, of course, that a careful study of the bill in the committee in the Senate and in the House will result in suggestions of great value which ought to be incorporated in this measure. I have had too much experience in bill drafting not to realize the difficulties connected with it. It would be foolish for this Congress or any group of Members of Congress, or for any committee of Congress to stand against amendments and changes in a matter so complicated and so important as the waterway must be in the near future. Already since the bill was introduced the suggestions have been made to me and to Congressman Hull by a distinguished citizen of Peoria, an able lawyer which, in my judgment, ought to be included in this bill. I refer to Hon. Henry T. Rainey, speaker of the Illinois legislature.

This is no time for quibbling, no time to pay a great city the compliments which she is due. We are all proud of Chicago. We point to the resources of that great city by the lakes, now in the form in which it has been presented. In the near future the Illinois River presents possibilities of transportation which no other river in the world can ever reach. This is the world at the present time presents.

SPENCER OF RON. H. HULL, MEMBER OF CONGRESS FROM ILLINOIS, AT PEORIA, ILL., SATURDAY, JANUARY 24, 1925.

The oxygen content of the water in the river is growing less and less. Lynn E. Colley, the greatest hydraulic engineer I have ever known, told me before the Chicago sewage came down that the food fish taken from the Illinois River yielded a yield per pound per year. That year in the same period of time has been redeveloped, and also many tons per year of fresh-water food fish as the Illinois River. Salmon caught in the Columbia River are a salt-water fish. The fish industry is practically gone now from the entire river. Until recently the waters of the river have been safe for fish to live in, but now they have been taken over by the sewage from Chicago, and our rivers are going to be gone now; the sweet-pearl industry has disappeared. The pearl-button industry has disappeared along the river.

The upper stretches of the river those plants alone grow which now in this valley, that any of us stand for such a waterway bill. In the form in which it has been presented it contains provisions for the relief of the valley which I think will meet the situation. These provisions were all contained originally in my bill, which I shall not press for passage. I stand today for the bill introduced by Congressman Hull. It contains the provisions for the relief of the valley embodied in any of the several bills introduced in the last Congress.

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I have no patience with the proposition to give Chicago a quarter of a billion dollars or even $15,000,000 a year. In 1896 her population was 1,104,000 people. Her bank cleared $5,000,000 a year. In 1896 her post-office receipts were only $4,000,000. I am not so naive as to be blind to the facts presented in former reports. We know that the great mass of filth coming down from Chicago has reached Peoria. We know that the Chicago sewerage has practically disappeared. We know that our bathing beaches are being deserted. Our summer homes along the upper river are no longer places in which we can spend delightful vacation hours. The plant life which belongs to clean water is rapidly disappearing.

In the stretches of the river above Peoria it has disappeared entirely. The oxygen content of the water in the river is growing less and less. Lynn E. Colley, the greatest hydraulic engineer I have ever known, told me before the Chicago sewerage came down that the food fish taken from the Illinois River yielded a yield per pound per year. That year in the same period of time has been redeveloped, and also many tons per year of fresh-water food fish as the Illinois River. Salmon caught in the Columbia River are a salt-water fish. The fish industry is practically gone now from the entire river. Until recently the waters of the river have been safe for fish to live in, but now they have been taken over by the sewage from Chicago, and our rivers are going to be gone now; the sweet-pearl industry has disappeared. The pearl-button industry has disappeared along the river.

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disposal plants suggested by her engineers and pay for them in a less period of time than 25 years. They insist that they have already expended over $25,000,000 in building sewage-disposal plants—some of them merely experimental plants, but to be highly, I should say, of an entirely esthetic character, so that only one-half as much will come down the Illinois River as now comes, will require the expenditure of $100,000,000 more and will take at least one-fourth of a century. And, therefore, they say of the State that if they do not pay the "joker" tax, they are not doing their duty. And the instance is true if there is a "joker in the law, as they say there is. In good conscience and in fairness, representatives of the sanitary district ought now to be in Springfield attending the sessions of the legislature, and, therefore, they pay the "joker" removed. They are, however, in Washington trying to get a permit from the engineers to continue indefinitely, or as long as the engineers will permit, the permit to run the present discharge into the river.

GREAT TAXING POWERS GIVEN TO THE CHICAGO SANITARY DISTRICT

When Chicago in 1889 found her water supply to be in danger and her health and growth threatened, she was willing to pay almost anything, and in that year she made most extravagant promises and has continued to make them, until now the flow has apparently become an established fact. The Chicago Sanitary District, asked for extraordinary taxing powers and the legislature gave the district all the powers in this particular. It demanded. The sanitary district act provides the trustees "may levy and collect taxes upon all property in the sanitary district, in addition to the taxes now provided for by law, at a rate not to exceed $100 per $100 of taxable property within the corporate limits of the city. They are to be collected and equalized for the county taxes in the sanitary district in Chicago for 1922 amounts to $1,017,926,501. The assessed value of the property in the sanitary district in Chicago for 1923 was $2,000,000,000. Under the sanitary district act, as amended in 1907, they can now collect every year $20,000,000, for they are collecting $100,000,000. They can, therefore, if they levy and collect the limit allowed by the law, realize $11,000,000 more a year than they are now receiving. This will enable them to complete in 10 years the sewage-disposal plants they now have in contemplation, and it will not require 25 years. And in this emergency we have the right to demand that the Chicago Sanitary District proceed to the very limit of taxation.

But representatives of the district insist that there are "jokers" in the law which keep them from levying this much, for the reason that taxes levied by counties and cities are subject to certain limitations, and they say that if they levy more than $1 per $100 the county clerk must scale the levy down. I deny that this is contemplated by the law. The duties imposed upon the sanitary district are "to levy and collect these taxes," and the act specifically declares that when taxes are certified to the county clerk they shall be collected "and enforced in the same manner and by the same officers as State and county taxes." This simply has reference to the collection of its own taxes. The Chicago Sanitary District is a distinct corporate entity and these taxing powers were given to it and can not be taken away without amending the act which confers these powers.

BONDDING

But if the sanitary district objects to taxes as high as this to meet the present emergency, they can issue bonds, and the law confers upon the district most extraordinary powers in this direction. The corporation may borrow money and issue bonds, but the act provides that the corporation shall be limited to any purpose to an aggregate of 5 per cent of the valuation of taxable property in the district. If the next equalization should show values to be $27,000,000,000, they will, then the close of the fiscal year, issue bonds and become indebted to the amount of $690,000,000 at one time.

WHAT IS THE OUTSTANDING BONDED INDEBTEDNESS OF THE SANITARY DISTRICT OF CHICAGO AT THE PRESENT TIME?

The reports they issue show that they have now outstanding $33,000,000 worth of bonds. Their outstanding bonded indebtedness therefore this year is $27,000,000 less than the law authorizes. They have a way, however, up there of selling bonds each year and creating a new assessment fund each year equal to about half as much as the increase received from the sale of bonds for that year. They therefore estimate that at the end of a very long term of years they will have outstanding taxing rates about as large an indebtedness as the present law, if unchanged, would enable them to carry at that time. They estimate that by 1946 the assessed valuation of property in the district will amount to $3,500,000,000.

The facts to which I have just called attention can be obtained from a study of the reports they have issued. However, the statements they issue are confusing indeed and they have succeeded in conveying the impression that the financial ability of that great district is much less than it really is under the law. If present barriers to progress were removed and the "joker" tax were abolished and the sanitary district would be enabled to carry at that River Valley, and as a result of the information and representations made by the Government, Illinois lands are now levied—I do not know how much of them, probably 300,000 acres. I do not know how much the leases have cost, probably $20,000,000. Lands leased will produce in agricultural products every year probably $10,000,000,
Fifty million dollars would be a conservative estimate of the value of all these Illinois River Valley lands now menaced by the floods from Lake Michigan. This diversion is likely to affect any part of the State, not the Chicago Sanitary District, must undertake to protect these lands as against the excess flow from Lake Michigan. The Hill bill contains a provision to this effect. The Government now prohibits the use of the Mississippi River from Rock Island to the head of the Pascua upon the theory that the Mississippi is in a class by itself, receiving the discharge of the flood waters of many States. This kind of reasoning will apply, of course, to a much greater extent to the Illinois River, when this flow is interrupted.

I drew, myself, the act which extended Government aid for levees from Cape Girardeau, Mo., as far north as Rock Island, and presented the matter before the committee and before Congress early in the session. I inserted new language in the bill I introduced, and the language that was so inserted is now in the Hill bill. The equities of the situation are such that the Federal Government must assist in the protection of the country.

If they protect us as against the added flow from the lakes, it is not particularly material to us whether the added flow is 10,000 cubic feet, or much less than that, but whatever it is, we are in a position to insist on a proper degree of protection. In the event of this protection to us, and the bill enacted into law must contain it, if all the dams are removed and the water comes down to us pure, we will in all probability not be in a position to complain much as to the extent of the diversion.

THE AMOUNT OF THE DIVERSION

My bill provided for the removal of all the dams, Government and State, and the Hill bill contains also this provision. The original act in Illinois creating the sanitary district contemplates the removal of all the dams. If all the dams are to be removed and the diversion is 10,000 cubic feet, and the channel is to be 9 feet deep in the Illinois River, the total first cost of improving the river to the Government will be $1,540,000, and the gross annual cost on account of the items of maintenance, operation, and interest will be $139,700.

If we are to maintain a channel depth of 9 feet in the river with all the dams removed, 7,500 cubic feet will be the minimum diversion, but this will cost the Government one-half million dollars more than if the cost if the diversion is 10,000 cubic feet, and the annual cost will amount to $160,000 more than with a diversion of 10,000 cubic feet. The expenses of conducting the Government are so high, that it would be difficult to overlook economies of this kind. It would be easier to get a larger sum for levee maintenance with the dams out and a larger flow. These are matters for serious consideration. There are many of you, I know, who favor an ultimate restriction of this flow to the amount of the permit originally issued by the engineers. Upon reflection I think some of you will abandon this position.

NAVIGATION

The question of navigation on this river can not be overlooked. A flow of 10,000 cubic feet now added to the low-water-channel depth of the river at St. Louis raises the water 7 feet. If you admit that the river a flow as small as the original permit provided for, or even as small as 7,500 cubic feet, the cost of maintaining even an 8-foot channel on the Mississippi River from the mouth of the Illinois to Cairo will be almoint prohibitive. An 8-foot channel in the Illinois has allowed for will mean nothing to us if we can not reach with the freight which originates here the lower stretches of the Mississippi River. In the old days when we talked about a deep waterway we thought we could visualize ocean vessels sailing grandly up from the sea through a 14-foot waterway to the Lakes. We know now this can never happen. Ocean-going vessels of the type now being used can not pass each other safely in a channel less than one-half mile wide. In some future centuries, when we can develop supermen of the type who built the canals we think we can see on Mars, we may have a waterway from Chicago to the sea with ocean-going vessels, but that time is too far away to cause us any anxiety at the present time; but we do have a large traffic, which I can not now discuss, but which is proving successful, and barges can be successfully operated in 8 feet of water and easily operate in 9 feet of water. One towboat can carry as many barges from Illinois River points to New Orleans to transport in one tow as much freight as can be carried on many long standard trains, and the freight so carried moves down the river just as fast. It is obvious that the supermen will be recorded as having conquered irreconcilable difficulties.

We are expending $20,000,000 now on the Illinois waterway, which will give an earth depth of 11 feet, a 10-foot depth in the rock portions. Perhaps 8 feet is enough to start with in the Illinois, and we can get an 8-foot depth with a diversion of 10,000 cubic feet per second and all the dams removed for a sum that will be so negligible in its first cost and in its gross annual cost as will not occasion the least difficulty in securing from Congress a sufficient appropriation.

WATER POWER

It is particularly easy for us to say that we in the valley are not interested in water power, but is it true we are not? And are we fair to the rest of the State when we take this position, if we do take it? I helped to pass the law that gave for an ocean-going vessel a much greater proposition of public policy. We represented that an immense amount of water power would be developed and that the water power would eventually pay the bonds and upon that theory the State of Illinois today is issuing bonds. The credit of the State, at a loss, is pledged under the amendment for the amount of these bonds.

The entire $20,000,000 can be collected in taxes from the people and none of it obtained from water power, but would it be fair to the rest of the State to do this? We here in the valley passages are State of Illinois. We must obtain first of all these propositions for which we stand: the united Illinois delegation. With a flow of 4,107 cubic feet per second, the State can only develop 31,600 horsepower. With a flow of 19,000 cubic feet per second the State can develop 61,000 horsepower. This power on a basis of 1 horsepower for each 10 tons of coal will be worth, considering its convenience and the provided safety, $3,500,000. This amount of coal per horsepower is not easily sold in manufacturing sections in northern Illinois for that purpose. A sacrifice, therefore, of 30,000 horsepower of electrical energy will mean a loss to the State of $1,400,000 each year, and we are asked to make this sacrifice if this large amount of money is to be available for the State each year indefinitely in the future and long after the bonds and the interest on the bonds are paid. A development of electrical energy from a diversion of 10,000 cubic feet per second will mean an annual income for the State of Illinois of $3,500,000. Under these circumstances can we afford to say here in the valley that water-power development means nothing to us? In the early days of railroad building Stephen A. Douglas saw the possibilities of obtaining a revenue from the Illinois Central road. There were many objectors then to his plans, but the legislature wisely enacted those suggestions into law. Is anybody sorry for it now? Those of you to whom the question of water-power development does not appeal need have no anxiety at all. The other States represented in Congress will fight that question for you, and the Canadian Government will make that fight also. As a matter of fact, this issue now presented by the Hull bill, for which I stand and to which I have contributed mass communications from my own bill, leaves as the only subject of controversy the questions raised by the power interests of the Dominion of Canada. There are the real opponents of the navigation problems we are discussing now.

There is not another question raised by conflicting interests in connection with the legalisation of this diversion that can not be taken care of. The interests of the Illinois are told, and I have no hesitancy in saying that against any foreign interests I am patriotic enough to stand for my own State and its waterways and the possibilities of their development and for my own country and the fullest possible navigation on our great rivers.

LAKE LEVELS

The question of lake levels presents not the slightest difficulty. This question can be taken care of in the bill which legalises this diversion. Chicago has already agreed to build movable weirs at the lake outlets and has passed an ordinance for that purpose. The cost will be almost negligible, and with these weirs constructed Lake cities can have better harbor depths than they have ever had.

CLAIMS OF FARMERS

The time has also come to demand that the claims of farmers against the sanitary district be adjudicated. Many of these claims have been turned over to attorneys, most of them on a contingent-fee basis, by which the attorney in charge of the claim receives one-half the value of the claim. The claimants turned over to attorneys, most of them on a contingent-fee basis, have no anxiety at all. The other States represented in Congress will fight that question for you, and the Canadian Government will make that fight also. As a matter of fact, this issue now presented by the Hull bill, for which I stand and to which I have contributed mass communications from my own bill, leaves as the only subject of controversy the questions raised by the power interests of the Dominion of Canada. There are the real opponents of the navigation problems we are discussing now.

As a result of the handling of these claims by attorneys, the whole matter has been so muddled in courts that it is doubtful whether anyone can ever be recuperated to the state of the law. My bill contained provisions for the adjustment of these claims and these provisions now appear in the Hull bill. I provided for a commission on claims, a quick and expeditious way of presentation, payment and final adjustment, before the commission by attorneys if claimants desire to do so, but the attorneys are not permitted to charge for their service fees in excess of 10 per cent of the amount recovered, and are subject to the same liabilities if they accept any other commission under the law which legalises the diversion from Chicago, claimants,
who have now been so unfortunate as to turn their claims over to lawyers on a contingent basis, can still be represented before the committee by the bill by the same attorneys who cannot claim the compensation provided for in the unconditioned contracts they have made, but will be limited in their fees to 10 per cent of the amount recovered.

PACKING WATER

The two plants of the Corn Products Co., one at Pekin and one at Duncanville, Illinois, discharge waste factory wastes equivalent to the human sewage of a city of a million people. The packers discharge into the Chicago River and from thence into the Illinois River waste from their great plants equivalent to the human sewage that is discharged into another city by another class of a million people. The Illinois River is the most beautiful river in the world. It was about to be polluted by sewage and calling attention to the fact that the Illinois River was about to be polluted, I introduced a measure, the Sanitary District, to extend the great sewage waste of the Corn Products City, and the packing companies, I ask the cooperation of all the people living in the Chicago valley.

MY OWN PERSONAL INTERESTS

I have, as far as I can, eliminated from my connection with these problems all personal ambitions. I do not belong to the party in power. I do not belong to the Rivers and Harbors Committee in the Congress of the United States. The bill which has any chance of passing must be introduced by and must bear the name of a member of the majority party, and must bear the name of a member of the Committee on Rivers and Harbors. My colleagues sit into both of these districts, and political district is also vitally interested more than any other district in the problems of the Chicago sewerage. It is a section that I have up all his time to this proposition. I expect to support him and his bill in every possible way and to utilize in that connection all the experience I have obtained during my long service in the Congress of the United States.

I have been most closely connected with this subject for many years. I recall that when the Chicago Sanitary District was created I directed an address in my own county calling attention to the fact that the most beautiful river in the world was about to be polluted with sewage and calling attention to the very things which have now happened. It was made by a young lawyer just starting in the business of the practice of the law, and my purpose was to overcome the one objection to that speech in my county. I was almost subjected to social ostracism. I was not at that time up and down the river districts of the State of Illinois. I have put the State of Illinois, the packers, and the packing companies.

The Chicago District District, the connection of the Lakes with the Illinois territory, with all that it means to this city and to property interests all along the river, is a possibility of the near future. We have now present now this valley and it is charged with responsibilities must first of all be able to convince a majority of Congress that we have back of us in the struggle upon which we are entering the support of this great State, and we hope also that we can harmonize all the differences which exist and so make the Chicago Sanitary District and the entire State of Illinois can stand together on all these propositions and for the principles now enunciated in the Hull Bill.

Mr. HULL of Iowa. Mr. Speaker, I ask unanimous consent to extend my remarks on the Muscle Shoals conference report. The Speaker. The gentleman from Iowa asks unanimous consent to extend his remarks on the Muscle Shoals conference report. Is there objection?

There was no objection.

Mr. HULL of Iowa. Mr. Speaker and gentlemen of the House, I am strongly opposed to the adoption of the committee report on the Underwood bill, which provides for the private ownership of Government-owned locks and dams, and navigation of plants at Muscle Shoals.

It is doubtful if any piece of legislation with so peculiar a legislative history as this conference report ever reached the floor of this House for consideration. Mr. Speaker, I am opposed to the adoption of the conference report, because I think it would be subversive of all the political power of this country. Certainly the House has never considered the legislation at all in its near form, either in its present form, either in committee or otherwise, and in the Senate the bill was advanced was proposed as an amendment from the floor and never committed to committee.

The "Ford offer" was considered in the House Committee on Military Affairs and was passed by the House at the last session of Congress over the protest of a strong minority. Some of the amendments proposed by the minority at that time to the "Ford offer," and which were rejected by the House, have been incorporated in the conference report. However, the conference report contains new propositions and imposes new obligations on the Government not contemplated either in the so-called "Ford offer" which had been submitted to the House nor the Underwood amendment which the Senate adopted as a whole.

These new obligations are startling in their character. They commit the Government to build Dam No. 3, at its own expense, involving an expenditure of more than $30,000,000, whereas it is not clear what interest is paid only on approximately $20,000,000 of this amount; to build an "approach" to Dam No. 2, which undoubtedly means the project known as Dam No. 1, to cost nearly $2,000,000, to expend $100,000 in the employment of water power; and the further expenditures for the protection of the waterway into the so-called "Ford offer," which had been submitted to the House nor the Underwood amendment which the Senate adopted as a whole.

Neither branch of Congress has ever consented to the lease of the power at Muscle Shoals on terms as onerous to the Government's interests as the terms authorized by the conference report. The Ford bill passed by the House would have
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Mr. SNELL. Yes.
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Mr. SNELL. Yes.
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Mr. WINGO. Mr. Snell, is that the case?
Mr. SNELL. Yes.
Mr. WINGO. Mr. Snell, is that the case?
Mr. SNELL. Yes.
Mr. SWEN. Not yet; it has not been considered by the committee.

Mr. BLANTON. Will the gentleman yield for one question? Could the gentleman give us the program for the first week in next December?

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Craven, its Chief Clerk, announced that the Senate had passed with amendments bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 1039. An act for the relief of the owners of the schooner W. T. C. No. 35;

S. 1060. An act for the relief of the owners of the New York Sanitary Utilization Co. sloop No. 14;

S. 3310. An act for the relief of the owners of the barkentine Monastery;


The message also announced that the Senate had agreed to the amendments of the House of Representatives to bills of the following titles:

S. 1039. An act for the relief of the owners of the schooner W. T. C. No. 35;

S. 1060. An act for the relief of the owners of the New York Sanitary Utilization Co. sloop No. 14;

S. 3310. An act for the relief of the owners of the barkentine Monastery; and


The message also announced that the Senate had passed the following orders:

Ordered, That the House of Representatives be requested to return to the Senate the message of the Senate together with accompanying papers, agreeing to the conference report on the bill (H. R. 10629) entitled "An act making appropriations for the Department of the Interior for the fiscal year ending June 30, 1923, and for other purposes.

Ordered, That the House of Representatives be requested to return to the Senate the bill (S. 2541) to release the fees for grazing livestock on national forests.

THE AMERICAN FARMERS

The SPEAKER. By special order, the gentleman from Mississippi [Mr. RANKIN] is entitled to address the House for 20 minutes. [Applause.]

Mr. RANKIN. Mr. Speaker, one distinguished Member of the House asked me on what subject I had the courage to speak. I said on Friday, the 18th, I replied that I was going to talk in the interest of the American farmers. He said he thought I supposed the unlucky date of Friday, the 18th, was entirely in keeping with the treatment the agricultural interests are receiving in this country to-day.

We seem to have reached the point in our economic development when agriculture has ceased to be a paying proposition, as is evidenced by the abandoned farms throughout the country, and by the vast number of farm foreclosures in every State in the Union.

Perhaps it may not be unfair to say that the imported cotton has been one of the contributing causes to the American farmer's condition. Many cotton growers have been driven from the market until to-day there is practically no competition.

Not only that, but they have become so powerful and so far-reaching that they have even driven cottonseed from the daily production of foodstuffs.
market quotations. You can not read the daily papers to-day and tell what raw cottonseed are worth in the open market. They give the price of cottonseed oil, which, by the way, is selling for more than the seed brought out of which it is pressed. And at the same time that I am informed by those who have had experience in buying cottonseed meal and hulls that they pay more for them than the seller received for the seed from which they were made.

Hold in my hand a clipping which I took from one of the largest daily papers in the whole country, giving the market quotations on this subject, and the only prices given in that connection were for cottonseed oil. You can not take those quotations and figure out to save your life what cottonseed are worth.

What is the effect of this? When a farmer takes his cotton to market, he must depend upon the concerns to which he sells the seed to inform him as to what cottonseed are "worth" on that particular day.

There is every indication of a gigantic combination in restraint of trade in violation of the antitrust laws of the United States; and I appeal to you this morning to help me get this resolution adopted providing for this investigation, in order that we may do justice to the farmers of the country who are growing cotton and cottonseed for a living. [Applause.]

You men from the wheat and corn growing States may think you are not interested in this great problem. But I want to tell you that cottonseed is a competitor, either directly or indirectly, of every farm commodity in the United States, and you can not hammer down and hold the price of cottonseed and at the same time hold up the price of wheat and corn and grass and cattle and packing-house products.

Last year—1924—our farmers sold their cottonseed for about $30 a ton, or around 50 cents a bushel. I know that, for I have in my possession now receipts from the sale of cottonseed raised on my own place. By every law of economic justice we ought to have received $60 or $65 a ton, or around a dollar a bushel.

Here is where the cooperative marketing system could do the farmers a great deal of good if properly carried out.

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

Mr. RANKIN. Yes; I will yield to the gentleman from Oklahoma.

Mr. CARTER. What would cottonseed meal in cakes sell for now?

Mr. RANKIN. I do not remember. I did not have the opportunity to investigate that, but if we had received the price we should have had for cottonseed the farmers of the cotton-growing States would have saved probably from $300,000,000 to $200,000,000—enough to pay the taxes on practically every cotton farm in the United States.

Mr. CARTER. Our experience in my State has been that cottonseed meal or cake itself, which is really a by-product of cottonseed, usually sells for from 50 to 60 per cent more than the seed does.

Mr. RANKIN. Men have told me that they sold their cottonseed and bought the same weight of hulls and meal and paid more for the hulls and the meal than they got for the seed. This has caused the production of millions of gallons of oil.

Take the man who grows wheat. He is a direct competitor of the man who grows corn. Let wheat go to a high price and corn become cheap, and the men in the corn-growing States will sow their fields with wheat. The next thing there is an overproduction of wheat and a corresponding depression in the wheat market. Drive the cotton growers from the market in this way, and they will be planting their fields in corn and wheat and other articles that come in direct competition with the products of your farms, to the final detriment of the farmers of both sections.

In the district which I have the honor to represent they have developed the dairy industry already to such an extent that one of the largest milk-condensing companies in the United States is placing one of its plants in the city of Starkville, in that district, directly across from one of the greatest dairy sections in the world. Whenever you drive those cotton growers into the dairy business or the cattle-growing business or to raising corn or wheat you make them permanent competitors of the wheat and corn growers of the North and West.

Not only that, but your corn is turned into hogs and those hogs into packing-house products, where they come in direct competition with those various and sundry articles of food that are put into the decks to accomplish the same purposes, just as clean as any that are turned out. There is no danger, as I said before, of catching anthrax from them.

There is no danger of typhoid of tuberculosis, or any other infectious or contagious disease, but we are giving to the American people one of the most healthful and cleanly food products the world has ever known. Thus it is coming in direct competition with cottonseed meal, and I think if you have the price of cottonseed down it is going to be reflected in the price of corn, which will be reflected in the price of wheat. You can not permit this condition to exist and at the same time continue to prosper one class of farmers at the expense of another.

I am not against this proposition because these interests have wealth. I do not care whether they are worth millions or billions, provided they do not use their wealth to take from one class of people that which rightly belongs to them.

The fundamental object of government is to keep the strong from oppressing the weak. And if, as I believe, this condition exists, and Congress refuses to give these people an opportunity to prosper one class of farmers at the expense of another, then the American Congress will have failed to carry out the highest function delegated to it by the American people. [Applause.]

In my opinion, the farmers in the Cotton Belt are losing hundreds of millions of dollars as a result of this situation. Therefore I have started this fight, and so help me God, I am going to keep it up just as long as I am a Member of Congress and this condition seems to exist or get a thorough investigation made. [Applause.]

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

Mr. RANKIN. Yes; I will yield to the gentleman from Texas.

Mr. HUDDSPETH. We have this condition in the El Paso Valley. We have a cotton-oil mill there. I attempted to buy a pound of cottonseed meal and place it on the market of one of the goods. The man in charge said that he could not sell it to me, and I asked him why. He said, "I have to sell to the cotton-oil men. If I sell to you, they will put me out of business." Has not the Federal Trade Commission to-day the power to regulate a matter of that kind?

Mr. RANKIN. The Federal Trade Commission would have the power, but they have not the power as I understand it to carry out this thorough investigation. At least, they have not the moral backing of Congress on it, as they will have if this resolution is passed.

Mr. HUDDSPETH. Do I understand the gentleman has a resolution giving them that power?

Mr. RANKIN. I have the resolution here.

Mr. Speaker, I ask unanimous consent that the resolution which I have introduced on this subject may be referred to the Committee on Agriculture for their prompt consideration, as it will have to go to some committee before it can be taken up and considered by the House.

Mr. Speaker. The gentleman asks unanimous consent that the resolution which he has introduced upon the subject be referred to the Committee on Agriculture. Is there objection?

Yes. SNEELL. Mr. Speaker, reserving the right to object, let us have the resolution reported from the Clerk's desk.

The SPEAKER. Without objection, the Clerk will read the resolution.

The Clerk reads as follows:

H.J. Res. 429

Whereas the prices of cotton seed are and for some time have been at an abnormally low level, with the result that the cotton growers have suffered heavy losses; and whereas there is no generally quoted market price for cotton seed, and the prices in different localities vary widely and without respect to the true value thereof; and whereas it is alleged that these abnormally low prices result from the existence of a combination among the principal purchasers of cotton seed in violation of the antitrust laws: Now therefore be it

Resolved, That the Federal Trade Commission is hereby directed to make an inquiry into the trade in cotton seed and cotton-seed products and determine whether the prices of cotton seed have been depressed, as alleged, by any combination of persons or corporations in violation of the antitrust laws, and to what extent the cotton growers have been deprived of a fair return for them.

Mr. SNEELL. Mr. Speaker, I have no objection.

Mr. WHITE of Kansas. Will the gentleman yield if he has time to do so?

Mr. RANKIN. I will.

Mr. WHITE of Kansas. I understand that the purpose the gentleman from Texas seeks to accomplish is the investigation of the manufacturer, the shipper, and the wholesaler. Is that right?

Mr. RANKIN. Yes; and of those interests that are buying from the farmer.
Mr. WHITE of Kansas. And they fix the prices?
Mr. RANKIN. Yes; that is the contention.
Mr. WHITE of Kansas. And the gentleman contends it is a monopoly?
Mr. RANKIN. Yes.
Mr. WHITE of Kansas. I want to say to the gentleman we used to consume in my county, in my section of the State, thousands of carloads of the products of the factory after the oil had been extracted, and if I understood the gentleman might he said that the cottonseed was $30 per ton, and that the price of the product after the oil was extracted was more than the price of the seed?
Mr. RANKIN. Yes.
Mr. WHITE of Kansas. I have thought a good deal along that line. The freight rate on that product is so high from the factory to that section of Kansas, where a very large amount of cottonseed was used in feeding stock, that it makes it prohibitive.
Mr. RANKIN. Yes.
Mr. WHITE of Kansas. We do not use a carload of cottonseed where we used to use 10 carloads of cottonseed a few years ago?
Mr. RANKIN. Exactly.
Mr. WHITE of Kansas. You had a great crop of cottonseed last year and the price of your product after the oil is extracted was $40 to $45 a ton in Kansas City, and the price of the cake was from $35 to $40. I do not know the price of the hull, but it seems like an outrageous situation.
Mr. RANKIN. Yes; it is.
Mr. WHITE of Kansas. Pardon the interruption?
Mr. RANKIN. I thank the gentleman from Kansas for his information.

The SPEAKER. The gentleman from Mississippi asks unanimous consent that the resolution referred to be referred to the Committee on Agriculture. Is there objection? [After a pause.]
The Chair hears none.
Mr. RANKIN. Mr. Speaker, I desire to say to the gentleman from Kansas [Mr. WHITE] that I was reliably informed by a farmer who had had experience that he paid more for the meal and hulls of the mill where he sold his seed than he received for the same weight in cottonseed, without any freight charges.
Mr. WHITE of Kansas. And that is after the most valuable quality has been extracted?
Mr. CARTER. The oil being the most valuable product?
Mr. RANKIN. Oh, yes; after the oil has been taken out.
Mr. WHITE of Kansas. If the gentleman will permit me, we are in exactly the same fix there in Kansas in respect to your product that the dairymen of the State of New York are in in regard to the product of alfalfa, which formerly went to the State of New York by the trainload, and which now can not be used as an ingredient of the milk food charges.
Mr. RANKIN. In other words, they seem to be fixing the prices of the farmer’s cottonseed and getting them far below the cost of production, or their real market value, and at the same time far above the prices of the hulls with which to feed their cattle are charged as much for them as they were when cottonseed brought twice as much in the open market as they do to-day. Therefore, I hope you will all join me in giving this matter a thorough investigation in order that we may bring to our farmers some measure of relief. [Applause.]

The SPEAKER. The time of the gentleman has expired.

ENROLLED BILL PRESENTED TO THE PRESIDENT FOR HIS APPROVAL

Mr. ROSENBLUM, from the Committee on Enrolled Bills, reported that the same day they had presented to the President of the United States for his approval the following bill: H. R. 12820. An act authorizing the construction of a bridge across Rock River at the city of Beloit, county of Rock, State of Wisconsin.

ENROLLED BILLS SIGNED

Mr. ROSENBLUM, from the Committee on Enrolled Bills, reported that they had examined and found true or enrolled bills of the following titles, when the Speaker signed the same:
H. R. 4160. An act for the relief of the estate of Filer McCloud;
8. 78. An act for the relief of the owners of the barge Anode;
S. 82. An act for the relief of the owners of the steamship Comanche;
S. 84. An act for the relief of the owners of the steamship Ceylon Maru.

LEGISLATIVE APPROPRIATION BILL

Mr. DICKINSON of Iowa. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 12101.
The motion was agreed to.
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. 12101, with Mr. SNEIL 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. 12101, which the Clerk will report by title.

The Clerk read as follows:
A 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.

Mr. STENGLE. Mr. Chairman, I desire to amend that paragraph on page 30, line 14, by changing the figures $105,178 to $100,498.

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

The Clerk read as follows:
On page 30, line 14, strike out the figures “$105,178” and insert in lieu thereof the figures “$100,498.”

Mr. STENGLE. Mr. Chairman, the purpose of my amendment is to secure, if possible, a slight increase of $5 per month for the three guards who are now employed and have been for a long while, in the Library of Congress. In 1924 the salaries were $85 a month. In 1925 notwithstanding they were given an increase for the purpose of allocation and reclassification in the bureau or department of $138,000, the record shows that for these guards remain at $85 a month, from which, as they have always had to do, they were compelled to purchase two uniforms a year. At that time last year wages were made on the part of the Government servants, because of their courtesy and their faithfulness and their long service, a slight increase of $5 a month. The records show that last year when the question was raised assurance was given that provision had been made for an increase for those guards. But in checking up on the records of the Committee on Appropriations as well as the pay rolls in that department I discover that there has been no increase whatever, and in this appropriation now before us another increase of $40,000 in round numbers is provided for that department, and not one cent allocated to those employees.

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

Mr. STENGLE. Certainly.

Mr. CASEY. Why have the salaries of these men not been increased along with the other appropriations?

Mr. STENGLE. I do not answer that. You will have to ask that of those in charge of them.

Mr. CASEY. Am I right in understanding the gentleman to say that these men are receiving only $95 a month?

Mr. STENGLE. Yes; $95 a month, and they have to buy two uniforms annually.

Mr. CASEY. Mr. Chairman, the gentleman ought to put a 5 in front of the increase of $5 and make it $55.

Mr. STENGLE. If it were possible to add more, I would gladly do it. But under the rule of averages in the classification law we are compelled to hold it down to this small sum. I did not want to offer an amendment that can be thrown out on a point of order for the reason that the classification law will be violated.

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

Mr. STENGLE. Yes.

Mr. BLANTON. The gentleman’s position is so meritorious that neither the chairman in charge of this bill nor anyone else hardly would make a point of order against it. I suggest that he revise his amendment in line with the suggestion of his colleague from Pennsylvania.

Mr. STENGLE. I prefer not to do it, for fear of making my request unreasonable, because the Library this year in its estimates had a provision for an increase of $80, and someone threw a monkey wrench into the works while the matter was pending, and it was thought that it was impossible under the law of averages to give them the increase, and it went out. I submit that under section 6 of the classification law provision can be made for the increase, and it should be.

The CHAIRMAN. The time of the gentleman from New York has expired.
Mr. STENGLE. Mr. Chairman, I ask unanimous consent to print a copy of the minutes once more.

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

There was no objection.

Mr. STENGLE. Mr. Chairman, will my colleague yield?

Mr. GRANT. I want to read to you how faithful these men have been.

Mr. STENGLE. One thousand two hundred dollars.

Mr. GRANT. Why have they not been classified so as to give them $1,300 under the law?

Mr. STENGLE. Because of the viciousness in the administration of the reclassification law. [Applause.]

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

Mr. STENGLE. Yes.

Mr. UPSHAW. The gentleman will remember that when we were discussing the matter of guides and salaries yesterday the gentleman from Texas very wisely stated that no man can properly support a family in the City of Washington for less than $2,500 a year. These people live in the city, and why not increase their salaries?

Mr. STENGLE. Let me use the balance of my time myself. I want to place in the Recess a fact which comes from the bureau. During the year 1924 there was an average of 3,000 visitors a day in the Library. The watchmen and guards under their present title work in three shifts, so that not more than 20 guards of any one time meet and greet these 3,000 visitors from all over the world. There is a rule there, unlike the rule here or in the House Office Building, that compels all these guards to stand on their feet all day, and not sit down except for a half hour at lunch time.

Now, I want to read to you how faithful these men have been. Sweeney has been there 30 years; Murphy, 30 years; McNamara, 20 years; Murphy No. 1, 20 years; Karbach, 30 years; Wood, 30 years; Danza, 28 years; Lott, 28 years; Haas, 30 years; McKnight, 10 years; Hennessy, 25 years; Yancy, 25 years; Dawson, 25 years; Courtel, 10 years; Johnson, 8 years; Hayes, 6 years; Williams, 5 years; Snyder, 5 years; Keeler, 40 years.

I ask you, my friends, after this long, faithful public service, courteous as these men are, are they not entitled to an honest day’s wage for faithful service? [Applause.] Let me put in the Recess the appropriations approximately. In 1924, for the personal service of that bureau, there was appropriated $782,000, and in 1925, in order to reclassify them in accordance with the act of 1923, $850,000, an increase of $68,000.

Mr. BLANTON. I ask unanimous consent to print a copy of the minutes once more.

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

The CHAIRMAN. The gentleman from Iowa is recognized.

Mr. DICKINSON of Iowa. Mr. Chairman, this amendment ought not to prevail. I want to explain to you the situation with reference to these guards in the Library and the custodial service in general in the various departments of the Government.

When the classification act was put into operation the custodial service was allocated into grade 3. In grade 3 the salaries run from $1,050 to $1,500 per year. When this classification act went into effect these guards in the Library were receiving practically a $1,200 a year, and not $1,400, as is now the case. Now, where were the friends of these guards when the reclassification act was passed?

Every one of you voted for that act, and if a wrong was committed when you passed the reclassification act. As a matter of fact, these guards have been receiving this pay for years and they were receiving the top salary for guards as provided in the reclassification act, for which, as I say, I have none of you gentlemen voted. You are now asking that we take 22 of these men and give them a preference over other guards in other parts of the Government service, and if you do that you will bring about a disorganization in every department of the Government, so far as the pay of the guards is concerned.

Mr. STENGLE. Will the gentleman yield for a further question?

Mr. DICKINSON of Iowa. Yes.

Mr. STENGLE. The gentleman made the statement a while ago that the fault was with the reclassification act.

Mr. DICKINSON of Iowa. I did, and I believe in it. But I want to say that if you will sit on the Appropriations Committee for a little while you will find the same argument that is being made in behalf of these guards being made on behalf of practically every other employee of this Government, namely, that in Washington they can not live on their salaries; and, in fact, I have heard a lot of Congressmen say the same thing within the last few days.

Mr. BLANTON. Will the gentleman yield?

Mr. DICKINSON of Iowa. Yes.

Mr. BLANTON. The gentleman complains that there are other guards in other departments who draw too low salaries.

Mr. DICKINSON of Iowa. No; I did not say anything of the kind. I say that this service has been allocated at this salary, and it is not my fault.

Mr. BLANTON. When the distinguished gentleman from Iowa becomes the able Secretary of Agriculture he can rectify that matter in that one department.

Mr. DICKINSON of Iowa. Mr. Chairman, I shall not object, but I reserve the right to say that these men have not lived during those 30 years, but they have just existed.

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

Mr. DICKINSON of Iowa. Mr. Chairman, I shall not object, but I reserve the right to say that these men have not lived during those 30 years, but they have just existed.

Mr. DICKINSON of Iowa. Mr. Chairman, I ask unanimous consent to proceed for five additional minutes. Is there objection?

The CHAIRMAN. The gentleman from Iowa asks unanimous consent to proceed for five additional minutes. Is there objection?

Mr. DICKINSON of Iowa. No; I am not.

Mr. CHAIRMAN. The gentleman from Iowa asks unanimous consent to proceed for five additional minutes. Is there objection?

Mr. DICKINSON of Iowa. No; I am not.

Mr. BOYLAN. Mr. Chairman, I ask unanimous consent to print a copy of the minutes once more.

They are five men who are on the outside service in the Department of Agriculture, and they have the power of arrest. They are five men who are entirely different from the duties of the other guards in that service and entirely different from the duties of guards in the various other departments of the Government.

Mr. STENGLE. Will the gentleman yield?
Mr. DICKINSON of Iowa. Well, we are all aware of the fact that the gentleman is always contending that he is the friend, and practically the only friend, of the poor man, when, as a matter of fact, there are others here who are his friends as well. I do not know whether any of these men interviewed the gentleman or not, but I do know that they have been interviewed some Members of Congress, and I do know that they who work are patrons of that library to see me. It seems to me they ought to be ashamed of themselves for talking to such people about it and saying, "Will you not go and see the chairman of the legislative committee and have him raise our salaries," when, as a matter of fact, they have been absolutely allocated under the reclassification act. The reason they did not get any advance in salary was because of the state of the Treasury, and there were others than the average person in their grade, and this grade of work is commensurate with this grade of pay.

Mr. SMITH. Will the gentleman yield?

Mr. DICKINSON of Iowa. Yes.

Mr. SMITH. I would like to ask the gentleman whether an employee of the Government is beyond his rights as an American citizen when he speaks to a Member of Congress? [Applause.]

Mr. DICKINSON of Iowa. Oh, no; but I am saying this to you: You are allowing 709 of these guards to go unattended to, and I tell you they are in the State Department or at the Monument or at some other place where they do not happen to come in contact with you, and because these men happen to be in contact with you they think you are the only member of the federal government who is interested in them. [Applause.]

Mr. SMITH. Now, they have the nicest place to work of any guards in the entire Government service. Why? Because the Library is the most pleasant, the most dignified, the best kept, and the best place of the entire Government for any guard to work in. Now, on top of that, let me suggest this to you:

Mr. SCHIAFER. Will the gentleman yield?

Mr. DICKINSON of Iowa. No; I want to complete my statement. I think I know as much about this as any of you gentleman do and I want to explain it to you a little bit.

There are some of the library services in the Library 69 people, all of whom, with the exception of two, are receiving less salary than the salary of the men they are trying to raise right here. There are 22 messengers over there getting $1,020 and $1,080 a year. There are two mechanics getting $1,080 a year. There are two laborers getting $1,080 a year, and there is one laundress getting $1,080 a year. These people have been denied a raise in this bill. Why? Because under the allocation under the reclassification act these people were all given an advance, and everyone who was given an advance last year was denied a promotion this year.

What do we do for the guards? They have been complaining about the guards for seven days in this bill they are asking for three additional guards, so they will work six days in the week, with Sunday off. What they are trying to do here is to come in, if you please, and not only work six days in the week, which gives them one day off, which I think they are entitled to, but they are now trying to have their salary increased, so that they will be put on a parity with the guards of only one service in the entire Government service, and they are the five men in the Agricultural Department that have the power of arrest, and are on what is known as outdoor service in the Department of Agriculture.

Mr. BLANTON. Will the gentleman yield for just one question?

Mr. DICKINSON of Iowa. Yes.

Mr. BLANTON. I just want to congratulate the gentleman on giving these guards holiday on Christmas and New Year.

Mr. DICKINSON of Iowa. We have given them Sunday.

Mr. BLANTON. That is something everybody has and everybody needs.

Mr. DICKINSON of Iowa. Let me suggest just one other thing. Let me suggest to you humanitarian here, that have so much sympathy in your hearts, that over there in the Library you have the guards in the entire Government where they have a long waiting list to get on the pay roll and they have had all of these years.

I hope this amendment will not be agreed to.

Mr. MEAD. Mr. Chairman and gentlemen of the committee, I would hesitate to say a word on this occasion or take up the time of the House, but if you look into the Record you will find that I brought this question before the House when this measure was under consideration in the last Congress. At that time I asked the gentleman in charge of this bill if there was any relief to be granted these splendid men that guard the Library of Congress and he answered me in the negative. Since that time I have worn out several lead pencils trying to ascertain just where that relief existed. The guards have not discovered it nor have I. I believe, my friends, it is high time that we should give these men serious and real consideration.

Now, I heard the chairman of the committee talk about the rules and the reclassification act, and the beautiful books and the grandeur of the building in which these men are employed. But they can not do the rules nor live on the grandeur of the building. [Applause.] The amendment offered by the gentleman from New York [Mr. STENGLE] still keeps within the rules, and, in my judgment, it should be adopted. His statement that two wrongs do not make right is still unanswered by the chairman of the committee. I think that before this debate is over—at least before the CONGRESSIONAL Record is printed in the morning—the chairman should change the statement he made and never let it go down in the history of this country that he made the statement that if these men with 30 or 40 years of service have lived all these years, why can not they live today on the meager, miserable salaries they now receive. [Applause.]

Mr. DICKINSON of Iowa. Mr. STENGLE. Will the gentleman yield?

Mr. MEAD. I will

Mr. STENGLE. Will the gentleman kindly put in the Record, if he can, how much they receive for the Sunday work they perform?

Mr. MEAD. They receive the meager sum of $2.23 for Sunday work, and when we provide the three additional guards the statement of the gentleman in charge of the bill that they will receive Sundays off should be modified by saying that they would occasionally receive a Sunday off, because the three additional guards can not give 22 men every Sunday off. I believe Sunday to be a day of rest, and I believe it should be enacted that would give every guard in the Government service at least one day of rest in seven. [Applause.]

Mr. DICKINSON of Iowa. My friends, when the chairman of the committee makes the statement that these men ought to be ashamed of themselves to come before Members of Congress, the only body who can raise their salaries, when he says that they ought to be ashamed of themselves, I think that Congress ought to be ashamed of itself to compel them to come around and beg for break for themselves and children.

Mr. BLANTON. Will the gentleman yield?

Mr. MEAD. Yes; I will.

Mr. BLANTON. I have talked to numerous colleagues on the floor and I can not find a man that these guards ever approached. They have a right to do it, but they have not done it. Mr. MEAD. I believe the gentleman is right, and these men ought not to be ashamed of themselves, but unless the record is changed I think it is the chairman who ought to be ashamed of himself. He ought to change that statement before it goes into print.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. MORTON D. HULL. Mr. Chairman, I ask unanimous consent that the time of the gentleman from New York be extended for one minute. Is there objection?

There was no objection.

Mr. MORTON D. HULL. I would like to ask the gentleman any well-known character of the work these men perform. Is there any hazard in it, any real service, or only the decorative type?

Mr. MEAD. In answer to that question let me say that if you are going to grade all salaries on the hazard involved, we might also include the salary of Representatives, and I ask unanimous consent that the time of the gentleman from New York be extended for one minute. Is there objection?

There was no objection.

Mr. MORTON D. HULL. That does not answer the question that I asked.

Mr. MEAD. We are not talking about the hazard of the position. That is entirely out of the question.

Mr. DICKINSON of Iowa. Mr. Chairman, it would be of interest to know how it happens that the gentleman from New York is so sympathetic for these guards and yet has not come in here in respect to the salary of some 764 other guards carried in other appropriation bills and solicited an increase for them.
Mr. MEAD. In answer to that question I would say that as Member of Congress I am not in a position to correct any wrong when it presents itself. I would gladly join the gentleman to correct the other evils existing in the Federal service.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. TAYLOR of Colorado. Mr. Chairman, I think I have as good a record on labor legislation as any man in Congress. I have been 16 years on the floor of the House, and for 12 years or more I was a member of the State House from Colorado. That makes a continuous service of 28 years legislating, and during all of that time I have been on the roll of honor of all labor unions in the country. That record speaks for itself, as does that of the minority who are in the committee in charge of this bill, I feel it would be hardly fair for me to sit absolutely quiet and let the chairman of the subcommittee assume all of the burden of this criticism. This committee considered this matter very carefully; and while I agree that all of these guards ought to have more pay, yet I do not like to hear Members state on the floor of this House that Uncle Sam is paying contemptible and meagre and starvation salaries to his employees. As a matter of fact, we have raised the salaries of the employees of the Government over $100,000,000 a year in the last two years. I think we ought to give some thought to the people who are footing the bills. The salary that did not allow any additional raise at this time. Everybody's try, and I do not think we ought to pay some attention to the people out home, who are footing the bills.

Mr. DICKINSON of Iowa. Mr. Chairman, I ask unanimous consent that all debate upon this paragraph and all amendments thereto close in 30 minutes.

The CHAIRMAN. Is there objection?

Mr. STENGLE. Reserving the right to object, I do not believe we need 30 minutes of debate. The House is ready to vote now.

Mr. JOHNSON of Washington. In that way we might save $1,300 worth of printing in the Record.

Mr. WATKINS. Mr. Chairman, I ask unanimous consent that all debate upon this paragraph and all amendments thereto close now.

The CHAIRMAN. The gentleman from Oregon asks unanimous consent that debate upon the paragraph and all amendments thereto do now close.

Mr. DOWELL. Mr. Chairman, I make the point of order that that is not in order, while I have the floor.

The CHAIRMAN. The gentleman was only tentatively recognized. The Chair rules that the gentleman from Iowa [Mr. DICKINSON], the chairman of the subcommittee, has the floor.

Mr. DICKINSON of Iowa. I do not think it is fair to close debate now. The chairman of the Committee on the Library, from Massachusetts [Mr. Lucas], who has more to do with the Library than all the gentlemen who have spoken, desires an opportunity to speak.

The CHAIRMAN. The gentleman can object to the request. If the objection to the request of the gentleman from Oregon [Mr. DOWELL] is sustained, I ask unanimous consent that all debate upon this paragraph and all amendments thereto close in 10 minutes.

Mr. DOWELL. Mr. Chairman, I make the point of order that I have the floor and gentlemen can not take me off my feet to Library, of which I am a member, is charged with the responsibility of the conduct of the Library. Inasmuch as the Appropriation Committee holds the purse strings our direct or indirect control of the Library is somewhat restricted, but in theory we are supposed, at any rate, to be consulted in matters relating to the conduct of that institution. This proposal has not been presented to the committee that you have intrusted with the responsibility of the Library. Our advice and our judgment has not been asked, which, in my opinion, is the first deviation from the course of orderly conduct that we might well pursue. Secondly, a few days ago the exigency of the situation as we approached the closing hours of the session compelled the limit of debate to 40 minutes on a measure contemplating an increase of salaries of three or four hundred thousand employees of this Government by $90,000,000 a year, less than three days ago which has been here on a proposal to increase by 800 a year the salaries of a very few other employees. I need no more than call attention to the disproportion in conflict with you gentlemen and who have the choicest place there is in all Washington in which to work, besides having many opportunities that scarcely any other guards have.

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

Mr. DOWELL. rose.

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The CHAIRMAN. Is there objection?

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tion here existing to show you the danger of starting on a policy of open investigation of the budget covering the closing days of this session debate on the desire or demand of any small group of public employees for more money. By voting for this measure, without having received even the judgment of the heads of the Library, you invite every one of between 60,000 and 70,000 persons in this city to come here and take of your precious time, to consider his individual demand. It was but a short time ago that in order to act prudently on the increase to all of these others who are getting as well as those whom the gentleman from Ohio and on legal men have not here been quoted once. Nobody has said that he believes we passed a reclassification act. We turned over the decision of the Library, and I voted for it. What are the considerations involved.

Mr. SCHNEIDER. Will the gentleman yield?

Mr. LUCE. I cannot take any other phase of the matter in five minutes, save this third consideration, that you interfere with the judgment of the head of the institution. He has not here been quoted once. Nobody has said that he believes or does not believe he made a mistake. Gentlemen come here and take almost an hour of the time of the House without having gone through that preliminary which the orderly conduct of the business of the Government demands.

For these reasons I urge you, I beg you not, without thought for a few minutes, to invade again of the bailing and pulling between various classes of employees, not to revive the pressure they can bring to bear, by breaking down the barrier which you yourselves raised against it. I yield to the gentleman from Ohio.

Mr. MURPHY. I am sure in the interest of making a fair statement that the gentleman will find in the record that Mrs. Woods, who is the able assistant of the Superintendent of the Library, draws $1,500 a year, and that the Library had to pay the additional $50 a year and that the Budget showed $1,500 a year allocated for these guards. Now, that was the wisdom of those who are in charge of the Library, and that is the opinion, and I am sure I may mention that in the way of a correction.

Mr. DICKINSON of Iowa. I want to suggest we denied the increase to all of these others who are getting $1,020, as well as those whom the gentleman from Ohio suggests, in reference to the guards, therefore we are discriminating here against the classification.

The CHAIRMAN. The time of the gentleman has expired, all time has expired. Without objection all pro forma objections will be withdrawn and the question recurs on the amendment offered by the gentleman from New York [Mr. SYNGE].

The question was taken; and the Clerk announced the ayes appeared to have it.

On a division (demanded by Mr. DICKINSON of Iowa) there were—ayes 88, noes 25.

So the amendment was agreed to.

The Clerk read as follows:

For extra services of employees and additional employees under the Librarian to provide for the opening of the Library Building on Sundays and on legal holidays, at rates to be fixed by the Librarian, $3,556.

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

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

Mr. HUDSPETH. I desire to ask the gentleman from Iowa, who is in charge of this bill as chairman of the subcommittee [Mr. DICKINSON], a question. We have raised the salaries of the guards in the Library, and I voted for it. What are the salaries of the young men who are employed on in the congressional reading room? What salaries do they get?

Mr. DICKINSON of Iowa. If the gentleman has reference to the messengers, they get all the way from $1,020 to $1,200, Mr. HUDSPETH. Those men who look up matters generally for Congressmen—they are not messengers. I do not think they would be classed as messengers. They stay there on Sundays, and late at night. I would like to ask the gentleman a question, if he will yield.

Mr. HUDSPETH. Yes; I yield gladly to my friend from Iowa [Mr. GREEN].

Mr. GREEN. Those persons to whom the gentleman refers—

I do not know what their official title is—are expected to be men of wide culture and reading, and when Members of Congress go in there and ask for a book on any subject, this or that, the first thing they are to do, maybe, is to expect to walk into the Library alcoves and bring it back. Consequently they must be men of education and development along those lines. Otherwise they could not do the work properly.

Mr. HUDSPETH. I think they measure up to that standard splendidly. I was informed that they got only $1,200 a year.

Mr. DICKINSON of Iowa. Junior clerks get from $1,200 to $1,500 a year.

Mr. HUDSPETH. Does not the gentleman from Iowa think that a man of high character and accomplishment such as those described by my friend from Iowa [Mr. Green] should get a little more money than that? I certainly do.

Mr. DICKINSON of Iowa. I do not know about that. Maybe this committee wishes to repeal the whole classification act.

Mr. HUDSPETH. I do not, but simply wish to do justice to these faithful, efficient gentlemen who come in to serve us in the congressional reading room, and who are very much underpaid.

Mr. LUCE. Is the gentleman not bringing to the attention of the House in these instances the result of his observations with respect to a small portion of the people employed in the Library that he has come in contact with, while forgetting a large number of other employees with whom he does not come in contact? For my part, I would gladly see the whole pay roll of the Library increased in order that we might get even better service, but to pick out a few men whom we meet when we are not in contact and forget the others seems to me grossly unfair.

Mr. HUDSPETH. I do not come in contact with all the employees of the Library, but I do come in contact with those I have mentioned. How they can subsist, and those especially with families, on $1,200 a year is beyond my comprehension.

Mr. DICKINSON of Iowa. Mr. Chairman, under the reclassification act for the 600 employees in the Library we increased the pay roll over there $1,450,000 a year.

Mr. HUDSPETH. What would that average per employee?

Mr. DICKINSON of Iowa. Between two and three hundred dollars per employee.

Mr. HUDSPETH. Of course, that assists some. But I trust that my friend from Massachusetts [Mr. LUCE], who is chairman of the Committee on the Library, will investigate these matters, as I think he will in the next Congress, for I am going to bring the matter to his attention, and reward those who should be rewarded with higher salaries where, in my opinion, they deserve it, and I am sure there are many underpaid.

Mr. GREEN. Mr. Chairman, will the gentleman yield again?

Mr. HUDSPETH. Yes.

Mr. GREEN. I suggest to my friend that one man who was in there a long time, who died a few years ago, got $2,500 which, I think, was very insufficient, and some of those others who are there now get $1,000 salaries. By any chance, I do believe that was the salary. I think my friend from Iowa for his valuable contribution. I spend every moment I can spare from my official work in the congressional reading room; every request I make of these attendants is cheerfully complied with. They are underpaid, and I am going to use my best efforts to secure more adequate compensation for them.

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

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

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

Mr. CABLE. Yesterday the Senator from Idaho [Mr. D. B. WILSON] was chairman of the Special Committee on Campaign Expenditures, submitted its report, pursuant to Senate Resolution 248, wherein the Senator and the committee recommended the enactment of a Federal corrupt practices act. The act recommended is the identical one that has been before the Senate and the House throughout the Sixty-eighth Congress and was adopted favorably by not only the House and the Senate, but approved by President Coolidge. Permit me to give you a brief short history of that legislation.

Sixty-seventh Congress: Several bills introduced, both in Senate and House, but no final action taken.

Sixty-eighth Congress: Several bills introduced, both in Senate and House, but no final action taken.
June 3, 1925, House substituted H. R. 8056 for Borah amendment. Thereafter both Senate and House adopted conference report on postal salary bill, including as Title II this amendment known as the Federal corrupt practices act of 1925. 

President Coolidge in his veto message of June 7, 1925 (S. Doc. 149), referring to this amendment, stated:

If that provision stood alone, I should approve that part of the bill relating to campaign funds.

January 29, 1924, Senator Walsh of Massachusetts offered this bill to amend the postal salary bill, and on roll call the vote in the Senate was 71 for to 3 against. The House refused to accept the bill, claiming it was a revenue-producing measure and must originate in the House. February 11, 1925: Senate Committee on Post Offices and Post Roads struck out all after the enacting clause in the House measure and substituted the Senate measure, including as title 3, under the heading "Federal corrupt practices act, 1925." That bill is now pending in the Senate.

As the measure stands it appears to have the approval of the President. It has the approval of Senator Borah and his special committee appointed to investigate and study campaign expenditures; also almost unanimous approval of all Members of the Senate, as evidenced by the vote on the amendment sponsored by Senator Walsh of Massachusetts. It appeared at a meeting of the Members of the Senate and House, if we may judge the House by its vote of 361 to 6 on the conference report. There is need for new legislation.

The Newberry Case

Section 4 of Article I of the Constitution is the basis for corrupt practices as now enacted. It provides that "The times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the legislature thereof, but Congress may at any time by law make or alter such regulations, except as to the places of choosing Representatives." Section 8 of the act of June 25, 1910 (ch. 822), as amended, hereinafter referred to as the "prevailing corrupt practices law," provides in part as follows:

No candidate for Representative in Congress or for Senator of the United States shall give, contribute, expend, use, or promise any sum in the aggregate in excess of the amount which he may lawfully give, contribute, expend, use, or promise under the laws of the State in which he resides; Provided, That no candidate for Representative in Congress shall give, contribute, expend, use, or promise any sum in the aggregate exceeding $5,000 in any campaign for his nomination and election; and no candidate for Senator of the United States shall give, contribute, expend, use, or promise any aggregate exceeding $10,000 in any campaign for his nomination and election.

Truman H. Newberry was a candidate for the Republican nomination for United States Senator from Michigan at the primary election held August 27, 1918, and, by reason of his nomination thereon, became a candidate at the general election on November 5, 1918.

A Michigan statute (sec. 1, act No. 160. Laws of 1913) provided in part that "No sums of money shall be paid, and no expense or incurrence of campaigning or similar expense shall be incurred by any candidate to be paid by him in order to secure or aid in securing the nomination to any public office or position in this State, in excess of 25 per cent of one year's compensation or salary of the office to which he is candidate, except in the case of election or nomination upon expenditures to obtain election after nomination. Taken with the State enactment, the Federal statute prohibited the expenditure by Newberry of more than $3,750. He and other persons were indicted and were convicted in the district court, under this provision of the present corrupt practices act, for exceeding the specified limit.

Upon appeal to the United States Supreme Court, Mr. Charles E. Hughes, attorney for the plaintiffs in error in the case of Newberry v. United States (256 U. S. 232), argued that the statutory provision in question was unconstitutional for the reason that the regulation prescribed by the statute was not comprehended within the term "manner of holding elections." The majority of the court, in its opinion, adopted the statement in the argument and held that the statute was so far as it attempted to regulate the nomination of a candidate for Senator, was unconstitutional.

The ultimate question for solution here, said the court, "is whether under the grant of power to regulate 'the manner of holding elections' Congress may fix the maximum sum which a candidate therein may spend or advise or cause to be spent upon the success of his candidate in the campaign; and it is determined desirable that this portion of the statute should be finally clarified.

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States should act

Because Congress specifically refrains from attempting to regulate primaries and nominating conventions, the responsibility is placed directly with the several States, and it is the hope and belief of the committee that this action will result in the passage of proper corrupt practices laws by the States which have not already passed satisfactory legislation on this important subject.

The States of Illinois, Mississippi, Rhode Island, Tennessee, and Arkansas have no corrupt practices laws whatever.

In Colorado, Delaware, Georgia, New York, Pennsylvania, Virginia, and Arizona there are no corrupt practices laws whatever.

The bill, therefore, eliminates the provisions regulating the nomination of candidates for a Senator by the legislatures of the several States, and effectively regulates the election of Senators by the people in accordance with the present constitutional status. The seventeenth amendment was declared in a proclamation by the Secretary of State, dated May 31, 1913, to have been ratified by the legislatures of the required number of States. It will be observed that Congress has thus delayed for practically 11 years this particular revision in the corrupt practices act.

WOMAN SUFfragE

The nineteenth amendment was ratified since the present law was enacted. The number of voters has been approximately doubled since the law was enacted, and the conditions of campaign have been considerably increased. The present law, where no State limitation applies, permits expenditure of $10,000 for nomination and election by a candidate for Senator. There is no such limit as to the amount of money that may be spent by a candidate for Senator. There is no such limit as to the amount of money that may be spent by a candidate for Senator. There is no such limit as to the amount of money that may be spent by a candidate for Senator. There is no such limit as to the amount of money that may be spent by a candidate for Senator. There is no such limit as to the amount of money that may be spent by a candidate for Senator.
Senator in New York, for instance, should be permitted to spend more money than a candidate in a State with a very small population. A candidate having 500,000 voters, say, in his State should not be limited necessarily to the amount which a candidate having only 50,000 voters in his State may spend. With this in view the bill provides in section 9 as follows:

Sec. 9. (a) A candidate, in his campaign for election, shall not make expenditures in excess of the amount which he may lawfully make in the State in which he is a candidate, nor to excess of the amount which he may lawfully make under the provisions of this act.

(b) Unless the laws of his State prescribe a less amount as the maximum of campaign expenditures, a candidate may make expenditures up to:

(1) The sum of $10,000 if a candidate for Senator, or the sum of $2,500 if a candidate for Representative, Delegate, or Resident Commissioner; or

(2) An amount equal to the amount obtained by multiplying 5 cents by the total number of votes cast at the last general election for all candidates for the office which the candidate seeks, but in no event exceeding $25,000 if a candidate for Senator or $5,000 if a candidate for Representative, Delegate, or Resident Commissioner.

(c) Money expended by a candidate to meet and discharge any assessment, fee, or charge made or levied upon candidates by the laws of the State in which he resides, or expended for his necessary personal, traveling, postal, stationery, postage, printing (other than for use on billboards or in newspapers), for distributing letters, circulars, or posters, or for telegraph or telephone service, may be included in determining whether his expenditures have exceeded the sum fixed by paragraph (1) or (2) of subdivision (b) as the limit of campaign expenses of a candidate.

PUBLICITY FOR CAMPAIGN CONTRIBUTIONS

Purity in politics is desired by both parties. An election is a public affair, and participation therein is a public duty. Publicity throughout the year of contributions received by political committees is a large sum, which does a great deal of the work of preventing corrupt practices in elections. The purchase of power and influence either by a candidate, by means of large expenditures, or by individuals or interests by means of great contributions, reflects both upon our Government and on those from whom the power is derived. Not only should there be a limitation of expenditures, but there should also be prompt and proper publicity of contributions and expenditures.

Recently in Washington we have read in the newspapers of large contributions given by certain wealthy men to both political parties, no report being made and filed containing such receipts. The total amount of such contributions, which do not derive from the proceeds of business operations, reflects much discredit on the Constitution as in its purpose. If proper publicity is given, the contributor will hesitate to carry water on both shoulders by giving to both parties. Such a donor expects some return, a favor for his money. In his campaign he wants to have his name and that of the printer or publisher of the newspaper into which the ad is printed, the name of the printer or publisher.

The statements required to be filed by candidates for Representative, Delegate, or Resident Commissioner, or by any person soliciting contributions for candidates, shall be published in such manner as the Commissioner may prescribe. The amount equal to the amount obtained by multiplying 10 cents by a sum fixed by paragraph (1) or (2) of subdivision (b) shall be cumulative through the year of contributions received by such candidate or political committee.

(b) The statements required to be filed by subdivision (a) shall be cumulative during the calendar year to which they relate, but where there has been no change in an item reported in a previous statement only the amount need be carried forward.

(c) The statement filed on the 1st day of January shall cover the preceding calendar year.

I have worked for the enactment of this measure for more than three years and expect to see it become a law before the close of my term in Congress.

Mr. RAMEYER. I rise in opposition to the proposition that it is a form of amendment. The gentleman from Ohio [Mr. CAR-man] who just addressed the House made some reference to the postal salary bill which recalls the proceedings in this House on Tuesday, February 8. During the discussion of the action of this House, the postal pay and postal rates bill was returned to the Senate on the ground that it was in violation of Article 1, section 7, clause 1, of the Constitution, which provides that "All bills for raising revenue shall originate in the House of Representatives." I am very glad that there are a few members of the Ways and Means Committee present, because I wish to address my remarks particularly to them.

I hold in my hand, Volume 3 of Franklin's Works, by Bigelow, which, beginning on page 407, contains the testimony of Dr. Benjamin Franklin in the British House of Commons. In order that you may get the setting of this testimony I shall bring him to the House at the time the present editor, which precedes the testimony. The editor's statement is as follows:

"THE EXAMINATION OF DR. BENJAMIN FRANKLIN, IN THE BRITISH HOUSE OF COMMONS, RELATIVE TO THE APEAL OF THE AMERICAN STAMP ACT, IN 1766."

[From the journal of the House of Commons, as given by Mr. Vaughan]

February 3, 1766: Benjamin Franklin and a number of other persons ordered to attend the committee of the whole house, to whom it was referred to consider further the several papers, which were presented to the House by Mr. Secretary Conway.

February 13: Benjamin Franklin, having passed through his examination, was excepted from further attendance.

February 24: The report of the committee was read by the chairman, Mr. Fuller; their seventh and last resolution, setting forth that it was their opinion that the House be moved that leave be given to bring in a bill to repeal the stamp act.

The account of the examination was first published in 1767, without the name of the printer or publisher. It was translated into French, and widely circulated in Europe. It has been frequently reprinted in both the English and French languages. [Editor.]

At the time of this examination Benjamin Franklin was Deputy Postmaster General of North America. He was the greatest authority of his time on the colonies, as he knew as much as any living man of his time about the subject of taxation. He was a recognized and outstanding scholar of the world and was also a member of the Constitutional Convention.

Mr. CABLE. Will the gentleman yield?

Mr. RAMEYER. Yes.

Mr. CABLE. He was the first postmaster ever removed for political activities.

Mr. RAMEYER. That is true, and that is to his credit.[Laughter.] A postmaster who does not show some political activity ought never to get the job. This examination of Doctor Franklin took place before the Committee of the Whole House of the British House of Commons in 1766. Doctor Franklin was called before that committee to testify on the subject of the stamp tax and to advise the British Parliament in regard to the attitude of the colonies toward that tax. During the course of the examination Doctor Franklin had something to say on postage rates which ought to shed light on the very important question that was before this House on last Tuesday a week ago. In order to demonstrate to what extent Doctor Franklin was familiar with the subject of taxation and knew what he was talking about, I will read some questions and answers which are not directly on the point as to whether money paid to the Post Office Department is a tax on a charge for service rendered. His testimony starts out like this, on page 409:

Q. What is your name and place of abode?—A. Franklin, of Phila­

Q. Do the Americans pay any considerable taxes among themselves?—A. Certainly; many and very heavy taxes.

Q. What are the present taxes in Pennsylvania, laid by the laws of the colony?—A. There are a poll tax $10; a tax for all sales, reals and personal; a poll tax; a tax on all offices, professions, trades, and businesses,
According to their profits: an excise on all wine, rum, and other spirits; and the duty of $10 per head on all negroes imported, with some other duties.

Q. For what purposes are those taxes laid? - A. For the support of the civil and military establishments of the country and to discharge the debt contracted in the last war.

Remember that the time of this examination was in 1766.

Q. How long are those taxes to continue? - A. Those for discharging the debt are to continue till 1772 and longer if the debt should not be then all discharged. The others must always continue.

On page 410 I read this question and answer:


Then, on page 419, I read this question and answer:

Q. Was it an opinion in America before 1763 that the Parliament had no right to lay taxes and duties there? - A. I never heard any objection to the right of laying duties to regulate commerce; but the right to lay internal taxes was never supposed to be in Parliament, as we are not represented there.

Throughout his testimony Doctor Franklin conceded the right of Great Britain to lay taxes to regulate commerce on the theory that the sea was theirs, that the British had to maintain by their fleets the safety of the navigation on the sea, and all the consequences. Therefore, Doctor Franklin said, it was never heard that the British had a natural and equitable right to some toll or duty on merchandise carried through that part of the British dominions toward defraying the expenses of the ships and maintaining the safety on the sea. However, throughout his testimony Doctor Franklin denied the right of the British Parliament to impose an internal tax without the consent of the people of the colonies.

The Stamp Act says—

So Franklin testified on pages 422-3—

we shall have no commerce, make no exchange of property with each other, neither purchase, nor grant, nor recover debts; we shall neither maintain wives, unless pay such and such sums; and thus it is intended to extort our money from us, or ruin us by the consequences of refusing to pay it.

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

Mr. RAMSEYER. Mr. Chairman, I ask for five additional minutes.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent to proceed for five additional minutes. Is there objection?

There was no objection.

Mr. RAMSEYER. Doctor Franklin denied the right of the British Parliament to impose internal taxes because the Colonies had no representation in the British Parliament. Beginning at the bottom of page 428 and continuing on page 429 are these questions and answers:

Q. Suppose an act of internal regulations connected with a tax; how would they receive it? - A. I think it would be objected to.

Q. Then no regulation with a tax would be submitted to? - A. Their opinion is that when aids to the crown are wanted, they are to be asked of the several assemblies, according to the old-established usage, who will, as they always have done, grant them freely; and that their money ought not to be given away without their consent by persons at a distance, unacquainted with their circumstances and abilities. The granting aids to the crown is the only means they have of recommending themselves to their sovereigns, and they think it extremely hard and unjust, that a body of men, in which they have no representatives, should make a merit to itself of giving and granting what is not its own, but theirs, and deprive them of a right they esteem of the utmost value and importance, as it is the security of all their other rights.

Here now I come to a question followed by the answer of Doctor Franklin that I want you to hear. As I said before, Doctor Franklin in denying the right of the British Parliament to impose internal taxes further stated that the colonists would never submit to such taxes. The examiner then tried to get Doctor Franklin to admit that money paid for postage on a letter was such a tax and that the colonists were not objecting to it. I read:

Q. But is not the post office, which they have long received, a tax as well as a regulation? - A. No; the money paid for the postage of a letter is not of the nature of a tax: it is merely a quantum meant for a service done; no person is compellable to pay the money if he does not choose to receive the service. A man may still, as before the act, send his missives by a servant, a special messenger, or a friend if he thinks it cheaper and safer.

This statement of Doctor Franklin is as applicable to-day as it was then. On page 448 I read this question and answer, as follows:

Q. Is not the post-office rate an internal tax laid by act of Parliament? - A. I have answered that.

On page 449 Doctor Franklin reasserts his position in his answer to this question:

Q. Do they consider the post office as a tax or as a regulation? - A. No, as a tax, but as a regulation and convenience; every assembly encouraged it and supported it in its infancy by grants of money, which they would not otherwise have done, and the people have always paid the postage.

I wish to state in conclusion that up to this good hour, and I think I may be permitted to say that I have given this subject very careful study, I have not run across a single authority, nor have I heard of a single authority, during the colonial days or since, not a single authority on postal matters, nor a regulation law writer, nor a decision of any court that has held or holds, either directly or indirectly, that a bill to fix postage rates comes within the meaning of Article I, section 7, clause 1 of the Constitution requiring that—

All bills for raising revenue shall originate in the House of Representatives.

And I now challenge the members of the Ways and Means Committee to bring onto the floor of this House any authority which sustains them in their position.

Mr. GREEN. Will the gentleman yield?

Mr. RAMSEYER. Yes; I yield to the gentleman.

Mr. GREEN. Is not my friend aware that at the time of which he speaks the Post Office Department was often used as a means for raising revenue for the Government and not simply in payment of a service? And is not the gentleman aware that Doctor Franklin himself made a great profit out of the operations of the post office?

Mr. RAMSEYER. There is nothing in that statement except that when you charge more for the service than the service costs you are rendering the service at a profit. That does not change the nature of a bill to fix postage rates on mail matter.

Mr. GREEN. The gentleman has not answered the first part of my question.

Mr. RAMSEYER. But that does not change the nature of a bill for regulating charges for services performed by the Post Office Department just because the charges imposed mean a profit instead of a loss to the Government.

Mr. GREEN. Let me ask the gentleman one further question and then I am through. Does not the gentleman think it would not have been more appropriate to have made his challenge at some time when the members of the Ways and Means Committee could be heard rather than some time when they could not be heard, and at a time when the chairman of the committee in charge of the bill is begging Members not to take time with matters like this?

Mr. RAMSEYER. The gentleman from Iowa and other members of the Ways and Means Committee have the same opportunity to be heard that I have and they can get the floor to produce their authorities now or to-morrow or any time between now and the adjournment of this Congress, or they can send their remarks in the Record, without taking up any time of the House.

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

Mr. TILSON. Mr. Chairman, I ask unanimous consent that the time of the gentleman may be continued one minute.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. TILSON. The gentlemen have asked for authorities. I ask him to read United States v. Bromley (12 How. 88) and Warner v. Fowler (4 Blatchford 311).

Mr. RAMSEYER. I have read those cases and I wish to inform the gentleman now that neither one of those cases makes any reference whatever to Article I, section 7, clause 1, of the Constitution of the United States, and that those cases are in point at all.

Mr. TILSON. But they specifically state that income from postal receipts is just as much revenue as it came from duties on imports.
Mr. RAMSEYER. If the gentleman had heard my argument of February 3, he would know, and if he did not hear it, I will do my best to read it in the Record, he will learn that I discussed the cases on which he relies, and demonstrated, I think, that those cases are not applicable at all to the question before us. There is a very clear distinction between the meaning of the word "revenue" as popularly used and sometimes employed in the statutes, and the meaning of the word "revenue" as used in Article I, section 7, clause 1, of the Constitution.

Mr. TILSON. I refer to the sense in which the Supreme Court used it, for it is the Supreme Court speaking in these two decisions.

Mr. RAMSEYER. The first case cited by the gentleman was decided by the Supreme Court; the second was decided by the United States District Court for the Southern District of New York. But those two cases were decided without any reference to Article I, section 7, clause 1, of the Constitution. No reference whatever is made in either one of those cases to this constitutional provision. Each of those cases undertook to construe a Federal statute and not this constitutional provision. Theses can possibly be of some weight in construing the language used in a very able opinion found in Michels v. James (15 U. S. Court Reports, 207; Federal Cases, No. 15, 404). In my argument I quote from this case at length. This case is directly in point and has adopted "with the proposition before us, "Michels against James has never been overruled and is the law of the land to-day.

In conclusion I quote the following sentences from Michels against James:

A bill regulating postal rates for postal service provides an equivalent for the money which the citizen may choose voluntarily to pay. He gets the fixed service for the fixed rate, or he lets it alone, as he pleases and as his own interests dictate. Revenue, beyond the cost, may or may not be derived from the service and the pay required for it, but it is only a very strained construction which would regard a bill establishing rates of postage as a bill for raising revenue within the meaning of the Constitution. This broad distinction existing in fact between the two kinds of bills, it is obviously a just conclusion to confine the terms of the Constitution to the case which plainly designate. To strain those terms beyond their primary and obvious meaning, and thus to introduce a precedent for that sort of construction, would work a great public mischief.

The views of this court and the views of Benjamin Franklin on this question at issue are as nearly alike as views expressed on the same question at different times and by different scientists possibly be.

In my argument of February 3 I cited and discussed a number of cases decided by the Supreme Court in which Article I, section 7, clause 1, of the Constitution was directly involved. I then cited and discussed a number of cases decided squarely and directly in the position of the Ways and Means Committee. To-day I have submitted the authority of Benjamin Franklin. Franklin helped to write the Constitution, and he was a strong advocate in the testimony from which I have constructed to have some weight in construing the language used in Article I, section 7, clause 1, of the Constitution. [Applause.]

Mr. VINSON of Kentucky. Mr. Chairman, I ask unanimous consent to revise and extend my remarks and to speak out of order.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent to revise and extend his remarks in the Record and to speak out of order. Is there objection?

There was no objection.

Mr. VINSON of Kentucky. Mr. Chairman and gentleman of the committee, I find in the issue of the Washington Times of Wednesday, February 11, 1925, news carried to the country of a discovery in the animal kingdom and, mayhaps, containing elements of ill portent. The article is entitled "Horseback Riding on a Mechanical Horse." The following language:

Coolidge rides on "horse"—Mechanical Mount Got Wires Twisted, but He's Good Again for Exercise.

The discovery in question relates to the failure of our domestic steeds. Mr. Coolidge, a good enough horse, and makes known to the world that in lieu of the splendid stable of equines he has substituted a marvelous invention in the form of a mechanical and electrical horse. In view of such important discovery, I feel called upon to impart this information to the House and to further disseminate it among the people of our country.

The article in the Times, referred to, reads in full as follows:

COOLIDGE RIDES ON "HORSE"—MECHANICAL MOUNT GOT WIRE TWISTED, BUT HE'S GOOD AGAIN FOR EXERCISE.

President Coolidge has hit upon a new method of assuring himself a daily ride on horseback. He has abandoned the brickle paths of the Mall and Rock Creek Park, for several weeks the equines in the White House stable have been idle, and seeking an easier method of equestrianism, the President has installed a hobbyhorse in the White House and rides it three times a day for periods of 15 minutes each.

By the simple expedient of pressing an electric button, the President can operated this horse to gallop, run, trot, pace, canter, or gallop as the mood of the Chief Executive dictates. The steed is said to be an excellent example of electrical mechanism.

STEED'S WIRE TWISTED.

A misfortune, however, befell the horse some days ago. Some of the internal wiring got twisted. The steed apparently attempted to pace and trot at one and the same time. He naturally failed in the attempt, but information is not available as to whether President Coolidge was thrown from his steed in this accident or not.

The horse temporarily was put out of commission and had to be repaired.

COOLIDGE RIDES ON "HORSE"—MECHANICAL MOUNT GOT WIRE TWISTED, BUT HE'S GOOD AGAIN FOR EXERCISE.

The President has not disclosed his reasons for abandoning the excellent stable at his disposal in order to ride a hobbyhorse. It is believed that the time-saving motive was at least partially responsible. So far as can be learned, the new steed is giving excellent satisfaction and the President likes the change.

The "horse" is headless and tailless, and quite stationary. It-promoted by mechanical motion, however, all of the gait of a living, breathing equine.

With the aid of this contrivance—which is nothing more than one of the mechanical horses such as are found in the gymsnasiums on ocean liners for passengers in liners as saucers—"The Executive is enabled to get all of the exercise of the bridal path without a third of the trouble and exertion.

REAL HORSES RESTING.

Several riding horses are quartered in the White House stables, but only once has Mr. Coolidge taken advantage of the opportunity to ride one of these real steeds. That came shortly after his entry into the White House when he took one brisk morning ride through Potomac Park.

One reason advanced for the President's preference for indoor riding as against a gallop on the bridal path lies in the nasal and throat affliction from which he suffers.

Recently, when he attended the Chicago livestock show the dust which was stirred up by the hoofs of the horses and cattle in the arena irritated the President's nose and throat greatly, and it was not until after his return to Washington that he recovered entirely from these effects.

While it is foreign to my make-up, as affected by my antecedents, my training, or my desires, I am gripped with the fear that such a theme, fit to be preserved in the annals of our history and literature, might be omitted therefrom, and I have deemed it fit to win the Muse, the Goddess of Song, to the end that the present House of Representatives and our generation will be edified therefrom, and that the classic theme will be preserved for our posterity.

Guided by such purpose, I present to you my humble effort:

"HORSE"—MECHANICAL MOUNT GOT WIRE TWISTED, BUT HE'S GOOD AGAIN FOR EXERCISE.

The Prince of Wales, astride a steed, is a picture of word renown; when the horse bestirs, as is its need, the Crown Prince hits the ground.

Mr. LUCE. Mr. Chairman, I rise to a point of order.

The CHAIRMAN. The gentleman from Massachusetts will state his point of order.

Mr. LUCE. It has frequently been held that words tending to bring the Chief Executive of the Nation into ridicule or disgrace are out of order.

Mr. BLANTON. Mr. Chairman, I make the point of order that the use of the words "Hobbyhorse" is not well taken.

The CHAIRMAN. The gentleman from Massachusetts has the floor.

Mr. BLANTON. But I make the point of order that the gentleman's point of order is not well taken and that the President of the United States stands on the same footing as any other individual.

The CHAIRMAN. The gentleman from Texas will desist.
The gentleman from Massachusetts has the floor, and there is no other branch of the Government that the Chair can not entertain two points of order at the same time.

Mr. LUCE. I make the point of order, Mr. Chairman, that the gentleman's words are intended to cast ridicule upon the Chief Executive of the United States, and newspapers a day or two ago carried a statement about which the gentleman from Kentucky is going to address himself, and I heard no one, not even the gentleman from Massachusetts, raise the floor and denounce the press for carrying the statement or caricature of the President. I saw a statement yesterday purporting to be based upon information issued from the White House relating to this matter, and I heard no gentleman rise up in his place and say that it reflected on the dignity of the Executive, or denounced it as transgressing the prerogative of the President.

Mr. RAMSEYER. I have read the rules of the House through a number of times, and as I remember them there is no specific rule against criticizing the President or any member of his Cabinet, is there?

Mr. CONNALLY of Texas. Not that I ever heard of.

Mr. RAMSEYER. There is a specific rule against reflecting on Members of the other body.

Mr. CONNALLY of Texas. That is true. There is a specific rule about that.

Mr. RAMSEYER. I frankly confess I do not quite get the logic of the position of the gentleman from Massachusetts (Mr. Luce). Usually he is logical. In the absence of a special rule against criticizing the Executive, I shall leave that to the judgment of the House, and we can not assume that it is going to be infringed. It is merely a matter of taste as to whether the gentleman shall submit these remarks.

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

Mr. CONNALLY of Texas. Mr. Chairman, I just want to leave this suggestion with the Chair: It is not a question of the right of a Member to speak here generally, it is a question of whether or not what he says here infringes any rule of the House. I submit there is no rule of this House that is infringed at this point, and we can not assume that it is going to be infringed.

Mr. Chairman, I feel certain that he would find that the gentleman from Kentucky has not yet completed his remarks, and the presumption is that when he continues he will speak the truth, and the presumption further obtains that those remarks will be in order because it is assumed every Member is observing the rules until it is demonstrated that he has not. I will say that if the gentleman from Kentucky does utter language that transgresses the rules the gentleman from Massachusetts will have the liberty of asking that his words be taken down and stricken from the Record and that they not appear in the proceedings. How does the gentleman from Massachusetts know what the words are? I say further that the rule that the gentleman invokes as being practiced in Massachusetts has never been observed in this Chamber as far as my limited experience has gone. The House, the Congress, has always claimed the privilege of criticizing the President, or any other branch of the Government save the Senate, and it could do that except for a rule of this body that it can not.

Mr. LUCE. I refrained from making the point of order until the gentleman had read the title of the verses he was about to deliver, and the point of order is based on the title. It was not a case of prophecy or expectation, but on the words that were uttered. As to the question of whether or not the rules and precedents of the House do or do not permit ridicule of the Chief Executive, I shall leave that to the judgment of the Chair.

Mr. CONNALLY of Texas. I will say to the gentleman from Massachusetts that I do not subscribe to the theory that we ought to be seen or heard in anything but decorum and respect for the institutions and the dignity of our own House. I have always claimed the privilege of criticizing the President, but I do contend for liberty of speech on this floor. I have been the only forum that the Representatives of the people have.

Mr. LUCE. It has been a principle of the Anglo-Saxon race that liberty ought not to descend to license. The House has control of this matter and when proceedings violate the rules the gentleman can object, and with his usual eloquence may carry his point of order. I contend for the House of Representatives of the United States, that liberty ought not to descend to license.
Again, I attempt to present my humble effort:

**Mr. DICKINSON** of Iowa. Mr. Chairman, this is merely for the purpose of clearing up an uncertainty in respect to a ruling by the comptroller.

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

**The amendment was agreed to.**

The Clerk read as follows:

**PUBLIC PRINTING AND BINDING**

To provide the Public Printer with a working capital for the following purposes for the execution of printing, binding, lithographing, mapping, engraving, and other authorized work of the Government Printing Office for the various branches of the Government: For salaries, compensation, or wages of all necessary officers and employees additional to those herein appropriated for; to enable the Public Printer to comply with the provisions of law granting holidays and Executive orders granting holidays and half holidays with pay to employees; to enable the Public Printer to comply with the provisions of law granting 90 days' annual leave to employees with pay; rents, fuel, gas, heat, electric current, gas and electric fixtures; bicycles, motor-propelled vehicles for the carriage of printing and printing supplies, and the maintenance, repair, and operation of the same, to be used only for official purposes, including purchase, exchange, operation, repair, and maintenance of motor-propelled passenger-carrying vehicles for official use of the officers of the Government Printing Office when in writing ordered by the Public Printer (not exceeding $200,000); equipment; and for repairs to machinery, implements, and buildings, and for minor alterations to buildings; necessary equipment, maintenance, and supplies for the emergency room for the use of all employees of the Government Printing Office who may be taken suddenly ill or receive injury while on duty; other necessary contingent and miscellaneous items authorized by the Public Printer; for expenses authorized in writing by the Joint Committee on Printing for the inspection of printing and binding equipment, material, and supplies and Government printing plants in the District of Columbia or elsewhere (not exceeding $1,000); for salaries and expenses of preparing, issuing, and selling semi-monthly and session indexes of the *Congressional Record* under the direction of the Joint Committee on Printing (chief indexers at $5,150, one cataloguer at $2,850, and two cataloguers at $2,150 each); and for all the necessary labor, paper, materials, and equipment needed in the prosecution and delivery and mailing of the work, $2,400,000, to which shall be added the printing and binding authorized to be done for Congress, the printing and binding for use of the Government Printing Office, and printing and binding (not exceeding $1,000) for official use of the Architect of the Capitol when authorized by the Secretary of the Senate, in all to an amount not exceeding this sum.

**Mr. McKEOWN.** Mr. Chairman, I move to strike out the last word. I want to ask the gentleman if he knows anything about the *Congressional Record*. I have been recently advised of the fact that the rule which heretofore prevailed of binding the *Congressional Records* and sending them out to your district has been done away with. Can the gentleman tell us what the rule is?

**Mr. DICKINSON** of Iowa. Mr. Chairman, I will have to refer the gentleman to Mr. JOHNSON of Washington, of the Joint Committee on Printing.

**Mr. McKEOWN.** The law fixes the number of Records which come to us.

**Mr. JOHNSON of Washington.** Does the gentleman mean the number sold to the public?

**Mr. McKEOWN.** No; I mean the allotment to Congressmen.

**Mr. JOHNSON of Washington.** That has not been changed.

**Mr. McKEOWN.** I have been making inquiry and they say under some rule we have been deprived of them, we do not have the amount—

**Mr. JOHNSON of Washington.** I think the gentleman and all gentlemen have the same number. It is not desirable to print great numbers of Records to fill unused orders.

**Mr. McKEOWN.** I want to say this: We used to receive some 30 or 40 copies of the daily Records, and bound the rest and sent them to different schools, colleges, and so forth, and—

**Mr. JOHNSON of Washington.** The gentleman is on something, and asking a question. The appropriations for binding have been reduced, I believe.

**Mr. McKEOWN.** Under what authority are these bound Records not furnished any more?
Mr. McKEOWN. How many do they bind, what disposition is made of those Recons, who gets the Recons?

Mr. JOHNSON of Washington. No one gets a set of bound Recons. Each Member may make application for a bound Recons in the Government Printing Office while detailed for or performing service in any other executive branch of the Government, unless such detail be authorized by law.

Mr. LOZIER. Mr. Chairman, I move to strike out the last word, "all." I want to proceed for five minutes on a subject that is not political or partisan. I have not taken any part in the debate.

Mr. DOWELL. What is the subject?

Mr. LOZIER. The subject is the interest rate and the effect of foreign loans thereon.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to proceed out of order for five minutes. Is there objection?

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

Mr. DOWELL. I withdraw my objection to the gentleman from Missouri having the floor.

Mr. McKEOWN. Mr. Chairman, I want to ask the gentleman from Iowa what he is doing. In the gentleman's report they say that you have turned back $7,500 for the House Office Building for furniture. I want to ask the gentleman from Iowa in view of the fact that we can not get sufficient file cases or sufficient bookcases here in our offices why did he turn that amount back?

Mr. DICKINSON of Iowa. There was a special appropriation of $7,500 last year for that purpose.

Mr. McKEOWN. Is it sufficient?

Mr. DICKINSON of Iowa. Yes; we have plenty of those.

Mr. McKEOWN. They will not give me any.

Mr. DICKINSON of Iowa. How many does the gentleman want?

Mr. McKEOWN. I have been asking for them a number of times.

Mr. DICKINSON of Iowa. They have a rule, they give a new Member two and increase it up to five. There are some Members of Congress who ask for 15 or 20.

Mr. McKEOWN. There are some who get more than their share and some who do not get enough.

Mr. DICKINSON of Iowa. How many did the gentleman get?

Mr. McKEOWN. I just received two.

Mr. DICKINSON of Iowa. Make application and I am sure the gentleman will get them.

Mr. McKEOWN. I have been after them for a year and always meet the statement that there are none and no fund, while I see other Members seem to have more than they can put in their rooms.

The CHAIRMAN. The pro forma amendment is withdrawn. The gentleman from Missouri [Mr. Logan] asks unanimous consent to proceed out of order for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. LOZIER. Mr. Chairman and gentlemen, before the meeting was interrupted, I had some indebtedness of amounts aggregating more than $11,000,000,000, and in addition we had accumulated in the United States surplus wealth and treasure beyond the dreams of avarice.

Controlling as we do such a large proportion of the world's wealth, one would naturally suppose that there would be a radical reduction in interest rates, but on the contrary, interest rates have been steadily climbing for the past six years, and in financial quarters, it is positively asserted that another increase in interest rates is impending and inevitable.

Recently in the course of the general debate on this legislative appropriation bill, I emphasized the importance of a reduction in interest rates on farm mortgages and other obligations of the agricultural classes, and expressed the hope that economic conditions might soon result in such reduction. I then stated that the lending of enormous sums abroad was largely responsible for the high interest rates in the United States. In 1924 loans aggregating $1,200,000,000 were made abroad by the American banks, trust companies, and capitalists. After deducting $235,388,500 of this amount, which represented refunding transactions, the net amount of foreign loans in 1924 was $973,011,500.

Of the new capital loaned abroad in 1924, $260,500,000 or 32.5 per cent went to Europe; $121,011,500 or 12.4 per cent to Asia; $150,810,000 or 15.5 per cent to Latin America; and $130,540,000 or 18.6 per cent to Canada and Newfoundland.

In all 76 foreign loans were made in 1924, of which 17 aggregating $657,025,500, or 57.2 per cent were made to governments; 7 aggregating $43,732,000, or 4.5 per cent were to provinces; 17 aggregating $82,291,000, or 6.4 per cent were to municipalities, and 35, aggregating $220,942,000 or 31.9 per cent were to corporations. Loans were made to the following foreign governments: Japan, Germany, France, Belgium, Argentine, Netherlands, Switzerland, Sweden, Norway, Greece, Hungary, Czechoslovakia, Peru, Dominican Republic, and Newfoundland.

I now submit a list of foreign loans made by American banks, trust companies, and capitalists in 1924:

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<th>Country</th>
<th>Principal Amount</th>
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<tr>
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<td>Christians Trangy Corpor.</td>
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<td>Knopp Works</td>
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<tr>
<td>Government</td>
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<td></td>
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<tr>
<td>Government Argentine nation (3) (partly rel.)</td>
<td>80,000,000</td>
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<td>Republic of Peru</td>
<td>7,000,000</td>
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<td>Dominican Republic</td>
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<tr>
<td>City of Buenos Aires</td>
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<td>S. R.</td>
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<tr>
<td>City of Medellin</td>
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<tr>
<td><strong>Total Municipal</strong></td>
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<td></td>
<td>$17,400,000</td>
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</tbody>
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**Total**                            | $300,650,000     |                   | $300,650,000|
The above amount does not present the entire outward movement of capital, since only foreign securities publicly offered for sale in America are included in the above compilation. To the $973,011,500 should be added a large number of short-term bank credits and a very considerable amount of direct industrial investments made abroad. Charles E. Hoesx, in his commercial address at Berlin, reports that according to unofficial but reliable estimates that the short-term credits to Germany alone in 1924 amounted to approximately $100,000,000. This includes $10,000,000 to the German railroad and to German coal, potash, dye, and sugar syndicates, and advances to the cities of Berlin and Cologne.

Numerous other credits were granted in the United States to business loans to the Hanseatic League for the purpose of developing that country, a revolving credit of $25,000,000 to the Altschul Textile Syndicate, and $5,000,000 to the Danish Bank of Issue for exchange stabilization purposes. A loan of $7,000,000 was made to a steel company. None of these loans are included in the foregoing table of foreign loans floated in the United States in 1924, the aggregate of which was $973,011,500.

Obviously, lending $973,011,500 of new American capital to foreign governments, foreign provinces, foreign cities, and foreign corporations has materially reduced the supply of money available for State, county, city, railway, corporation, and farm loans in the United States. We are not only financing 17 foreign governments, but we are financing foreign railways, foreign cities, foreign provinces, and foreign corporations. That this policy inevitably means higher domestic interest rates no fair-minded person will deny.

During the last six years the banks, trust companies, and capitalists of the United States have loaned abroad approximately $4,000,000,000, as follows:

- 1919: $720,199,000
- 1920: $844,584,000
- 1921: $694,354,000
- 1922: $661,464,000
- 1923: $536,815,000
- 1924: $470,909,000

Total: $3,220,083,000

I have not before me the figures showing what proportion of these amounts represented refunding transactions, but I am quite sure that after making full allowance for refunding operations these foreign loans in the last six years will exceed $5,000,000,000.

Now, while I do not believe in "economic imperialism" or "financial isolation," I nevertheless believe that the withdrawal of these huge sums from the United States has increased our investment elsewhere has had the effect of advancing interest rates and retarding the rehabilitation of American agriculture and other productive activities.

Will anyone contend that the lending of these enormous sums abroad has not automatically resulted in the raising of interest rates in this country?

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

Mr. LOZIER. Yes; I yield to the gentleman from Ohio.

Mr. BRIG. If we do not loan money to these countries abroad, how would they be in position to buy our products?

Mr. LOZIER. Answering the distinguished gentleman from Ohio, who is one of the most useful Members of this House, may I say that I do not advocate that we hold ourselves entirely aloof from foreign nations? I believe in making a just and reasonable contribution to the reconstruction of the nations that were devastated and wrecked by the ruin and suffering of the World War. I realize the necessity of assisting in the rehabilitation of Europe, and I do not challenge the policy of making foreign loans, provided, of course, the money is not needed at home and if such loans are within reasonable limits and bottomed on actual or potential values. But I do insist that we have gone entirely too far in our effort to play the part of an international good Samaritan.

The financial papers in the last few weeks have frequently called attention to the fact that we are going to dangerous extremes in lending such tremendous sums of American money abroad, and that this policy has raised and will continue to raise domestic interest rates and thereby imposes increased burdens on the American people and retards the industrial and economic rehabilitation in America. Very little of this money loaned abroad is exchanged directly or indirectly for our products.

The Department of Commerce, in a recent bulletin, in commenting on the fluctuation of foreign securities in the United States during the year 1924, admitted that a very considerable portion of these loans to Europe was utilized for reconstruction purposes and will not directly benefit our trade. One of

<table>
<thead>
<tr>
<th>Country</th>
<th>Principal amount</th>
<th>Subdivision total</th>
<th>Grand total</th>
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<tr>
<td><strong>LATIN AMERICA—continued</strong></td>
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<td><strong>$150,000,000</strong></td>
<td><strong>$255,000,000</strong></td>
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<td><strong>Government</strong>:</td>
<td></td>
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<tr>
<td>Japanese</td>
<td>100,000,000</td>
<td>150,000,000</td>
<td>250,000,000</td>
</tr>
<tr>
<td><strong>Corporate</strong>:</td>
<td></td>
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<td></td>
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<tr>
<td>Cuban</td>
<td>50,000,000</td>
<td>75,000,000</td>
<td>125,000,000</td>
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<tr>
<td><strong>Total</strong></td>
<td>150,000,000</td>
<td>225,000,000</td>
<td>375,000,000</td>
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</tbody>
</table>

**NOTE.—All items of foreign financing running for less than one year have been omitted from the above list.**
the inevitable effects of these lavish loans abroad will be the appearance of European industry, where it will, of course, mean stronger European competition for the world markets. In other words, we are sending huge sums abroad to reconstrukt European industries and enable them to invade not only our market but foreign markets in all parts of the world. The international banks justify their foreign loans on the ground that they contribute toward the financial and economic reconstruction of foreign governments, foreign provinces, foreign cities, foreign railroads, and foreign corporations. This prodigal investment of American capital in foreign securities, our productive capacities will be materially impaired, to a very serious economic disadvantage. In the last six years our investment in foreign loans has averaged approximately $700,000,000. How long shall we continue to maintain this policy without curtailing the productive energies of our own people? Now, what is the effect of these loans to foreign governments, foreign municipalities, and foreign corporations? Obviously, they have reduced to the extent of approximately $1,000,000,000 the amount of money available for loans in the United States, and the amount of money available to carry on our domestic business. These foreign loans have withdrawn money that otherwise would be available for farm loans and for productive purposes in the United States, and sent it across the seas to foreign lands. These foreign loans have substantially reduced the supply of money available for loans and business purposes in the United States, resulting inevitably in an increase in the interest rates, or at least prevented a reduction of the interest rates on domestic loans.

The diversion of our surplus capital to foreign lands automatically raises the domestic interest rates or prevents a reduction of interest rates, and this not only injuriously affects the farmers, but all classes of persons who conduct their business in whole or in part on borrowed capital. Please do not misunderstand me. If the economic conditions in the United States were different, and if we had more than enough surplus capital to supply the loans and other classes, and to carry on our domestic activities, it might then be advisable for American bankers, trust companies, and capitalists to make loans abroad, provided, of course, they are well secured. But as long as there is a strong demand in the United States for money for productive purposes and for loans, it seems to me an unwise and short-sighted policy to deny our own people the funds so necessary for the rehabilitation of agriculture and other domestic activities? The high interest rate paid, or promised, on these foreign loans attracts capital and is drying up our supply of money available for domestic, farm, industrial, and commercial loans. The ultimate effect of lending these enormous amounts abroad is to reduce the supply of money available for loans in the United States and for domestic productive business activities. These foreign loans are milking the money market dry. The surplus capital in the United States is largely controlled by the great banking institutions in the great cities. These banks very largely control the investment of these funds. They can divert their investment in farm loans, in loans for domestic productive purposes, or they can divert these funds into foreign investment channels, and this they are doing to the great detriment of agriculture and other productive industries that or in part depend on borrowed capital to carry on their activities.

While I do not advocate a policy of financial isolation and while I believe there are times when American capitalists are justified in lending money abroad, still I do not advocate policy as long as there is an active demand and crying need for these funds at home. The wise policy would be to first supply the domestic demand, after which conservative and well-selected loans abroad may be permissible. But until we have reached the point of domestic saturation, American money ought to be used to supply the needs of the American people. This policy will insure lower interest rates and give a new impetus to the commercial and industrial activities of the Nation. [Applause.]

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

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

OFFICE OF SUPERINTENDENT OF DOCUMENTS

For the Superintendent of Documents, assistant superintendent, and other personal services in accordance with "the classification act of 1923," $362,720.

Mr. JOHNSON of Washington. Mr. Chairman, I offer an amendment.

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

The Clerk read as follows:

Amendment offered by Mr. Johnson of Washington: Page 35, lines 7, after the figures "$362,720." Insert: "Provided, That employees in the office of the Superintendent of Documents may be paid compensa­ tion for night, Sunday, holiday, and overtime work at rates not in excess of the rates of additional compensation for such work allowed other employees of the Government Printing Office under the provisions of the act entitled "An act to regulate and fix the pay for employees and officers of the Bureau of the Government Printing Office," approved June 7, 1924."

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

Mr. JOHNSON of Washington. Will the gentleman withhold it for a moment?

Mr. BLACK of Texas. I will withhold it.

Mr. JOHNSON of Washington. I wish to say that the Comptroller General on November 14 last ruled that men working at night in the document division—

Mr. BLACK of Texas. I will say to the gentleman that I have read the hearings. Mr. JOHNSON of Washington. Can not the gentleman then agree with me that it is highly advantageous to place all these employees under the same rate of pay?

Mr. BLACK of Texas. I suppose the gentleman's amendment is the same amendment as that submitted to the committee by the Public Printer?

Mr. JOHNSON of Washington. No. It carries out a plan in detail. We took up the matter in the Committee on Printing.

Mr. BLACK of Texas. What additional cost will it add to the Government?

Mr. JOHNSON of Washington. It will not add anything, but should save money. There is no reason why any of the de­ partment employees should work overtime. If this amendment is adopted, they will receive 15 per cent for night work, but 20 per cent, required now to be paid. The two classes will be equalized, and it is just to the Government.

Mr. BLACK of Texas. If we undertake to put exceptions on everything that comes along, pretty soon we will have no classification act at all.

Mr. JOHNSON of Washington. I think it is a saving of money. The gentleman from Pennsylvania [Mr. Knesl] and the gentleman from South Carolina [Mr. Stevenson] and myself went over the matter lately. There is now confusion in having two classes of employees, one of whom is paid 20 per cent for work at night and the other is paid 15 per cent for night work. That produces serious confusion.
Mr. BLACK of Texas. Mr. Chairman, may we have the amendment read?

The CHAIRMAN. Without objection, the amendment will again be reported.

The amendment was again read.

Mr. BLACK of Texas. Mr. Chairman, if I understand the gentleman's amendment, it refers only to night work?

Mr. JOHNSON of Washington. Yes. The idea is to have night work paid at a uniform rate in the Government Printing Office. The document people get 20 per cent extra for work at night, but the printers handling the same kind of documents get 15 per cent. It is merely a limitation.

Mr. BLACK of Texas. With the assurance of the gentleman from Washington, I will not press the point of order.

When the amendment was first read I was under the impression it was the same amendment suggested by the Public Printer to the Committee on Appropriations, which would have taken all of the employees under the Superintendent of Documents out of the reclassification act and would have put them under the Kloss Act. I would have objected to that amendment, but I withdraw the reservation to this amendment.

Mr. BLANTON. Mr. Chairman, I renew the reservation in order to ask a question. What necessity is there for these document workers to work at night?

Mr. JOHNSON of Washington. It is necessary in the distribution of documents.

Mr. BLANTON. Every Member of the House this morning received a 40 or 50 page document from the Bureau of Education. I wonder if the paper is printed on. If the gentleman will go back to his office and look at that document I am sure he will agree with me that it should not have been mailed out and should not have been printed. There is not a schoolteacher in the United States who would say that it is worth a thirp, but as long as documents like that are printed they may have to work at night.

Mr. JOHNSON of Washington. We are getting rid of them as fast as we can.

Mr. BLANTON. I am not going to make a point of order against the amendment because I follow the gentleman from Washington on a great many things. The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Washington.

The amendment was agreed to.

The Clerk read as follows:

In order to keep the expenditures for printing and binding for the fiscal year 1926 within or under the appropriations for such fiscal year, the heads of the various executive departments and independent establishments are authorized to discontinue the printing of annual reports under their respective jurisdiction: Provided, That where the printing of such reports is discontinued, the original copy thereof shall be kept on file in the offices of the heads of the respective departments or independent establishments for public inspection.

Mr. LAGUARDIA. Mr. Chairman, I move to strike out the language and ask unanimous consent to proceed out of order.

Mr. BLANTON. Mr. Chairman, the gentleman from New York asks unanimous consent to proceed out of order. Is there objection?

There was no objection.

Mr. LAGUARDIA. Mr. Chairman and gentlemen, some time ago the HUNSINGER bill (H. R. 6062) authorizing the Postmaster General to establish lines for the carrying of mail by airplanes. The purpose of the bill was to provide the organic law establishing air-mail routes. Our air mail at the present time is merely a budgetary item, and each year the appropriation made by the House is subject to a point of order. I pointed out at the time that we ought to utilize all of our air forces for civil, commercial, and other useful purposes. Some of the older Members of the House will remember that since December of 1918, when I returned from the service, I have urged upon this House the necessity of uniting all of our air activities into one department in order to train over the objections that unless we did that we would spend hundreds of millions of dollars and have absolutely nothing to show for it; that if we permitted the Navy Department, the War Department, the Post Office Department, the Marine Corps, and the Department of Agriculture each to have its own air service we would have these departments competing with each other, and that instead of cooperation and coordination and instead of these being harmonious we would have these departments at ends fighting each other, and to-day, gentlemen, the hearings before the special committee justify the statement I took every time the HUNSINGER bill was before this House appropriating money for air purposes.

Mr. BLANTON. Will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. BLANTON. I want to suggest to the distinguished gentleman from New York that he bring this matter before the censure on February 27.

Mr. LAGUARDIA. Oh, the gentleman knows the gentlemen from New York will put the censure on January 27.

Mr. BLANTON. I understand the gentleman from Ohio has rescinded his stand against the gentleman from New York and has backed away from the proposition that would eliminate him from the censure.

Mr. LAGUARDIA. I will say to the gentleman from Texas that I have made arrangements with the superintendent of the building, and I am going to have one of the telephone bells and hold my own.

Mr. BLANTON. Has the gentleman arranged about the patronage and committee assignments for his party?

Mr. LAGUARDIA. The gentleman is too busy attending to his own business to think of anything. The gentleman has a few minutes, that is why I am not interested in, just loaded with improper provisions.

But let me get back to the Air Service.

December 17, 1925, the Post Office appropriation bill was before the House I dwelt upon the subject. This was in the third session of the Sixty-fifth Congress, and I want to read what I said then. I read from page 574 of the Record of that session:

We have these 120 Handley-Pages that will be built and turned over to the Army. Now, then, the law provides that the Army shall furnish the machines to the Post Office Department. Is it not better to use these machines for the service and utilize them instead of having the Post Office Department rent them to the Army? Is there not an extensive scheme of the Army? It would not be surprising to have the gentlemen before the committee that they are going to have the Army fly their own planes, that they will have Handley-Pages that will be built and then sent to the Army. As I got up this morning there was a report of the Post Office Department having the job of training pilots. These boys are finishing their course in flying. Why can we not utilize them in carrying on this mail service instead of having them make circles over the field and going across country in chase of an imaginary enemy? Every year the Post Office Department has spent about $1,000,000, and this year and next year before we go into this very extensive scheme of the Post Office Department.

Mr. LAGUARDIA. The Army is now experimenting with these very things, and I am not sure what we are to get out of it. If you leave it in the hangar it will get out of shape and out of use in a certain time. Now, with the personnel that we have, let us use the United States' 6,083 finished pilots, and we have 4,835 flying cadets. These boys are finishing their course in flying. Now, the intention of the Army is to give these you this training. We want to maintain, if we can, a sufficient force of trained pilots. These boys will be flying across country to make up this time, to get this experience. Why can we not utilize them in carrying on this mail service instead of having them make circles over the field and going across country in chase of an imaginary enemy? Why can we not utilize what we have and experiment for this year and next year before we go into this very extensive scheme of the Post Office Department.

Mr. LAGUARDIA. As far as I understand the bill, the money appropriated for the Army to do that very thing, let them do it in connection with this service. Then we will have not only a real Air Service for military purposes but also a well-regulated Postal Air Service. Then the money appropriated for the Army will not have been entirely wasted.

There is no doubt that we have sufficient planes in the Army and the Navy to carry out every reasonable undertaking that the Post Office Department desires to experiment on. Now, as to the personnel. We have to train young men to fly, who have not had the opportunity to go abroad are eager and anxious to do a little more flying. They know that they are not expert fliers, and they want to get all the experience they can. So this would furnish an excellent opportunity to establish an Air Postal Service with the personnel that it now has on hand.

This Postmaster General in order to get himself out of the scheme he presents to the committee he will require a thousand pilots, which he intends to pay $300 a month, 1,000 mechanics, which he will pay $160 a month, and 1,500 helpers.

The total amounts to $7,375,000. That is for personnel alone. The Army would furnish the second line on their present cost, which is only $4,261,500, a difference of $3,313,500; but I say that we would save more—I say that it is a saving of the entire appropriation of the Air Service of $7,000,000 if the Army can keep them occupied in useful and commercial flying. This was in December of 1918. I predicted at the time, and since at every opportunity I have observed on the subject that unless we do that we would spend hundreds of millions of dollars and have absolutely nothing to show for it; that if we permitted the Navy Department, the War Department, the Post Office Department, the Marine Corps, and the Department of Agriculture each to have its own air service we would have these departments competing with each other, and that instead of cooperation and coordination and instead of these being harmonious we would have these departments at ends fighting each other, and to-day, gentlemen, the hearings before the special committee justify the statement I took every time the HUNSINGER bill was before this House appropriating money for air purposes.
Mr. MCKINLEY. If you are going to take the flyers from the Army or the Navy, how do you expect to get them? By volunteering on the part of the men, or does the gentleman assume that the War Department is going to designate men who have volunteered for military service to do civilian work? Has the gentleman gone into that?

Mr. LAGUARDIA. Absolutely, and unless we do that, we are going to have an Army and a Navy on our hands which is not up to date. You have to give all of these men practical experience. I will go further and say that I do not see any reason why we cannot use our Navy for transporting mail and cargo. I would sooner have the ships used in such occupation than clearing around the ocean in wild flights. We are coming to that.

The type of planes which will eventually be used for carrying mail will be the bi-engine type of bombing machine. The lifting of the Government’s right to sight flight under varying weather conditions, will develop in our pilots the very skill in air navigation that is required in time of war, and the element of regularity involves a disciplinary factor that is of great importance. The practical training that our mechanics would receive is obvious, and it will also bring about constant development of material through the experience gained by many hours of flight under widely varying conditions. As an example of this we may cite the use of radio-direction apparatus, I spoke about that a moment ago. Also radiotelegraph, improvements in cameras, automatic stabilizers, improvements in various other things, which will give us the very opportunity that we are looking for to develop a real air service.

Mr. MANN. Do I understand the gentleman's recommendation is that the air service that carries the mail shall be under the direction and control of the War Department?

Mr. LAGUARDIA. I would not recommend that. My suggestion would be that the Post Office Department outline the routes and call upon the War Department to turn over the planes to carry the mail.

Mr. MANN. I am speaking of the carrying of the mail.

Mr. LAGUARDIA. Yes.

Mr. MANN. That is to be under the operation of the War Department after the mail leaves the post office and is put on the air.

Mr. LAGUARDIA. And delivered, just as it is now carried by a railway or a steamer.

Mr. MANN. Personally, I do not see why that might not be feasible, although, as a rule, departments do not work well together.

Mr. MCKINLEY. Does not the gentleman think it would be better for the War and Navy Departments to turn over their airplanes to the Post Office Department for the purpose of carrying the mail, that being its function? The Post Office Department could use the aviators under such regulations.

Mr. LAGUARDIA. Well, we are going to have a united air service; there is no doubt about that, unless we continue to waste millions of dollars. We have now the Army service, the Navy service, the Marine service. We have the Bureau of Standards experimenting; we have five different branches of the Government wasting millions, and if we unite all of them, the same as England has done and Italy is doing and France is doing, we will save millions—new considerations. We may assume that we have this service, it will be the easiest thing in the world to take care of all the needs of the Post Office Department. What I am trying to do is, inasmuch as the post office only desires to experiment—it asks nothing for the present, they say they have enough machines for this year—let us save this $2,500,000 and use the machines and personnel we have to carry on this scheme if they want to carry it out.

Mr. MURRAY of Iowa. If the gentleman will pardon the interruption, it seems to me to be as reasonable for the Post Office Department to ask to operate the engine on the railroad as to operate these.

Mr. LAGUARDIA. It is an analogous case.

Now gentlemen, it seems to me that with the experience of the past, the advantages of the present and present resources, we should now and from now on give more care, thought, and attention to legislation and appropriations for aviation. I hope none of my colleagues will get the impression that I am antagonizing an "I told you so" attitude. I am not. When I spoke in 1913, in 1910, or at any time thereafter on the subject of aviation, I simply sought to give the House the benefit of my experience, observation, and study of the subject. I sincerely believe that from now on we will get a more attentive hearing when we speak for a united service and for greater caution in expending appropriations.

In keeping with this policy of resisting every attempt for a combination of aviation activities, my bill, if passed, has struck a snare at the other side of the Capitol. Another bill which passed the House on the same day authorizes the Post Office Department to construct and operate planes, with private conditions, for the carrying of mail by airplanes has passed the Senate, has been signed by the President, and is now law. I do hope that the real friends of aviation will do something to awaken my bill from its slumber in the committee.

The CHAIRMAN. The time of the gentleman from New York has expired.

The Clerk completed the reading of the bill.

Mr. TAYLOR of Colorado. Mr. Chairman, I offer an amendment.

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

The Clerk reads as follows:

Amendment offered by Mr. TAYLOR of Colorado: On page 37, after line 17, add a new section, as follows:

Sec. A. When used in this section, unless the context indicates otherwise—

"The term 'service' means the Capitol Guide Service created by subsection B.

"The term 'board' means the board created by subsection B.

"The term 'guide' means any member of the Capitol Guide Service.

"The term 'building' means the United States Capitol Building.

"Sec. B. There is hereby created an organization, to be known as the Capitol Guide Service, which shall be under the supervision and control of a board consisting of the Architect of the Capitol, the Sergeant at Arms and Doorkeeper of the Senate, and the Sergeant at Arms of the House of Representatives.

"Sec. C. It shall be the duty of the service, under regulations promulgated by the board, to furnish free guide services to any person or persons desiring to view the interior of the building. The service shall be free except that a chief guide shall receive a salary of $1,800 a year, and 10 guides, who shall each receive a salary of $1,500 a year. Appointments to and removals from the service shall be made by the Board. The appointees to the service shall be chosen solely upon the basis of the special qualifications which fit them for the duties to be performed."

Mr. BLANTON. Mr. Chairman, I make a point of order against this speech.

Mr. MURPHY. Mr. Chairman, I make the point of order against the amendment that it is legislation on an appropriation bill.

Mr. BLANTON. I make the further point of order. Mr. Chairman, if I am in order, that the Committee on Appropriations has no authority over such legislation as is proposed in this amendment; that another committee of the Congress has authority over it; and the further point of order that this is not a limitation; and the further point of order that it is not such proposed legislation as would bring it within the Holman rule.

Mr. TAYLOR of Colorado. Mr. Chairman, I make a point of order against this speech.

Mr. BLANTON. And it is not germane to the bill or to any paragraph in the bill.

Mr. TAYLOR of Colorado. Mr. Chairman, it seems to me I have never heard of a member of the committee not being permitted to offer an amendment and have it read from the desk before it is considered and before the Chairman can rule whether it is in order or not.

The CHAIRMAN. The Chair has not ruled; but there is nothing to prevent a Member from rising in his seat and making a point of order.

Mr. TAYLOR of Colorado. It seems to me almost discourteous to do it before the amendment is read, and I insist upon a reading of the amendment.

Mr. CHINDELOM. Mr. Chairman, a point of order. It is under the rules proper to make a point of order when sufficient of the amendment has been read to indicate that it is out of order.

The CHAIRMAN. The gentleman can ask unanimous consent that his amendment be read in full.

Mr. TAYLOR of Colorado. I ask unanimous consent that the amendment be read, Mr. Chairman.

Mr. TAYLOR. Mr. Chairman, Colorado asks unanimous consent that his proposed amendment may be read in full for the information of the House.

Mr. BLANTON. With the reservation of points of order pending against it?

The CHAIRMAN. Yes; purely for information. Is there objection?

There was no objection.

The Clerk continued the reading of the amendment, as follows:

Sec. A. The board shall make and promulgate the regulations necessary for the operation of the service. Such regulations shall cover the schedule and routings of tours through the building, the oral informative data to be supplied the public, the personal conduct of
members of the service when on duty, the uniforms and insignia for the service, and such other phases of the work as in its judgment may be requisite.

Sec. 11. No guide shall make any charge for his official services, nor shall he be in the course of official duty speak in praise or censure of any person. Any violation of the provisions of this section shall be punished by immediate dismissal.

Sec. 12. No souvenirs, books, pamphlets, or cards shall be sold in the building, except as hereinbefore provided. The board shall have prepared an official pamphlet containing such historical and descriptive data concerning the building and the works of art therein as he may deem advisable, and copies thereof shall be kept on sale to the public at cost at the headquarters of the service. The expense of printing and binding the pamphlet shall be defrayed from the appropriation for printing and binding for Congress.

Sec. 13. The headquarters of the service shall be maintained in the rotunda of the building, and a guide shall be on duty there at all times during the hours the building is open to the public.

Sec. 14. The necessary expenses incident to the establishment and maintenance of the service, including uniforms and insignia for each guide, shall be defrayed from the appropriations made for such purposes. All appropriations for the service shall be disbursed, one-half by the Secretary of the Senate and one-half by the Clerk of the House of Representatives.

Sec. 15. The board may detail any guide to supplement the Capitol police when special occasions in the building or on the Capitol Grounds require additional police and the performance of the regular duties of the service are necessarily temporarily suspended by such occasion.

Sec. 16. For carrying out the purposes of this section the sum of $18,000 is appropriated, as provided in subsection H. Sunec. K. This section shall take effect on July 1, 1925.

The CHAIRMAN. The Chair is ready to rule. The amendment offered by the gentleman from Colorado not only creates new positions that are not now authorized by law but also prescribes duties for present officers of the Government. There is no question in the mind of the Chairman that this is legislation unauthorized by law, and therefore the Chair sustains the point of order.

Mr. TAYLOR of Colorado. Mr. Chairman, I offer another amendment.

The CHAIRMAN. The gentleman from Colorado offers an amendment which the Chair will report.

The Clerk reads as follows:

Amendment offered by Mr. TAYLOR of Colorado: Page 37, after line 7, add as a new section the following: 

"Sec. 4. No charge in excess of 15 cents per capita shall be made for guide services rendered by the Capitol guides to persons visiting the Capitol Building."

Mr. CHINDBLOM, Mr. BLANTON, and Mr. MURPHY resisted the point of order that this is not only legislation unauthorized on an appropriations bill but it is a change of existing law and changes the duties of certain officers whose duties are now prescribed by law, and further, that it is not germane either to the bill or the preceding amendments.

Mr. TAYLOR of Colorado. Mr. Chairman, it does seem to me that none of the objections made by the gentleman is tenable. In the first place, there is no law authorizing anybody to sell books or cards to sell stuff in or out of this building. There is no authority of that kind anywhere. In the second place, we have charge of this Capitol Building, or at least this end of it, and it is pusillanimous it seems to me to leave the precedent to exercise control over the building and determine how it shall be managed and who, if anybody, shall sell things here. We can provide here, if we want to, that guides may sell peanuts or chewing gum or anything else here, and it would not be a violation of any law. Furthermore, any offered amendment would be a regulation to protect the public. It does seem to me when it has been shown here, as I showed you yesterday, that people are selling a lot of stuff in this building for two or three times what it is worth, without any authority of law, that it is then within the province of this committee to consider and adopt an amendment to this bill to regulate how and what shall or shall not be sold in the building.

Mr. BLANTON. Will the Chairman yield?

Mr. TAYLOR of Colorado. Yes.

Mr. BLANTON. Has the Appropriations Committee the right to make regulations?

Mr. TAYLOR of Colorado. This is not the Appropriations Committee; this is the Committee of the Whole. This House has the right to make regulations; yes. This House has the right to regulate its own affairs and regulate them on or by any bill. It has a right to regulate how the building shall be managed and what, if anything, shall be sold in it.

Mr. HUDSPETH. If this House has not the right to regulate what shall be done in the building, who has the right? Or does a nuisance should arise or occur that a nuisance should have the right to regulate on it has only been 19 years since the saloons were put out of this building, and we have the absolute right to suppress or put out other nuisances. I want those private books and other stuff put out of here.

Mr. MURPHY. The gentleman will not say that the Appropriations Committee has the right to regulate in this building. This is a question of regulation. There is a regulation that can be changed at any time.

Mr. TAYLOR of Colorado. No. The good women of this country put the saloons out of this building. But I am not offering this as a member of the Appropriations Committee, I am offering it as a Member of this House, and I am offering this amendment in a small way than by doing so. I do not want to have this House further tolerate the practice of practically using official coercion to induce people to buy something they do not want and pay twice what it is worth for it.

Mr. MURPHY. There is a proper and regular way, in an orderly manner, of doing what the gentleman seeks to do. The gentleman himself knows how it should be done; he knows quite well that since the Appropriations Committee has been functioning under the Budget it should not attempt legislation of any kind on an appropriation bill. This is so obvious a truism that I do not further urge it.

The CHAIRMAN. The Chair is ready to rule. There is no question but that the House has the right to legislate on any proposition, but when it does so legislate it must legislate according to the rules of the House. This amendment presented by the gentleman from Colorado prescribes new and additional duties for the Architect of the Capitol and also regulates the people coming into the Capitol. This is a matter of legislation.

Mr. DOWELL. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. DOWELL. Has the Architect of the Capitol control of the Capitol Building?

The CHAIRMAN. That is not a parliamentary question, but this amendment prescribes additional duties for him, and he is an employee of the Capitol.
The motion was agreed to. Accordingly the committee rose: and the Speaker having resumed the chair, Mr. SWELL, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 12175) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1926, and for other purposes, and had directed him to report the same back with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. DICKINSON of Iowa. Mr. Speaker, I move the previous question on the bill and all amendments to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendments?

Mr. HOWARD of Nebraska. Mr. Speaker, I make the point that there is no quorum present.

Mr. DICKINSON of Iowa. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The doors were closed and the Sergeant at Arms was directed to bring in absentees.

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

[Roll No. 67]

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

Mr. DICKINSON of Iowa. Mr. Speaker, I move to dispense with further proceedings on the call.

The motion was agreed to.

The doors were opened.

The SPEAKER. The previous question has been ordered of the legislative appropriation bill and amendments thereto to final passage. Is a separate vote demanded upon any amendments?

Mr. DICKINSON of Iowa. Mr. Speaker, I demand a separate vote upon the Stengel amendment.

The SPEAKER. Is a separate vote demanded upon any other amendment? If not, the Chair will put them en masse.

The question is on agreeing to the amendment.

The motion was agreed to. Accordingly the Clerk read as follows:

Page 30, line 14, strike out "$105,775" and insert "$106,498."

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

The question was taken.

Mr. STEELE. Mr. Speaker, I demand a division. The House proceeded to divide.
The name of Anna B. Eicher, widow of Marcellus H. Eicher, late of Company B, Thirty-first Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Sarah E. Wilderman, widow of William L. Wilderman, late of Company I, First Regiment West Virginia Volunteer Cavalry, and pay her a pension at the rate of $50 per month through a legally appointed guardian in lieu of that she is now receiving.

The name of William Woody, helpless and dependent son of Heman Woody, late of Company B, Thirteenth Regiment Tennessee Volunteer Infantry, and pay him a pension at the rate of $20 per month.

The name of Hames J. Beam, late unassigned, Indiana Volunteer Infantry, and pay him a pension at the rate of $50 per month.

The name of Lucy J. Popejoy, widow of John S. Popejoy, late of Companies A and D, Eighty-third Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Alice E. Detrich, widow of John Detrich, late of Company B, Seventh Regiment Pennsylvania Volunteer Infantry (Thirty-sixth Regiment Pennsylvania Volunteers), and Company K, Eighty-third Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Lydia J. WARBURTON, helpless and dependent daughter of John H. Warburton, late of Company E, Fifty-seventh Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $20 per month through a legally appointed guardian.

The name of Charlotte Geske, helpless and dependent daughter of Charles Geske, late of Company K, Ninety-third Regiment Illinois Volunteer Infantry, and Company A, Second Regiment Veteran Reserve Corps, and pay her a pension at the rate of $20 per month through a legally appointed guardian.

The name of Hattie Geske, helpless and dependent daughter of Charles Geske, late of Company K, Ninety-third Regiment Illinois Volunteer Infantry, and Company A, Second Regiment Veteran Reserve Corps, and pay her a pension at the rate of $20 per month through a legally appointed guardian.

The name of Francis S. Haynes, alias Francis S. Reedy, late of Company H, Second Regiment Missouri Volunteer Cavalry, and Companies I and J, Forty-third Regiment Illinois Volunteer Infantry, and Nineteenth United States Volunteer Infantry, and pay him a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Jennie E. Sturr, widow of Jerome B. Sturr, late of Company I, One hundred and eighty-seventh Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Harriet Gardner, widow of Amos T. Gardner, late of Company K, First Regiment Pennsylvania Reserve Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary L. Young, widow of George YOUNG, late of Companies K and B, Thirty-first Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Eunice Scott, widow of Frederick Scott, late of Company B, Thirty-first Regiment Missouri Volunteer Infantry, and Companies A and B, Eighty-seventh Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Sarah C. Peterson, former widow of Riley C. Hodge, late of Company B, Thirty-first Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Eliza A. Holtz, widow of John S. Holtz, late of Company K, Fifth Regiment Ohio Volunteer Cavalry, and pay her a pension at the rate of $20 per month.

The name of Lydia A. Sturr, widow of John A. Sturr, late of Company A, One hundred and sixty-sixth Regiment Pennsylvania Drafted Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Harriet Atha, widow of William P. Atha, late of Independent Battery Third Ohio Volunteer Light Artillery, and pay her a pension at the rate of $30 per month.

The name of Mary E. Soper, former widow of Felix O'Brien, late of Company A, Sixty-ninth Regiment Missouri Volunteer Cavalry, and pay her a pension at the rate of $30 per month.

The name of Orpha H. Lawton, widow of James Lawton, late of Company D, One hundred and eighty-seventh Regiment Infantry, One hundred and twenty-first Regiment, Company J, and Fifty-fifth Regiment, Company I, Fourth Regiment New York Volunteer Artillery, and pay her a pension at the rate of $30 per month.

The name of Sarah P. DEMPSEY, widow of Edward W. Dempsey, late of Company C, Fourteenth Regiment West Virginia Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of George Taylor, helpless and dependent son of David Taylor, late of Company F, Thirtieth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $20 per month through a legally appointed guardian.

The name of Martha Abernathy, widow of Levi Abernathy, also known as Abernathy, late of Company D, Fifty-sixth Regiment Enrolled Missouri Volunteer Militia, and pay her a pension at the rate of $30 per month.

The name of Patrick H. Bushnell, also known as Patrick Bushell, late of Company H, One hundred and ninety-fourth Regiment New York Volunteer Infantry, and pay him a pension at the rate of $50 per month.

The name of Annie D. Deeleman, widow of Joseph Deeleman, late of Company A, Fourth Regiment New York Volunteer Heavy Artillery, and pay her a pension at the rate of $30 per month.

The name of Alice May, widow of Charles H. May, late of Company D, Fourth Regiment Pennsylvania Volunteer Cavalry, and Company H, Second Regiment Pennsylvania Provisional Cavalry, and pay her a pension at the rate of $30 per month.

The name of Sarah M. Boyle, widow of James A. Boyle, late of Company E, One hundred and thirty-ninth Regiment Illinois Volunteer Infantry, and Troop L, Second Regiment United States Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Ida V. Forbes, widow of Thomas O. Forbes, late of Company D, Thirty-ninth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Rachel R. Platter, widow of Henry B. Platter, late of Company A, Second Regiment Potomac Home Brigade, Maryland Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Josephine Overbaugh, widow of Lewis C. Overbaugh, late of Company C, Two hundred and second Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The name of Mary J. Hildreth, widow of George V. Hildreth, late of Company E, Twenty-sixth Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Joshua McWade, late of Capt. Franklin Provan's Company F, Thirtieth Regiment Enrolled Missouri Militia and Capt. Alexander R. Tate's Company F, Thirtieth Regiment Enrolled Missouri Militia, and pay him a pension at the rate of $30 per month.

The name of Francis Back, former widow of John Fehr, late of Company B, First Regiment Indiana Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Ellen Buckley, widow of Bartholomew Buckley, late of Company I, First Regiment Massachusetts Volunteer Heavy Artillery, and pay her a pension at the rate of $30 per month.

The name of Emma Justice, widow of Andrew G. Justice, late of Company A, Fifty-third Regiment, and Company G, Fifty-first Regiment, Wisconsin Volunteer Infantry, and pay her a pension at the rate of $50 per month.

The name of Moriah J. MITCHELL, widow of William H. Mitchell, late of Company B, Two hundred and ninth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Sarah A. Snyder, widow of William Snyder, late of Company B, Two hundred and ninth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary L. Koch, widow of George Koch, late of Company A, Eighty-seventh Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Sidney Cope, widow of Woodson Cope, late of Company E, Eighth Regiment Tennessee Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Mary A. Fuller, widow of Marshall C. Fuller, late of Company I, Sixteenth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary D. Smith, widow of Channing Smith, late of Company A, One hundred and sixteenth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.
The name of Mary J. Zimmerman, known as Mary J. Zinnerman, widow of Jacob Zimmerman, late of Company D, Forty-fourth Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Jennie Meyer, helpless and dependent daughter of William J. Meyer, late of Thirty-second Independent Battery, New York Volunteer Light Artillery, and pay her a pension at the rate of $30 per month through a legally appointed guardian.

The name of Rachel L. Spencer, helpless and dependent daughter of Charles Petr, late of Captain Brown's Independent Company, Indiana Legion Infantry, and Captain Adam L. Knapp's Company A, Seventh Regiment Indiana Legion, and pay her a pension at the rate of $20 per month.

The name of Katherine L. R. Parker, widow of Edmund A. Parker, late of Company F, Eighth Regiment Connecticut Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Rebecca Backman, widow of Charles M. Backman, late of Company E, One hundred and seventh Regiment New York Volunteer Infantry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving.

The name of Martha E. Lowery, widow of William Lowery, late of Company E, Eighth Regiment Missouri Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Jennie Hall, widow of Curr Hall, late of Company H, Fourteenth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $50 per month.

The name of Horace G. Sherman, helpless and dependent son of Leroy Sherman, late of Company H, Third Regiment West Virginia Volunteer Cavalry, and pay him a pension at the rate of $20 per month.

The name of Sarah F. Earray, widow of John C. Earray, late of Company G, Fifty-third Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Margaret Eek, widow of Ludwig Eek, late of Company E, Fourteenth Regiment Indiana Volunteer Infantry, and Battery C, Fourth Regiment United States Volunteer Artillery, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving: Provided, That in the event of the death of Louise E. Eek, helpless and dependent daughter of said Margaret and Ludwig Eek, the additional pension herein granted shall cease and determine; And provided further, That in the event of the death of Margaret Eek, the name of said Louise E. Eek shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of Margaret Eek.

The name of Julia M. Murphy, widow of Henry Murphy, late of Company D, Eighth Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Frances M. Loper, widow of George P. Loper, late of Company F, Eighteenth Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Inez F. Roberts, former widow of William B. Evans, late of Company D, One hundred and twenty-sixth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Nellie B. Alsworth, helpless and dependent daughter of Thomas Alsworth, late of Company G, Ninety-eighth Regiment New York Militia Infantry, and pay her a pension at the rate of $20 per month.

The name of Margaret Johnson, widow of William F. Eurch, late of Company G, Ninth Regiment New York Volunteer Cavalry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving.

The name of Lucy M. Walker, widow of Charles M. Walker, late of unassigned Second Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The name of Lula E. Miller, widow of Francis H. Miller, late of Company E, Sixth Regiment Indiana Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Elizabeth B. Painter, widow of Isaac N. Painter, late of Company C, Tenth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Martha Johnson, widow of Ashley Johnson, late of Company B, Seventy-ninth Indiana Volunteer Infantry, and Company E, Eighth Regiment Indiana Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.  

The name of Amelia A. Wood, widow of James Wood, late of Company M, First Regiment Indiana Volunteer Cavalry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving.

The name of Albert M. Kirk, helpless and dependent son of Francis M. Kirk, late of Company A, One hundred and forty-fourth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $20 per month through a legally appointed guardian.

The name of Joseph A. Ross, former widow of Jacob Shepfer, late of Company C, Fifth Regiment Indiana Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary A. Rodgers, widow of James Rodgers, late of Tenth Battery Indiana Volunteer Light Artillery, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of James McDonald, helpless and dependent son of John K. McDonald, late of band Third Brigade, Second Division, Twentieth Army Corps, Civil War, and pay him a pension at the rate of $20 per month through a legally appointed guardian.

The name of Joseph Alfers, alias Joseph Alter, late of Company I, Fifty-sixth Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of $50 per month.

The name of Rachel L. Spencer, former widow of James H. Quillen, late of Company D, Fourteenth Regiment Indiana Volunteer Infantry, and Company C, First Regiment Indiana Volunteer Heavy Artillery, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving: Provided, That in the event of the death of James H. Quillen, helpless and dependent widow of Rachel L. and James H. Quillen, the additional pension herein granted shall cease and determine: And provided further, That in the event of the death of Rachel L. Spencer the name of said Nancy E. Quillen shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Rachel L. Spencer.

The name of Emma C. Alten, widow of Albert M. Alten, late of Company D, One hundred and eighteenth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Julia E. Embleck, widow of Aaron Embleck, late of Company E, One hundred and thirty-seventh Regiment Pennsylvania Volunteer Infantry, and Company D, First Regiment Pennsylvania Veteran Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary E. Piper, widow of Henry B. Piper, late of Company E, Eleventh Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary A. Crum, widow of Moses Crum, late of Company I, Two hundred and fifty-seventh Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Martha Burritt, widow of Reason Burritt, late of Company E, First Regiment West Virginia Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Margaret J. Coss, widow of Theodore Coss, late of Company G, Fifteenth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The name of Margaret R. McClear, now Humphrey, former widow of David McClaran, late of Company C, One hundred and twenty-sixth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Flora A. Fuller, widow of Thaddeus H. Fuller, late of Independent Company, Trumbull Guards, Ohio Volunteer Infantry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving.

The name of Mary E. Desilms, widow of Theodore Desilms, late of Company K, Fifteenth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Elizabeth Vansoffsen, helpless and dependent daughter of George Vansoffsen, late of Company B, One hundred and twenty-sixth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The name of Anna F. Ault, widow of Joseph C. Ault, late of hospital service, Second Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Victor Clark, helpless and dependent son of Robert B. Clark, late of Company A, One hundred and thirty-fourth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $20 per month through a legally appointed guardian.
The name of Margaret A. Hashka, widow of James W. Hashka, late of Company E, One hundred and forty-sixth Regiment Ohio National Guard Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of William C. Jameson, late of Company I, First Regiment Illinois Volunteer Cavalry, and Company H, Fourteenth Regiment Illinois Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary E. Fitchett, widow of Elias Fitchett, alias Elias Fidget, late of Battery B, Second Regiment United States Volunteer Colored Light Artillery, and pay her a pension at the rate of $50 per month.

The name of William M. Silver, helpless and dependent son of Joshua J. Silver, late of Company H, One hundred and fifty-sixth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of $50 per month through a legally appointed guardian.

The name of Daniel W. Roberts, late of Capt. Henry N. Cook's Boone County Missouri Militia, and pay him a pension at the rate of $50 per month.

The name of Elizabeth Lilly, widow of Byron Lilly, late of Company E, Thirty-second Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Rebecca M. Reese, widow of Austin D. Reese, late of Company I, One hundred and forty-second Regiment Ohio National Guard, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Susan V. Rogers, widow of Charles W. Rogers, late of Company C, Seventy-sixth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Catherine D. Jones, widow of John F. M. Jones, late of Captain James G. Latham's Company K, Ninth Regiment Provisional Enrolled Missouri Militia, Capt. Shashel Parham's Provisional Company A of the Maries County Enrolled Militia of Missouri, and Capt. John M. Beasley's Company B, Maries County Battalion Enrolled Missouri Militia, and pay her a pension at the rate of $50 per month.

The name of Polly Snyder, widow of Samuel Snyder, late of Company E, Forty-ninth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Elizabeth Snyder, widow of Henry Snyder, late of Company I, Thirty-first Regiment Indiana Volunteer Infantry, and First Regiment United States Veteran Engineers, and pay her a pension at the rate of $50 per month.

The name of Mary A. Fife, widow of Andrew Fife, late of Company D, Sixty-first Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Victoria M. Dean, former widow of Liberty B. Sampson, late of Company B, Thirty-fourth Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Sarah E. Hamilton, widow of William W. Hamilton, late of Company F, One hundred and twentieth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Margaret M. Blackard, widow of William L. Blackard, late of Company K, One hundred and twentieth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary E. Sherbondy, widow of George W. Sherbondy, late of Company F, One hundred and twentieth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving; Provided, That in the event of the death of Laura Sherbondy, helpless and dependent daughter of said Mary E. and George W. Sherbondy, the additional pension herein granted shall cease and determine: And provided further, That in the event of the death of Mary E. Sherbondy, the name of said Laura Sherbondy shall be placed subject to the provisions and limitations of the pension laws, at the rate of $30 per month from and after the date of death of said Mary E. Sherbondy.
The name of Elizabeth Mills, widow of William Mills, late of Company F, Fifth Regiment West Virginia Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Laura A. Moore, widow of Orton Moore, late of Company F, First Regiment New Hampshire Volunteer Heavy Artillery, and pay her a pension at the rate of $50 per month.

The name of Elizabeth Stone, widow of Frank Stone, late of Company K, Twenty-third Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Phoebe S. Dearborn, widow of John Dearborn, late of Company C, Fifth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Henry E. Michael, widow of Jacob O. Michael, late of Company F, Second Regiment Maryland Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Annie Vandersgrift, widow of George W. M. Vandegrift, late of Company E, Ninth Regiment New York Volunteer Heavy Artillery, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving.

The name of Theodora E. Eisenhart, widow of Casper A. Eisenhart, also known as Anton Eisenhart, late of Company D, Twenty-seventh Regiment Enrolled Missouri Volunteer Militia, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The name of John Jackson, widow of Lockhart P. Jackson, late of Company I, One hundred and thirty-sixth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Aibile Osborne, widow of Alman Osborne, late of Company D, First Regiment Michigan Volunteer Heavy Artillery, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Agnes Hayburn, widow of William H. Hayburn, late of Company I, Fourth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Maggie Brown, helpless and dependent daughter of Amanda D. Brown, late of Company D, Fifth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The name of Adaline R. Springer, widow of William O. G. Springer, late surgeon's steward, United States Navy, Civil War, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary J. Alton, widow of Cyrus D. Alton, late of Company G, Two hundred and third Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Stella M. Wagner, helpless and dependent daughter of Henry Wagner, late of Company A, Second Regiment United States Veteran Volunteer Infantry, and pay her a pension at the rate of $20 per month through a legally appointed guardian.

The name of Mary E. Wakefield, widow of George Wakefield, late of Company D, Sixty-ninth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The name of Harriet L. Steele, widow of Samuel Steele, late of Company A, Seventy-fifth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Nancy I. Martin, widow of Emekiel Martin, late of Company E, Seventy-fifth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Frederick M. Davis, late of Capt. William N. Wilson's Company D, Fifty-sixth Regiment Missouri Enrolled Militia, and pay him a pension at the rate of $50 per month.

The name of Mary L. Daniels, widow of Ormando R. Daniels, late of Company E, Fifth Regiment New York Volunteer Engineers, and pay her a pension at the rate of $30 per month.

The name of Elizabeth J. Chambers, widow of Henry Chambers, late of Company K, Twenty-second Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Millie F. Hemings, widow of Charles T. Hemings, late of Company I, Thirty-fourth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Lizzie J. Fagin, widow of Abner D. Fagin, late of Company F, Eighty-ninth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Phedora J. Black, former widow of John L. Black, late of Company K, One hundred and thirty-ninth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Cordelia A. Wilson, widow of Thomas B. Wilson, late of Company E, One hundred and thirty-fifth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Margaret M. Altman, widow of John F. Altman, late of Company E, Sixty-seventh Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Lewis K. Kuhn, helpless and dependent son of William K. Kuhn, late of Company K, Sixth Regiment Pennsylvania Volunteer Heavy Artillery, and pay him a pension at the rate of $20 per month through a legally appointed guardian.

The name of Catherine Eichborn, widow of George W. Eichborn, late of Companies L and E, Fifth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Henry Davis, widow of John W. Burton, late of Company G, Forty-sixth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving.

The name of Moll J. Jones, widow of Decatur Jones, late of Company G, Forbes's battery Ohio Volunteer Infantry and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Maud Grinstead, helpless and dependent daughter of George T. Grinstead, late of Company F, Eighth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of $20 per month through a legally appointed guardian.

The name of Nellie M. Mills, widow of Benjamin F. McCann, late of Company A, Thirty-sixth and Thirty-fourth Regiments Ohio Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Lutie N. Woods, widow of Milton Woods, late of Company D, Tenth Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mahala D. Herford, former widow of Howley Herford, late of Company C, Twenty-third Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Anna L. Adams, helpless and dependent daughter of Thomas L. Adams, late of Company K, Second Regiment Missouri Volunteer Light Artillery, and pay her a pension at the rate of $20 per month through a legally appointed guardian.

The name of Katharine Whipple, widow of William Whipple, late of Company I, One hundred and twenty-third Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Emily J. Cunningham, widow of William P. Cunningham, late of Company K, Thirteenth Regiment West Virginia Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Charles E. Cardinal, helpless and dependent son of Frank B. Cardinal, late of Company D, Sixtieth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Frances Payne, widow of Edgar Payne, late of Company K, One hundred and ninth Regiment United States Volunteer Colored Infantry, and pay her a pension at the rate of $30 per month.

The name of Amanda C. Dunham, widow of Abram Dunham, late of Company D, Eleventh Regiment New Jersey Volunteer Infantry, and Seventeenth Company, Second Battalion, Veteran Reserve Corps, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Laura Y. Adams, widow of Wiley Adams, late of Company G, Seventy-ninth Regiment United States Volunteer Colored Infantry, and pay her a pension at the rate of $30 per month.
The name of Eunice 1. Lewis, late of Company L, Eighteenth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Annie M. Jackson, widow of Thomas Jackson, late of Company F, Seventy-second Regiment Ohio Volunteer Infantry, and Company D, Third Regiment Ohio Volunteer Cavalry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving.

The name of Flora A. Overmire, widow of Albert Overmire, late of Company K, Fifty-seventh Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Margaret S. Morrall, widow of John E. Morrall, late of Company E, Fifty-ninth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Elizabeth Bradford, widow of Ruhl M. Bradford, late of Company C, One hundred and forty-fourth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Laura J. Hicks, widow of James L. Hicks, late of Companies F and E, Ninth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The name of Mary E. Behymer, widow of Thomas J. Behymer, late of Company A, Fifth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Sarah Wurtzbaugh, widow of John Wurtzbaugh, late of Company C, One hundred and seventy-fourth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Matilda A. Guilt, former widow of George R. Guilt, late of Company G, Forty-seventh Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Marjorie A. Smith, widow of Jeremiah Smith, late of Seventh Independent Battery Ohio Volunteer Light Artillery, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Caroline C. Bower, widow of Reuben W. Bower, late of Company H, Seventh Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Geneva Hathaway, widow of Martin Hathaway, late of Battery C, Second Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Dorcas Quigley, widow of William L. Quigley, late of Company D, Eighty-sixth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Sarah Blodgett, widow of Jared O. Blodgett, late of Company G, Ninety-sixth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Maria A. Breed, widow of Alonso Breed, late of Company A, Twentieth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Priscilla A. Atwood, widow of Thomas A. Atwood, late of Company A, Sixteenth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Sarah L. Darr, widow of John L. Darr, late of Company K, Fifteenth Regiment Missouri Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary V. Hankins, widow of Thompson Hankins, late of Company A, One hundred and Sixteenth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $50 per month.

The name of Emily Plunkett, widow of Jesse Plunkett, late of Company K, Fifty-third Regiment Kentucky Mounted Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary Elizabeth Weller, widow of Sanford H. Weller, late of Company F, First Regiment New York Volunteer Light Artillery, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Lelia J. Yeagley, widow of Charles H. Yeagley, late of Company E, Thirty-eighth Regiment, and unassigned One hundred and twenty-eighth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving.

The name of Sarah E. Madison, widow of George R. Madison, late musician Fifty-sixth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary A. Hester, widow of James H. Hester, late of Company D, Second Regiment Kansas Volunteer Cavalry, and pay her a pension at the rate of $50 per month.

The name of Mary E. Behymer, widow of Thomas J. Behymer, late of Company A, Fifth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Sarah Wurtzbaugh, widow of John Wurtzbaugh, late of Company C, One hundred and seventy-fourth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Matilda A. Guilt, former widow of George R. Guilt, late of Company G, Forty-seventh Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Marjorie A. Smith, widow of Jeremiah Smith, late of Seventh Independent Battery Ohio Volunteer Light Artillery, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Caroline C. Bower, widow of Reuben W. Bower, late of Company H, Seventh Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Geneva Hathaway, widow of Martin Hathaway, late of Battery C, Second Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Dorcas Quigley, widow of William L. Quigley, late of Company D, Eighty-sixth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Sarah Blodgett, widow of Jared O. Blodgett, late of Company G, Ninety-sixth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Maria A. Breed, widow of Alonso Breed, late of Company A, Twentieth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Priscilla A. Atwood, widow of Thomas A. Atwood, late of Company A, Sixteenth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Sarah L. Darr, widow of John L. Darr, late of Company K, Fifteenth Regiment Missouri Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary V. Hankins, widow of Thompson Hankins, late of Company A, One hundred and Sixteenth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $50 per month.

The name of Emily Plunkett, widow of Jesse Plunkett, late of Company K, Fifty-third Regiment Kentucky Mounted Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.
The name of Phoebe E. Betts, former widow of George Halter, late of Company E, One hundred and sixty-fourth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Elvira E. Capener, widow of James W. Capener, late of Company F, Fifty-sixth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Katie Kriger, widow of Jacob Kriger, late of Company K, One hundred and first Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary B. Carpenter, widow of Albert R. Carpenter, late of Company E, Seventy-first Regiment New York State Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Ellen A. Frost, widow of Nathaniel E. Frost, late of Company A, One hundred and thirty-first Regiment New York Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary H. Hight, widow of John H. Hight, late of Company E, Thirtieth Regiment Vermont Volunteer Infantry, and pay her a pension at the rate of $60 per month in lieu of that she is now receiving.

The name of Sarah Ladson, former widow of John Hines, late of Company I, Second Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Margaret McCullough, widow of William McCullough, late of Company F, Thirty-sixth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary E. Russell, widow of Augustus J. Russell, late of Company A, Fifty-seventh Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Ella Ann Powell, widow of Ambrose C. Powell, late of Company A, Second Regiment Florida Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary A. Graham, widow of John W. Graham, late of Company D, First Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Elizabeth Gille, helpless and dependent daughter of Christian Gille, late of Company F, One hundred and seventy-eighth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary B. Armstrong, widow of John W. Armstrong, late of Company B, Sixth Regiment Tennessee Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Julia F. Browning, widow of Arthur Browning, late of Company I, Fourteenth Regiment Kentucky Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary A. Graham, widow of John W. Graham, late of Company D, First Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary J. Miller, widow of John B. Miller, late of Company M, Twenty-first Regiment Illinois Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary A. Schaw, widow of John M. Schaw, late of Company I, Third Regiment Ohio Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary B. Wentz, widow of James H. Wentz, late of Company K, Nineteenth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Prudence E. Blair, widow of George Blair, late of Company B, Nineteenth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of James Wagner, widow of George Wagner, alias George Mellen, late of Company D, Fifty-sixth Regiment United States Volunteer Colored Infantry, and pay her a pension at the rate of $30 per month.

The name of Eliza Price, widow of William A. Price, late of Company B, First Regiment Provisional Enrolled Missouri Volunteer Militia, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Sarah M. Merceran, widow of Fayette Merceran, late of Company F, One hundred and forty-seventh Regiment New York Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Alice J. Selby, widow of Henry Dalton Selby, late of Company E, Third Regiment Pennsylvania Volunteer Cavalry, and pay her a pension at the rate of $20 per month.

The name of Maria Illis, widow of Samuel Illis, late of Company C, Second Regiment West Virginia Volunteer Cavalry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving.

The name of Lewis C. Jones, helpless and dependent son of Thomas M. Jones, late of Company H, Thirteenth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The name of Edith McCulloch-Bourke, widow of William H. Heen-Bourke, late of Company I, First Regiment Iowa Volunteer Cavalry, and pay her a pension at the rate of $50 per month.

The name of Mary E. Mullen, widow of James N. Mullen, late of Company A, Thirty-eighth Regiment, and Company F, Thirty-fourth Regiment, Iowa Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary B. Hamilton, former widow of George H. Norris, late of Company G, Eighty-sixth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Anna Boggess, widow of Oliver P. Boggess, late of Company B, Seventh Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Elizabeth Keller, helpless and dependent daughter of George W. Kellor, late of Company I, Nineteenth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The name of Melinda J. Eubanks, widow of William Eubanks, late of Company C, First Regiment Arkansas Volunteer Cavalry, and pay her a pension at the rate of $50 per month through a legally appointed guardian in lieu of that she is now receiving.

The name of Benjamia F. Brown, late of Company M, Thirty-first Regiment Enrolled Missouri Militia, and pay him a pension at the rate of $50 per month.

The name of Linda Stuber, widow of Johile F. Stuber, late of Company I, Twenty-fourth Regiment Kentucky Volunteer Infantry, and Company K, Sixth Regiment Kentucky Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary A. Watkins, widow of Oliver M. Watkins, late of Company G, One thousand and thirty-second Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Alexander L. Line, former widow of George H. Norris, late of Company K, Seventh Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Sarah J. Garthwait, widow of Oliver C. Garthwait, late of Company D, Forty-ninth Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Margaret M. Self, widow of John M. Self, late of Company K, One hundred and thirty-seventh Regiment New York Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Hattie E. Harvey, widow of Francis A. Harvey, late of Company E, One hundred and seventy-ninth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The name of Isaac L. Beton, former widow of Asaiah C. Brandung, late of Company I, Thirty-fourth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $50 per month.

The name of Elizabeth C. Ewing, widow of John F. Ewing, late of Company K, Eighth Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Lucy L. Lamb, widow of William I. Lamb, late of Company B, Seventeenth Regiment Indiana Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.
The name of Alice L. Pond, widow of Aaron B. Pond, late of Company K, First Regiment Massachusetts Volunteer Heavy Artillery, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary C. Marvin, widow of Charles M. Marvin, late unassigned, Third Regiment Pennsylvania Volunteer Heavy Artillery, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Caroline Cox, widow of Edward Cox, late of First Independent Battery, Wisconsin Volunteer Light Artillery, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Georgia A. Godwin, widow of Cornelius Godwin, late of Capt. William H. Smith's Company E, Third Battalion, First Regiment Kentucky Capitol Guards, and pay her a pension at the rate of $20 per month.

The name of Frances Miller, widow of Thomas J. Miller, late of Company E, Forty-seventh Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary A. Corwin, widow of George W. Corwin, late of Company B, One hundred and Fiftieth New York Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Martha Weston, widow of Jiram J. Weston, late of Company B, Thirty-seventh Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $10 per month in lieu of that she is now receiving.

The name of Rachel Wood, widow of Samuel Wood, late of Companies G and B, Sixteenth Regiment Pennsylvania Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving: Provided, That in the event of the death of Katie Wood, helpless and dependent daughter of said Rachel and Samuel Wood, the additional pension herein granted shall cease and determine: And provided further, That in the event of the death of Rachel Wood the name of said Katie Wood shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of $20 per month from and after the date of death of said Rachel Wood.

The name of Elizabeth Siegler, widow of John F. Siegler, late of Company H, Eighth Regiment California Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Jna M. Uline, widow of George A. Uline, late of Company D, One hundred and twenty-fifth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Carrie E. Miett, widow of Oliver Miett, late of Company B, Third Regiment Rhode Island Volunteer Heavy Artillery, and pay her a pension at the rate of $30 per month.

The name of Matilda Hester, former widow of Alexander C. Noble, late of Company Seven, Seventeenth Regiment Missouri State Militia Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Sarah A. Chadwick, widow of Thomas W. Chadwick, late of Company C, Twenty-seventh Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Ellen Manix, widow of John Manix, late of Company G, Twenty-seventh Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Hattle Reynolds, widow of Henry Reynolds, late of Second Battery, Wisconsin Volunteer Light Artillery, and pay her a pension at the rate of $30 per month.

The name of Nathan S. Hamilton, helpless and dependent son of Richard S. Hamilton, late of Company I, Eighty-fifth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $20 per month.

The name of Ellen Gwin, widow of David Gwin, late of Company D, Fourteenth Regiment New York Volunteer Heavy Artillery, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Henrietta D. Washburn, widow of Ira Washburn, now receiving.

The name of Laura K. Cummings, widow of Frederick A. Cummings, late of Company D, Second Regiment Wisconsin Volunteer Infantry, and Ninth Independent Battery Massachusetts Volunteer Light Artillery, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary Ellen Monts, widow of Aaron B. Pond, late of Company F, One hundred and eigth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Rachel Peace, widow of Joseph Peace, jr., late of Company A, Forty-ninth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Susan O. Jellison, widow of Benjamin H. Jellison, late of Company C, Nineteenth Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Miriam A. Buck, widow of Erasmus A. Buck, late of Captain Graham's Cavalry Company, attached to Fourteenth Regiment Missouri Volunteer Infantry (Home Guard), and pay her a pension at the rate of $30 per month.

The name of Ellen Littell, widow of Peter Littell, late of Company E, Eleventh Regiment and Company I, Eighty-ninth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $50 per month.

The name of Sarah C. Gros, widow of Benjen Gros, late of Company F, Sixth Regiment Michigan Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Sarah Andrews, helpless and dependent daughter of Joseph M. Andrews, late of Company C, Second Regiment Tennessee Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The name of Mary J. Herbert, widow of Henry H. Herbert, late of Regiment I, Sixteenth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Emma S. Gray, widow of James K. Gray, late of Company B, Twenty-fourth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Anne Davis, widow of Thomas W. Davis, alias Thomas D. Evans, late of United States Navy, Civil War, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Hattle Johnson, widow of Franklin Johnson, late of Company B, Twenty-fourth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Anna E. Reeves, widow of Hiram J. Reeves, late of Company D, Fifty-seventh Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Carrie E. Carley, widow of William T. Carley, late acting master's mate, United States Navy, Civil War, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Luther L. Dool, late of Company D, Eighty-sixth Regiment New York Volunteer Infantry, and Company C, First Regiment Thirteenth Pennsylvania Reserve, Forty-second Regiment Volunteer Infantry, and pay him a pension at the rate of $50 per month.

The name of Nancy J. Sheeny, widow of Michael A. Sheeny, late of the One hundred and twenty-eighth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Lue J. Cornell, helpless and dependent daughter of Rolfin T. Cornell, late of Company B, One hundred and fifty-sixth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $20 per month.

The name of Angelina Stuck, widow of John C. Stuck, late of Company B, One hundred and fifteenth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $50 per month.

The name of Corna O. Russell widow of Francis M. Russell, late of Company G, One hundred and sixty-first Regiment Ohio National Guard Volunteer Infantry, and pay her a pension at the rate of $50 per month.

The name of Mary Ellen Monts, widow of Sol Monts, late of Company F, One hundred and forty-second Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Julia H. Platt, widow of George A. Platt, late of Company D, One hundred and forty-fifth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary Powell, widow of Edmond W. Powell, late of Company A, Thirty-third Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.
The name of Melia A. Parker, widow of Ortha C. Parker, late of Companies G and E, Eighth Regiment New York Volunteer Heavy Artillery, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Sarah F. Buck, widow of Sewall M. Buck, late of Company F, First Regiment New Hampshire Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Charles H. Putnam late of Capt. James O. Chandler's company, National Guards, New Hampshire Volunteer Militia, and pay him a pension at the rate of $50 per month.

The name of Mollie H. Pugh, widow of Odieh Pugh, late of Company H, Thirteenth Regiment United States Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Eldora Howard, widow of Jerry Howard, late of Company B, Seventeenth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Synthia Freeman, widow of Seth Freeman, late of Company C, Second Regiment North Carolina Volunteer Mounted Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Maria H. Kane, widow of William T. Kane, late of Company G, Eleventh Regiment Ohio Volunteer Calvary, and pay her a pension at the rate of $30 per month.

The name of Alida Cob, widow of Oliver H. Cob, late of Company K, Nineteenth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Mary H. Kline widow of Bennville Kline, late of Company E, One hundred and thirty-eighth Regiment Ohio National Guard Volunteer Infantry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The name of Lucinda L. Lobdell, widow of James B. Lobdell, late of Company D, One hundred and forty-second Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary Weller, helpless and dependent daughter of Charles Weller, late of Company I, Sixteenth Regiment Pennsylvania Volunteer Cavalry, and pay her a pension at the rate of $30 per month through a legally appointed guardian.

The name of Amelia Harvey, widow of George W. Harvey, late of Company J, Fourteenth Regiment New York Volunteer Heavy Artillery, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Jennie O'Donahue, widow of Patrick O'Donahue, late of Company M, Twenty-first Regiment New York Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary E. Rittenhouse, widow of James Rittenhouse, late of Company D, Ninetieth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $50 per month.

The name of Mania Vartanian, widow of Dr. Garabed E. Vartanian, late of Company G, Eighth Regiment United States Volunteer Infantry, Civil War, and pay her a pension at the rate of $30 per month.

The name of Margaret J. Hambaugh, widow of William A. Hambaugh, late of Company G, Third and Fifth Regiments Kentucky Volunteer Infantry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The name of Emesy O. Young, widow of David Young, late of Company D, Second Regiment Iowa Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary K. Read, widow of Herbert H. Read, late of Company H, Second Regiment Connecticut Volunteer Heavy Artillery, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary L. Greenwood, widow of Joseph Greenwood, late of Company I, Forty-third Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The name of Harriet Gale, widow of Rufus Gale, late companies Eighth Regiment Indiana Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Frances J. Neighbors, widow of George W. Neighbors, late of Company A, Twelfth Regiment Kentucky Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Rebecca Pardoe, widow of John C. Pardoe, late of Company K, Ninth Regiment Kentucky Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Josephine McDonald, widow of John McDonald, late of Company K, Second Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Dora Brückner, widow of Richard Brückner, late of Company G, Thirty-ninth Regiment Wisconsin Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Alice H. Holmes, widow of Bartholomew Holmes, late of Company E, Fifty-fourth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving.

The name of Mary L. Hershberger, widow of Eli Hershberger, late of Company G, One hundred and sixty-second Regiment Ohio National Guard Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Elizabeth Wilder, widow of J. Prescott Wilder, late of Seventh Battery, Massachusetts Volunteer Light Artillery, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Priecilla A. Fuller, widow of William M. Fuller, late of Company L, Eighth Regiment New York Heavy Artillery, and Company H, Tenth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The name of Hannah B. Owen, widow of Gilmore C. Owen, late of Company C, Ninety-fourth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary J. Chisholm, widow of John P. Chisholm, late of Company L, Twenty-second Regiment Pennsylvania Volunteer Cavalry, and Company L, Third Regiment Pennsylvania Provisional Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Melissa E. Land, widow of Spencer McCann, late of Company F, Ninety-seventh Regiment, and Company J, Twenty-sixth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Mary J. Glidden, widow of Harrison Henry, late of Company K, Twenty-seventh Regiment New York Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Serena Bean, helpless and dependent daughter of Cyrus Bean, late of Company C, One hundred and fifty-seventh Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $20 per month through a legally appointed guardian.

The name of Sallie F. Copeland, widow of William W. Copeland, late of Company G, Sixth Regiment United States Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Margaret Ahern, widow of Patrick F. Ahern, alias Patrick Herding, late of Company A, Third Regiment Rhode Island Volunteer Cavalry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The name of Margaret R. Skidmore, widow of Hiram Skidmore, late of Company I, Third Regiment West Virginia Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary H. Wilcox, widow of William W. Wilcox, late of Company D, Second Regiment United States Sharpshooters, and Company L, Twenty-fourth Regiment Veteran Reserve Corps, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving.

The name of Mary L. Gilson, former widow of Harrison Henry, late of Company K, Twenty-seventh Regiment New York Volunteer Infantry, and pay her a pension at the rate of $20 per month in lieu of that she is now receiving.

The name of Serina Bean, helpless and dependent daughter of Cyrus Bean, late of Company C, One hundred and fifty-seventh Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $20 per month through a legally appointed guardian.

The name of John P. Chisholm, widow of William Hutchinson, late of Company B, Seventy-seventh Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.
The name of Louis J. Honaker, widow of Benjamin Honaker, late of Company H, Fourth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Polly F. Gould, widow of William K. Gould, late of Company K, Fifty-third Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $40 per month in lieu of that she is now receiving.

The name of Elizabeth C. Water, widow of John B. Waters, late of Company K, One hundred and forty-second Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Frances A. Horr, widow of George Gould, late of Company B, Second Regiment New York Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Julia D. Gould, widow of George Gould, late of Company K, Second Regiment New York Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of her present pension.

The name of Sarah Capron, widow of Edmund Capron, late of Company K, One hundred and twenty-third Regiment New York Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Susan Land, widow of Nathan Land, late of Company A, First Regiment New Jersey Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Marilla Stadler, widow of John G. Stadler, late of Company B, Thirty-second Regiment New York Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary A. Redd, widow of Mordecai Redd, late of Company K, Thirty-third Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Robert McDonald, widow of George W. McDonald, late of Company K, One hundred and ninetieth Regiment Pennsylvania Volunteer Infantry, and Company K, Thirteenth Regiment Pennsylvania Reserve Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Ellen Williams, widow of Noah S. Williams, late of Company B, Fortieth Regiment Illinois Volunteer Infantry, and Company K, Thirteenth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Jennie Dickinson, helpless and dependent daughter of James D. Dickinson, late of Company B, Seventeenth Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of $20 per month for the benefit of a legally appointed guardian.

The name of Richard King, late of Capt. Patrick Berry's Stone County company, Missouri Volunteer Militia, and pay him a pension at the rate of $30 per month.

The name of Lucinda Geary, widow of Paul Geary, late of Company A, Sixty-sixth Regiment United States Colored Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Frances H. Underwood, widow of George D. Underwood, late of Company E, First Regiment Wisconsin Volunteer Infantry, and Company C, Eighty-eighth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Alice A. Minck, widow of John S. Minck, late of Company D, Fifth Regiment Missouri State Militia Volunteer Infantry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The name of John Nixey, helpless and dependent son of Timothy Nixey, late of Company E, Eighty-ninth Regiment Indiana Volunteer Infantry, and pay him a pension at the rate of $20 per month through the United States, by the father appointed guardian.

The name of Sadie Humphrey, widow of William W. Humphrey, late of Company F, One hundred and eighty-eighth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Mary Campbell, widow of Joseph Campbell, late of Company F, One hundred and forty-second Regiment New York Volunteer Infantry, and pay her a pension at the rate of $30 per month in lieu of that she is now receiving.

The name of Dorthulla E. Smith, widow of John R. Smith, late of Company G, Twenty-third Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Eliza Hatten, widow of Francis W. Hatten, late of Company I, Ninth Regiment West Virginia Volunteer Infantry, and Company D, First Regiment West Virginia Veteran Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Sarah F. Berry, widow of William Berry, late of Captain Galbraith's company, Alabama Scouts and Guides, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Pauline Lisle, former widow of William Kaiser, late of Companies E and D, Sixth Regiment United States Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Nancy Bevan, widow of Rufus M. Beverage, late of Company A, Sixty-third Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Jemima B. Downer, widow of Erasmus H. Downer, late of Company A, Fourteenth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Martha E. Henderson, widow of Francis M. Henderson, late of Company H, Fourteenth Regiment, and Company M, Eighth Regiment Missouri Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Blanche J. Barnard, widow of Edgar A. Barnard, late of Company A, Eighty-fifth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Louise D. Smith, widow of Leslie Smith, late captain, First Regiment, and lieutenant colonel, Twentieth Regiment, United States Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Harriet A. Daniels, widow of William B. Daniels, late of Company C, Thirtieth Regiment United States Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Nancy J. Strickland, widow of Cyrus Strickland, late of Company H, Fifty-sixth Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Martha Tuttle, widow of Edward P. Tuttle, late of Company B, Twenty-sixth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Rebecca J. Eveland, widow of Stephen B. Eveland, late of Company I, First Regiment Ohio Volunteer Heavy Artillery, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary Wisbhart, widow of Joshua R. Wisbhart, late of Company A, Eighteenth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Josephine A. Albee, widow of William H. Albee, late of Company I, Eighteenth Regiment Connecticut Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Maggie Flora, widow of John Flora, late of Company F, Eighty-ninth Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Margaret A. Lawrence, widow of Cyrus Lawrence, late of Company A, Fifteeth Regiment Michigan Volunteer Infantry, and pay her a pension at the rate of $30 per month.

The name of Mabel S. Callahan, helpless and dependent daughter of George W. Callahan, late of Company I, One hundred and thirty-eighth Regiment Pennsylvania Volunteer Infantry, and Signal Corps United States Army, and pay her a pension at the rate of $20 per month.

The name of Catherine Bridgford, widow of William Bridgford, late of Company K, Ninety-sixth Regiment, and Company I, One hundred and thirty-sixth Regiment, New York Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Annie E. Allen, widow of Stanton P. Allen, late of Company C, First Regiment Massachusetts Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Julia A. Duell, widow of Dennis Duell, late of Company K, One hundred and forty-second Regiment New York Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.
The name of Nannie E. Ladd, widow of Edgar Ladd, late of Company G, Eighty-fifth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Edward Adkins, alias Edward S. Adkins, late of Company K, One hundred and fourteenth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month.

The name of Hannah L. Smith, widow of William Halligan, late of Company E, Second Battalion Missouri State Militia Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Martha Martin, widow of Robert Martin, late of Company G, Eighty-fifth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Jane Langera, widow of William Langera, late of Company F, Fourth Regiment Iowa Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Samuel R. Proud, also known as Samuel Proud, late of Company E, Twentieth Regiment Illinois Volunteer Infantry, and pay him a pension at the rate of $50 per month.

The name of Emma Hayden, widow of Emmanuel S. Hayden, alias Edward S. Hayden, late of Company E, Fourth Regiment Pennsylvania Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Alonzo D. Perrin, widow of Amos D. Perrin, late of Company I, Fifth Regiment Illinois Volunteer Heavy Artillery, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Elizabeth A. Brown, widow of Joseph H. Brown, late of Company E, One hundred and sixty-third Regiment Ohio National Guard Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Lorenzo J. Vail, widow of John M. Vail, late of Company H, One hundred and sixty-eighth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.
The name of Rose McKenzie, widow of John D. McKenzie, late of Company H, Tenth Regiment Michigan Volunteer Infantry, and Company G, First Regiment Michigan Volunteer Cavalry, and Company B, First Battalion of Cavalry, Mississippi Naval Brigade, and her pension at the rate of $25 per month in lieu of that she is now receiving.

The name of Nettie A. Lyne, helpless and dependent daughter of Uriah Lynch, late of Company K, Sixtieth Regiment New York Volunteer Infantry, and pay her a pension at the rate of $25 per month in lieu of that she is now receiving.

The name of Lydia J. Zimmerman, widow of Jacob Zimmerman, late of Company C, Fortieth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary J. Zimmerman, widow of Jacob Zimmerman, late of Company C, Fortieth Regiment Illinois Volunteer Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Lydia A. Thompson, widow of George A. Thompson, late of Company M, Tenth Regiment New York Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary A. Thompson, widow of George A. Thompson, late of Company M, Tenth Regiment New York Volunteer Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Rose Waring, helpless and dependent daughter of John F. Waring, alias Werrick, late of Company K, One hundred and sixty-sixth Regiment Pennsylvania Drafted Militia Infantry, and pay her a pension at the rate of $25 per month through a legally appointed guardian.

The name of Clarinda A. Spear, widow of Otis G. Spear, late of Company B, Fourth Regiment Maine Volunteer Infantry, and acting member of the U.S. Navy, Civil War, and pay her pension at the rate of $50 per month in lieu of that she is now receiving.

The name of George O. Flowers, helpless and dependent son of Samuel M. Flowers, late of Company K, One hundred and ninety-fifth Regiment Pennsylvania Drafted Militia Infantry, and pay him pension at the rate of $25 per month through a legally appointed guardian.

The foregoing bill is a substitute for the following House bills referred to said committee:

H. R. 4938. Alice D. Ditch.
H. R. 5520. George Taylor.
H. R. 9641. Annie D. Delavan.
H. R. 9617. Ella V. Perks.
Mr. GILLES. Mr. Chairman, I move that the committee rise and report this bill back to the House with the recommendation that it do pass.

The motion was agreed to.

Accordingly the committee rose, and the Speaker having resumed the chair, Mr. GILLES, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 12175, and had directed him to report the same back to the House without amendment that it do pass.

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

The bill was ordered to be engrossed and read a third time, and was read the third time, and passed, without amendment that it do pass.

On motion of Mr. Fullers, a motion to reconsider the vote by which the bill was passed was laid on the table.

MUSCLE SHOALS

Mr. GILLES of Tennessee. Mr. Speaker, I ask unanimous consent that my colleague, Mr. DAVIS of Tennessee, may have permission to extend his remarks on the subject of Muscle Shoals, and include therein certain telegrams.

The SPEAKER. Is there objection?

There was no objection.

Mr. DAVIS of Tennessee. Mr. Speaker, the different members of the Tennessee delegation received telegrams identical with the following, except addressed to the different Members:

HOR. LAMAR DAVIS,
WASHINGTON, D. C.

Am sending you copy of resolution unanimously adopted by the Tennessee State senate, urging that the bill on Muscle Shoals very clearly and explicitly provide that power from Muscle Shoals shall be limited to the needs of the defense and to the production of fertilizer and that all power not needed for these purposes be sold for distribution.

It appears that the conference report is indefinite and ambiguous on this point and that a lease might divert power to other purposes. We respectfully urge that the contract be so definite that all power shall be distributed excepting that actually and directly used in peace time for the one purpose of fertilizer production. If necessary to defeat conference report to establish this principle, believe it should be defeated. Kind regards.

GILES EVANS.

To this telegram all the Members of the Tennessee delegation in the House replied by telegram, as follows:

WASHINGTON, D. C., February 11, 1925,
Hon. GILES EVANS,
State Senate, Nashville, Tenn.

We have received your telegram advising of resolution adopted by the State senate relative to the bill on Muscle Shoals. Copy of resolution not received, but we assume your telegram states substance fully.

We have carefully and thoroughly studied the conference report on this measure, and in our opinion the public interests are fully protected and provision thoroughly made for scrupulously carrying out the intent of section 9 of the national defense act of 1916 under which this project has been constructed. It was anticipated that the fertilizer shall be made for the manufacture of explosive ingredients in times of war and fertilizer in times of peace. The carrying out of these purposes has been our primary thought throughout all the years of consideration of this proposition. Our mind reads as follows: "That the surplus power not required for the fixation of nitrogen or for the manufacture of fertilizers or other useful products which will reduce the cost of the fertilizers shall be sold for distribution; Provided, That all contracts for the sale of said power for public utility or industrial purposes shall contain the proviso that the power may be withdrawn on reasonable notice at any time during the period if and when said power is needed for the manufacture of fertilizers." Provision is also made in the conference report for the construction of Dam 3, in which our people are deeply interested.

The words in the quotation above or other useful products which will reduce the cost of the fertilizers merely constitute a limitation intended to assure the cheapest possible production of fertilizer and explosives and is in accord with the language and spirit of the act of 1916. We have worked earnestly for many years to bring this matter to such a culmination, and we should regard the provisions of the conference report now as Little short of a public calamity, because the Secretary of War has been officially advised in an opinion from the Justice Advocate General that he has no authority under existing law to lease the water power and has officially declared his purpose of doing so should legislation fall at this session.

If all power passes under the lease, the nitrate plant will be left standing idle and we fear complete action in putting it into operation through future legislation will be rendered practically insurmountable. Familiar as you are with parliamentary procedure you will readily understand that the conference report, if the Senate shall pass it, cannot be amended by the House, but must be voted up or down as a whole. We have given our best efforts for years to a solution of this problem in the public interest, working with difficulties that at times were most depressing and impeded by influences vigorously antagonistic to the purposes intended in the act of 1916. We believe that if your honorable body understood as we think we understand all the ramifications of this perplexing question you would support us in the support of the conference report.

FINIS J. GABRETT.
R. CARROLL REECE.
JOSEPH W. BYERS.
GORDON BROWNING.
CORDELL HULL.
HERBERT F. FISHER.
SAM D. MCKINNNo.
W. C. SALMONT.

To-day, and subsequent to the dispatch of said telegraphic reply, the different members of the Tennessee delegation received letters, as follows:

SENATE CHAMBER, STATE OF TENNESSEE,
Nashville, February 11, 1925,

HOR. EWIN LAMAR DAVIS,

Mr. DAvis. Mr. Speaker, I am including herewith a resolution unanimously adopted by the Tennessee State senate, and I should like to have it placed in the CONGRESSIONAL RECORD. A disposition of Muscle Shoals which shall strictly limit the project to the national defense and to fertilizer in peace time and to the use of all excess power distributed to our citizens is most vital to the people of the South. With kind regards,

Sincerely yours,

GILES L. EVANS.

This letter was accompanied by the resolution, which reads as follows:

Whereas the potential energy of the Tennessee River at Muscle Shoals has long been considered by the people of the South a great natural asset capable of the generation of a large amount of hydro-electric power; and Whereas the United States, because of the emergency of the World War, began the development of said river for the production of nitrates for explosives; and Whereas the United States is continuing the construction of the said development, one unit of which will be ready for operation some time during the present year; and whereas the South takes pride in the fact that it has such a potential asset, which may assist all the people of the South in the event of emergency of war, but which it believes should in peace time serve the people of the South and as far as possible the people of our continent; Now therefore be it

Resolved by the Senate of the Sixty-fourth General Assembly of the State of Tennessee, That in the disposition of Muscle Shoals by the United States Congress, the following principles, we think, should be observed:

First. That the project be maintained so as to be at all times immediately available for the United States in the emergency of war;
Second. That power in peace time be used for the production of fertilizer;

Third. That the Tennessee River and its tributaries be developed wherever there are power or navigation and flood control possibilities involving the storage or diversion of the waters of the project both in time of war and peace and inasmuch as it appears that the power values of such developments will yield fair revenue to the United States on the cost thereof;

Four. That power be needed for the national defense or the production of fertilizer be sold for distribution under regulation as to rates charged and conditions of service and at the lowest reasonable cost so that States, counties, persons, or companies may construct lines and distribute electric energy over the widest possible area in order that this distributed power may contribute to the prosperity and convenience of as many citizens of the country as possible.

It will stimulate industry and commerce:

It will increase the production of products of the farm and lower the cost of the farmer's production and will in many ways even yet unknown contribute to the convenience, comfort, and happiness of the people.

Fifth. That the act providing for the distribution of the power be so definite and explicit in its terms as to prevent any lessening of this project from using the same for any purpose not herein mentioned thereby defeating the participation by the people of the country in the full values of the power not needed for national defense or for the production of fertilizer.

Be it enacted-Such a copy hereof be sent to each of the Representatives of Tennessee in the United States Congress as a petition that they may lend their best efforts to the disposal of this vast project on the principles hereinafter set out.

THE CHINA TRADE ACT

Mr. SNELL. Mr. Speaker, I call up House Resolution No. 381, a privileged report from the Committee on Rules, which I send to the desk and ask to have read.

Mr. BLANTON. Mr. Speaker, before that is done, I make the point of order that there is no quorum present.

The Speaker rises. Mr. Speaker, the resolution from Texas makes the point of order that there is no quorum present. The Chair will call. [After calling.] A quorum is present. The Clerk will report the resolution.

The Clerk reads as follows:

House Resolution 381
Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 7130, which bill contains an amendment that after December 31, 1932, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and a minority member of the Judiciary Committee, the bill shall be read for a second time. The Speaker. After the conclusion of the reading of the bill for amendment the committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and the amendments thereto shall be final.

Mr. SNELL. Mr. Speaker—

Mr. BLANTON. Mr. Speaker—

The SPEAKER. The gentleman from New York has the floor.

Mr. BLANTON. Mr. Speaker, I make a point of order.

The SPEAKER. The gentleman will state it.

Mr. BLANTON. With such a rule as this, under the rules of the House that time should be given to those who are against the measure. Now, this rule—

The SPEAKER. The Chair overrules the point of order.

Mr. BLANTON. Well, it gives an hour.

The SPEAKER. The gentleman is out of order.

Mr. BLANTON. To those who are in favor of the bill—of course, I cannot help myself if the Chair rules that way.

Mr. SNELL. Mr. Speaker, the resolution, if adopted, simply provides for the consideration of the bill (H. R. 7130) which deals with certain amendments to the China trade act which was passed in 1922. As is usual when we pass some regulatory act, many amendments have been added in effect for a while we find certain other things necessary to be done in order to perfect the act. It is found by the people interested in this legislation that the end which was intended to be accomplished by this act, the fiscal act is not being accomplished but it needs additional amendments. We wanted to put the people engaged in business in China under the China trade act under American regulations in the same position to get business in foreign countries as British capitalists are. Under the present regulations a British corporation pays no income tax on the amount of income derived from the corporation doing business outside of the kingdom while if one is capitalized under the American law they pay 12 1/2 per cent to the Federal Government, and in addition to that any person holding stock in a corporation at home when he makes it his income to get credit for the normal tax that is paid by the corporation, but if the same person holding stock in a corporation under the China trade act, although the corporation paid the tax, he would not be entitled to the credit in his own personal income tax, so in that way we are levying a double tax as far as the individual is concerned and that is remedied in this bill. We have something like $300,000,000 invested in China or in that amount of the world, Less than 2 per cent of the power is the advantage of the China trade act and are operating under that act at the present time. Of the something over 400 companies doing business there I believe only 9 of them are doing business under the present China trade act. The purpose of the original act was to help our people get business in foreign countries. It was not a tax revenue measure. While we are not getting much tax at the present time, and I do not expect we will get much under the new act. I do feel it will help to put our nationals in a better position to get foreign business; as that was the intent of the original act it seems to me that at this time these amendments should be adopted to help as far as possible to expand our foreign business. The other day the House in consideration of the Commerce bill was so interested in the expansion of our foreign trade that they raised the question of the Corporation Committee and that recommended by the Budget some $300,000; that was exactly along the same line as this bill. And we certainly will not lose any money, and perhaps we may increase our foreign trade. I trust the resolution and bill will be adopted.

I will reserve the remainder of my time.

Mr. GARRETT of Tennessee. I would like a few minutes to yield to Mr. SNELL.

Mr. SNELL. How much time?

Mr. GARRETT of Tennessee. Will the gentleman give me 10 minutes?

Mr. SNELL. I yield 10 minutes to the gentleman from Tennessee to use as he desires.

Mr. GARRETT of Tennessee. I yield five minutes to the gentlemen from Texas [Mr. GARNER]. [Applause.]

Mr. GARNER of Texas. Mr. Speaker and gentlemen of the House, I merely want to call your attention to the provisions of the China trade act and to what appears to me to be the reason for this legislation. At the same time I desire to give you in a sentence my reason for opposing it. The Members recall that in 1922 we passed what is known as the China trade act. I opposed that measure. That it went only so far at that time as to give exemption to a corporation from the payment of its taxes. That the rate was not as low as the present bill, and the result is that these identical people, knowing that the former measure had not relieved the individual stockholders of the payment of taxes, came back to Congress at this time, and for another purpose, the matter was presented to the Committee on Ways and Means, as a great many other interests are presented, and the Committee on Ways and Means declined to give them this exemption. They then went to another committee, a special committee, composed of very distinguished men in this House, and they secured a report from them.

Now what does this do, and do you want to do what the China trade act does in this instance?

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

Mr. GARNER of Texas. Yes.

Mr. DYER. I yield from Texas if the Committee on Ways and Means did not approve of this?

Mr. GARNER of Texas. No, sir; they did not. They waived their jurisdiction only as a gentleman should understand the position of the Committee on Ways and Means.

What does this do? You make it possible to invest $3,000,000,000 and have it exempted from taxation. Gentlemen, do you want to do that? Do you want to embark on the policy in this country of exempting citizens from taxation? I think we all agree that the American flag on the seas is a most desirable thing for the American people. I do not know of anything that the American flag is not more desirable than the American flag on the seas, but suppose now that the English Government exempts corporations engaged in maritime activities from the payment of an income tax. Would you adopt their method and policy? Because England, forsooth, exempted her shipping interests from taxation, would you exempt from taxation our corporations that are in the shipping business? I do not think you would. Yet that might be desirable. It is de-
sirable to have foreign trade, but it is not sufficiently desirable to have foreign trade to justify the exemption of people engaged in it from taxation; and that is what this means.

There have been, I suppose, a dozen or more interests before the Committee on Ways and Means for exemptions from taxation. If the Lord knows we have enough of them now. That law has got to be looked after very closely in the future. Many things are exempted now. But here is an overt act of Congress giving to a number of American citizens exemption from taxation. Why do you do it?

They say that because England exempts her nationals from taxation under these circumstances you are going to exempt yours, if it is a fair policy, and that the American Navy must follow American investments abroad and we have got to keep up the Navy by taxation, why should not those interests pay taxes, the same as other people? If you are going to embark on a policy of giving exemption from taxation to certain classes of citizens, then I suggest that you take into consideration the farmer, who seems to be suffering, and for whom the President seems to be concerned. Will you exempt farmers and all farm organizations from taxes in order that they might compete with others, and prosper in this country? I do not think you would, and yet that is exactly what is proposed to be done in this instance. You are attempting here to exempt certain classes of people simply because the British Government exempts her citizens under like conditions.

I do not care what the English Government or any other government shall do in that respect. It is a bad policy to exempt any certain class of citizens from taxation in this country, and I hope the rule will not be adopted, and that these people will not be given that exemption. [Applause.]

Mr. WINGO. You yield me five minutes to the gentleman from Pennsylvania [Mr. GRAHAM.]

The SPEAKER. The gentleman from Pennsylvania is recognized for five minutes.

Mr. GRAHAM. Mr. Speaker, and gentlemen of the House, I have the very greatest respect for the ability and skill of the gentleman from Texas [Mr. GARNER], who has just addressed you, but I do not see at some of the statements that have been made. There is no such bugaboo before the House as the opening of the door for unlimited exemptions of capital, either in China or elsewhere. This bill is confined to China, and it is called protecting the American trading act. It is intended to correct two evils. I am not speaking now generally of the bill, but of the taxing feature of the bill which is contained in two of the sections, the last in the bill but one.

Now, under the existing law, under section 239 of the revenue law, corporations are taxed 2½ per cent. That is the law of the land to-day. The corporation in China is taxed 12½ per cent. It is a stockholder in that corporation who is the taxpayer, it does not account for it, and the excess-profits tax, which no American citizen pays on the dividends received from other corporations which are domestic corporations.

This bill corrects those two evils, and it provides, further, that so far as the taxing power is concerned, in order to put our corporations on an equality with the corporations that are its competitors in China, there shall be counted all stocks held by citizens of the United States or citizens of China, and the aggregate of that stock shall be deducted in figuring that 12½ per cent on the corporation and to that extent a special dividend, provided under the old act of 1922 and reiterated in this, is made to the stockholders of the railroad. And then that is done, then the excess-profits tax to that extent is free of the 12½ per cent. The United States corporation stockholder would be relieved from paying the double tax. The individual stockholder would be relieved of his normal tax, relieved from paying a normal tax when the corporation pays the 12½ corporation tax. And that is only fair play, and it is what is recognized in every return made by an individual in this country.

Now I will read another thing. This gentleman, a friend from Texas [Mr. GARNER] says the Committee on Ways and Means waived its jurisdiction. Here is a letter, addressed to Mr. HARRIMAN, the Chairman, asking the Chairman to answer to a letter transmitting a copy of this bill to the Committee on Ways and Means for its consideration. I read:

My DEAR MR. CHAIRMAN: With further reference to your letter of April 25, transmitting a copy of H. R. 7190, a bill to amend the China trade act, does for a report thereon by the Committee on Ways and Means.

I would state that this committee has considered the same and by a majority vote approved the provisions of the bill so far as they pertain to individual and corporation incomes.

Very truly yours,

W. R. GREEN, Chairman.

Was that simply waiving jurisdiction? That was approving the bill. Secretary Mellon has approved the bill and Secretary Hoover has approved the bill.

Mr. CONNALLY of Texas. Will the gentleman yield for a question?

Mr. GRAHAM. Yes.

Mr. CONNALLY of Texas. Will the gentleman please explain the object of section 29, the last clause in this bill? How did that clause find its way into the bill?

Mr. GRAHAM. Section 12 of the bill provides for an amendment of paragraph 13 of subdivision (b) of section 213 of the revenue act.

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

Mr. SNEILL. Mr. Speaker, I yield the gentleman two additional minutes.

Mr. GRAHAM. And twice before this House has favorably passed on the very same provisions that are contained in this bill.

Mr. CONNALLY of Texas. Will the gentleman yield for a question?

Mr. GRAHAM. Yes.

Mr. CONNALLY of Texas. Will the gentleman please explain the object of section 29, the last clause in this bill? How did that clause find its way into the bill?

Mr. GREEN, Chairman.

Mr. CONNALLY of Texas. The gentleman has not answered my question. I asked him as to section 29, the last paragraph in the bill on page 7.

Mr. GRAHAM. Section 29 is a provision inserted in the law to prevent appeals to other methods of doing business in China except under this act of Congress. It is simply making a uniform and uniform system to govern the trade with China, so that all people who do business in that country under a charter shall do it, unless they go to foreign charters, as they are being forced to do now, under the China trade corporation.

Mr. WINGO. Will the gentleman yield?

Mr. GRAHAM. Yes.

Mr. WINGO. Did I understand the gentleman correctly when I said that that provision would prevent a corporation organized under the laws of the State of Pennsylvania from doing business in China?

Mr. GRAHAM. The gentleman can read the paragraph, and it does not do that, then I am very much mistaken.

Mr. WINGO. I am asking the gentleman a courteous question. Is that the intention of the gentleman?

Mr. GRAHAM. Yes. The report says:

The effect of this amendment would be limited largely to discontinuing the further incorporation of concerns in China—under the prior act of Congress.

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

Mr. SNEILL. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

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

The question was taken; and on a division (demanded by Mr. SNEILL) there were—aye, 76, noes 91.

Mr. SNEILL. Mr. Speaker, I make the point of order that there is no quorum present, and object to the vote on that.

The SPEAKER. The gentleman from New York makes the point of order that there is no quorum present. The Chair will not recognize the gentleman. The final and necessary quorum is not present, nor a quorum. The Doorkeeper will close the doors, the Sergeant at Arms will bring in absent Members, and
the Clerk will call the roll. The question is on agreeing to the resolution.

The question was taken; and there were—yeas 157, nays 3, not voting 134, as follows:

- Ackerman
- Aldrich
- Allison
- Anderson
- Bacon
- Barbour
- Beamer
- Biddle
- Blackburn, N. Y.
- Bolles
- Brand, Ohio
- Browne, Wis.
- Buffalo
- Bucy
- Chalmers
- Christopher
- Clagett
- Clancy
- Clark, Wis. N.
- Cole, Iowa
- Cooper, Ohio
- Cooper, Okla.
- Cromwell
- Cranston
- Culver
- Dallinger
- Davey
- Dixson
- Dickerson, Iowa
- Dingle
- Dyer
- Elliott
- Fairchild
- Fausett
- Fitch
- Flournoy
- Freer
- Greely
- Hamer
- Hauser
- Hoey
- Hoyle
- Brown, Ga.
- Briggs
- Buchanan
- Bryan
- Byrnes, S. C.
- Byrnes, Tenn.
- Canfield
- Cannon
- Carroon
- Casper
- Cooper, Wis.
- Craig
- Davis, Tenn.

Yeas—157

- Ackerman
- Aldrich
- Allison
- Bacon
- Barbour
- Beamer
- Biddle
- Blackburn, N. Y.
- Bolles
- Brand, Ohio
- Browne, Wis.
- Buffalo
- Bucy
- Chalmers
- Christopher
- Clagett
- Clancy
- Clark, Wis. N.
- Cole, Iowa
- Cooper, Ohio
- Cooper, Okla.
- Cromwell
- Cranston
- Culver
- Dallinger
- Davey
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- Dickerson, Iowa
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- Dyer
- Elliott
- Fairchild
- Fausett
- Fitch
- Flournoy
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- Greely
- Hamer
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- Briggs
- Buchanan
- Bryan
- Byrnes, S. C.
- Byrnes, Tenn.
- Canfield
- Cannon
- Carroon
- Casper
- Cooper, Wis.
- Craig
- Davis, Tenn.

So the resolution was agreed to.

The Speaker announced the following additional pairs:

Until further notice:

- Mr. Anthony with Mr. Taylor
- Mr. Wasen with Mr. Favrot
- Mr. Beedy with Mr. Habine
- Mr. MacGregor with Mr. Kent
- Mr. Ward of New York with Mr. Lee of Georgia
- Mr. Moses of Pennsylvania with Mr. Kuns
- Mr. Britten with Mr. Bloom
- Mr. Work with Mr. Martin
- Mr. Brunt with Mr. Collins
- Mr. Michael with Mr. Lowery
- Mr. Nordick with Mr. Buckley
- Mr. Woolridge with Mr. Wasen of California
- Mr. Miller of Illinois with Mr. Cook
- Mr. Campbell with Mr. Logan
- Mr. Connolly of Pennsylvania with Mr. O'Brien
- Mr. Davis of Minnesota with Mr. Casey
- Mr. Perkins with Mr. Lyon
- Mr. Curry with Mr. Celler
- Mr. Delano with Mr. McNulty
- Mr. Evans of Iowa with Mr. Crosser
- Mr. Fitzgerald with Mr. Drewry
- Mr. Hall with Mr. Croll
- Mr. Rogers of Massachusetts with Mr. Davey
- Mr. Hansen with Mr. Rocker
- Mr. James with Mr. Jost
- Mr. Thompson with Mr. Gilbert
- Mr. Swoope with Mr. Jeffers
- Mr. Lamer with Mr. Kroll
- Mr. Kelly with Mr. Pou
- Mr. Roach with Mr. Winter
- Mr. Newton of Missouri with Mr. Drake
- Mr. Wood with Mr. Pou
- Mr. Morris with Mr. Fullbright
- Mr. Butler with Mr. Sherwood
- Mr. Munger with Mr. Glatfelter
- Mr. Buchanan with Mr. Smithwick
- Mr. Rathbone with Mr. Lammings
- Mr. Fear with Mr. O'Sullivan
- Mr. Taber with Mr. Gage
- Mr. Vre with Mr. Johnson of West Virginia
- Mr. Zilhman with Mr. Gambrill
- Mr. Morgan with Mr. Rogers of New Hampshire
- Mr. Kees with Mr. Dickstein
- Mr. Underhill with Mr. Taylor of Colorado
- Mr. Kendall with Mr. Johnson of Kentucky
- Mr. Taylor of Tennessee with Mr. Sullivan
- Mr. Seger with Mr. Dominick
- Mr. Reid of Illinois with Mr. Clark of Florida
- Mr. Funk with Mr. Kindred
- Mr. Pulpe with Mr. House of New Jersey
- Mr. Fairfield with Mr. Wright
- Mr. Phillips with Mr. Oliver of New York
- Mr. Wurts with Mr. Edgerton
- Mr. Rankin with Mr. Celler
- Mr. Yale of Maine with Mr. Poole
- Mr. Gates with Mr. Brown
- Mr. West with Mr. Browning
- Mr. McMillan with Mr. Celler
- Mr. King with Mr. Willis
- Mr. West with Mr. Binns
- Mr. Gates with Mr. McNulty

The result of the vote was announced as above recorded.

The doors were opened.

INTERIOR DEPARTMENT APPROPRIATION BILL

The Speaker. The Chair lays before the House the following communication from the Senate:

Ordered, That the House of Representatives be requested to return to the Senate the message of the Senate, together with accompanying papers agreeing to the conference report on the bill (H. R. 10020) entitled "A Trade Act" making appropriations for the Department of the Interior for the fiscal year ending June 30, 1926, and for other purposes.

Without objection, the request will be complied with.

There was no objection.

THE CHINA TRADE ACT

Mr. GRAHAM. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 7190) to amend the China trade act, 1922.

The SPEAKER. The question is on the motion of the gentleman from Pennsylvania.

The question was taken; and on a division (demanded by Mr. BLANTON) there were—yeas 126, nays 33.

So the motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 7190, with Mr. TILDEN in the chair.

The Clerk read the title of the bill.

Mr. GRAHAM. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.
The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

Mr. BLANTON. Mr. Chairman, reserving the right to object, the vote a little while ago indicated there were 10 Members who did not understand the bill, and I object. I think the bill ought to be read.

The CHAIRMAN. The bill is read as follows:

"Be it enacted, etc., That subdivision (a) of section 4 of the China trade act, 1922, is amended by striking out the word "five" and inserting in lieu thereof the word "three."

Sec. 2. That subdivision (b) of section 4 of said act is amended to read as follows:

"(6) The names and addresses of at least three individuals (a majority of whom, at the time of designation and during their term of office, shall not have been employed in the business by the incorporators, who shall serve as temporary directors); and,

Sec. 3. That paragraph (7) of subdivision (b) of section 4 of said act is amended to read as follows:

"(7) The fact that an amount equal to 25 per cent of the amount of the authorized capital stock has been paid in good faith subscribed to.

Sec. 4. That subdivision (c) of section 4 of said act is amended to read as follows:

"(c) A China trade act corporation shall not engage in the business of discounting bills, notes, or other evidences of debt, of receiving deposits, of buying and selling bills of exchange, or of issuing bills, notes, or other evidences of debt, or of any business not engaged in any other form of banking business; nor engage in any form of insurance business; nor engage in, nor be engaged to engage in, the business of owning or operating any vessel, unless the controlling interest in such corporation is owned by citizens of the United States, within the meaning of section 2 of the shipping act, 1916, as amended.

Sec. 5. That section 4 of said act is amended by adding thereto the following new subdivision:

"(d) A China trade act corporation shall not engage in any business until at least 25 per cent of its authorized capital stock has been paid in cash, or, in accordance with the provisions of section 8, in real or personal property which has been placed in the custody of the directors, and such corporation has filed a statement to this effect under oath with the registrar within six months after the issuance of its certificate of incorporation, except that the registrar may grant an extension for filing such statement upon application made prior to the expiration of such six months. If any such corporation transacts business in violation of this subdivision or fails to file such statement within six months, or within such time as the registrar prescribes upon such application, the registrar shall institute proceedings under section 14 for the revocation of the certificate.

Sec. 6. That subdivision (b) of section 6 of said act is amended to read as follows:

"(b) Shall have a corporate seal and may, with the approval of the Secretary, alter it.

Sec. 7. That section 7 of said act is amended to read as follows:

"Sec. 7. Each share of the original or any subsequent issue of stock of a corporation organized under this act shall be issued at its par value, and shall be paid for in cash, or in accordance with the provisions of section 8, in real or personal property which has been placed in the custody of the directors, and such share shall be issued until the amount of the par value thereof has been paid the corporation; and when issued, such share shall be held to be full paid and nonassessable, except that if any share is, in violation of this section, issued without the amount of the par value thereof having been paid to the corporation, the holder of such share shall be liable in suits by creditors for the difference between the amount paid for such share and the par value thereof.

Sec. 8. That subdivision (b) of section 8 of such act is amended to read as follows:

"(b) The number, qualifications, and manner of choosing and fixing the tenure of office and compensation of all directors; but the number of such directors shall be not less than three, and a majority of the directors, and the president and the treasurer, or each officer holding a corresponding office, shall, during their tenure of office, be citizens of the United States.

Sec. 9. The third sentence of subdivision (a) of section 10 of such act is amended to read as follows:

"The holders of two-thirds of the voting shares, represented in person or by proxy, shall constitute a quorum at such meetings authorized by this act.

Sec. 10. That section 20 of said act is amended by inserting "(a)" before the word "That," and by adding thereto the following new subdivision:

"(b) Every China trade act corporation shall maintain in the District of Columbia a person as its accredited agent upon whom legal process may be served in any suit to be brought in the Supreme Court of the District of Columbia, and who is authorized to enter appearances in its behalf. In the event of the death or inability to serve, or the resignation or removal, of such person, such corporation shall, within such time as the Secretary by regulation prescribes, appoint a successor. Such corporation shall file with the Secretary of Commerce a certificate of attorney appointing a person under this subdivision, and a certified copy of the written consent of such person so appointed."

Sec. 11. That subdivisions (a) and (b) of section 204 of the revenue act of 1921, added to said act, is amended to read as follows:

"Sec. 204. (a) That for the purpose only of the tax imposed by section 230 there shall be allowed, in the case of a corporation organized under the China trade act, 1922, a deduction equal to the proportion of the net income derived from sources within China (determined in a similar manner to that provided in section 217) which the par value of the shares of stock of the corporation owned or held for the benefit of citizens of the United States, or China, in the United States, or possessions of the United States, and (2) individual citizens of the United States or China, wherever resident, bears to the par value of the whole number of shares of stock of the corporation outstanding on such date: Provided, That in no case shall the amount by which the tax imposed by section 230 is diminished by reason of such credit exceed the amount of the special dividend certificate under subdivision (b) of this section.

"(b) Such credit shall not be allowed unless the Secretary of Commerce has certified to the commissioner (1) the amount which, during the year ending on the date fixed by law for filing the return, the corporation has distributed as dividends to or for the benefit of such persons as on the last day of the taxable year were resident in the United States, the United States, or possessions of the United States, or were individual citizens of the United States or China, and owned stock of the corporation, (2) that such dividend was in addition to all other amounts, payable or to be payable to such persons or for their benefit, by reason of their interest in the corporation, and (3) that such distribution has been made to or for the benefit of such persons in proportion to the par value of the shares of stock of the corporation owned by each; except that if the corporation has more than one class of stock, the certificates shall contain a statement that the articles of incorporation provide a method for the apportionment of such special dividend among such persons, and that the amount certified has been distributed in accordance with the method so provided."

Sec. 12. That paragraph (b) of subdivision (b) of section 210 of the revenue act of 1921, added to said act, is amended to read as follows:

"(b) That the certificate of incorporation of any corporation organized under the China trade act, 1922, if, at the time of such distribution, he is a resident of China and the equitable right to the income of the shares of stock of the corporation is in good faith vested in him.

Sec. 13. That the China trade act, 1922, is amended by adding at the end thereof the following new section:

"Sec. 29. Hereafter no corporation shall be created under any law of the United States extended over citizens of the United States in China, for the purpose of engaging in business within China."

With the following committee amendments:

On page 2, beginning at line 21, strike out the word "A," and in line 25, strike out "shall not be controlled by (1) persons resident in China, for the benefit of citizens of the United States, or China, in the United States, or possessions of the United States, or (2) individual citizens of the United States or China, wherever resident, bears to the par value of the whole number of shares of stock of the corporation outstanding on such date: Provided, That in no case shall the amount by which the tax imposed by section 230 is diminished by reason of such credit exceed the amount of the special dividend certificate under subdivision (b) of this section."

Mr. DYER. Mr. Chairman—

The CHAIRMAN. The gentleman from Missouri is recognized. Under the rules the gentleman has 30 minutes.

Mr. BLANTON. A point of order, Mr. Chairman.

The CHAIRMAN. The gentleman will state his point of order.

Mr. BLANTON. I make the point of order that the rule which the House just passed by 10 majority provides that the Chairman of the Rules Committee shall inspect the report. If the Chair will inspect the rule he will see that. I have no objection to the gentleman from Missouri speaking, but after we pass a rule by 10 majority we ought to enforce it.

The CHAIRMAN. That is his statement. The rule provides that the time shall be controlled by the chairman of the Judiciary Committee.

Mr. BLANTON. That is what I intended to say, the chairman of the Judiciary Committee, who is Mr. Graham, of Pennsylvania.

The CHAIRMAN. The Chairman understands that the gentleman from Pennsylvania is temporarily absent, and the gentleman from Missouri, Mr. Dyer, is the ranking member,
Mr. BLANTON. The chairman is present now. Mr. Chairman, I now see that the chairman exercises his prerogative. The CHAIRMAN. The gentleman from Pennsylvania [Mr. GRAHAM] is entitled to recognition.

Mr. GRAHAM. I yield five minutes to the gentleman from Missouri [Mr. Dyer].

Mr. Dyer. Mr. Chairman, this legislation is for the purpose of perfecting the China trade act, which became a law September 19, 1822. In both of the previous Congresses, the Sixty-sixth and Sixty-seventh, the House voted its favor on everything, practically, that we are asking for here. In the Sixty-sixth Congress, under suspension of the rules, we voted almost unanimously for it. It then went to the Senate, and it, in turn, rejected it. In the last Congress it went through this House by a very large majority under a call of committees. The bill that passed in the Sixty-sixth Congress and the one in the last Congress had practically all of the provisions that are now contained in the law and in this proposed amendment. When the bill that we passed in the last Congress went to the Senate, the amendments were added that made the law satisfactory in all respects and causes the necessity for this bill at the present time.

The revenue feature is but a small consideration in this legislation. The amendments which are proposed, and which are set out and explained in detail, would convince anyone that they are for one purpose only, and that is to make the act workable and to protect fully and completely the good name of this country, so that no "wild cat" companies can operate for gain to the disgrace of the good name of the United States. The amendments are numerous but of small consideration except in that they perfect the bill. There are no drastic amendments, and I submit to the gentlemen of the committee that if they read the report and read the amendments which the committee has proposed and the explanation of them, they can not possibly have any objection unless they have the purpose and the desire to prevent the United States taking its proper part in the commerce of the Far East.

To-day over 300 American concerns are operating in China under this law. American agents, missionaries, and traders are doing everything they possibly can to help them, not only because they are citizens of the United States, but because of the friendly relations that exist between the United States and China, so far as the whole of the country is concerned. Its leaders are a fine people, and vast improvements are taking place in every country within its boundaries, makes that country our greatest field for endeavor in this respect. We have in China many splendid American concerns. They are doing everything they possibly can to build American trade within and with China. It is our duty to help them, not only because they are citizens of the United States, but for the additional reason that it will bring increased commerce between the United States and China. The Chinese are a fine people, and vast improvements are taking place in China now. It will only be a short time until China will be fully organized and operating as a responsible government, so far as the whole of the country is concerned. Its leaders are patriotic and able. But China needs our help in trade as well as in a financial way. We ought to give all possible assistance to China. We should help her to put her finances upon a solid and safe basis, so that that great country and its people can go ahead and develop its immense resources and, therefore, bring prosperity, enlightenment, and happiness to all of its people. This legislation is one step in that direction. Others must follow in the same direction.

Mr. WINGO. Mr. Chairman, I appreciate the anxiety of my friend from New York [Mr. Mills] to lessen the blunder effect of what is proposed here, in view of the fact that he has led the fight against the exemptions from taxation of securities or bonds issued to enable school districts in the State of New
York to get funds to build schoolhouses, and of cities to get funds to pave their streets. This is not at all.

Mr. WINGO. And yet the gentleman talks about wanting to match Great Britain. I have only read this bill hurriedly, and as you amended by referring to this and that, and I wish to tell exactly what it is, but I know what is wanted, and what they think they are getting. They think they are going to make it more attractive to take an American charter than a British charter, and Great Britain does not exempt dividends from the Chinese corporations to the resident of London, even though he be a citizen of the British Empire. It is intended by this act, whether they have done it or not, to exempt such income whether he may be resident.

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

Mr. WINGO. Yes.

Mr. MILLIS. The gentleman does not understand that an American citizen, a resident of the United States, would be exempt as to the dividends that he would receive?

Mr. WINGO. I do not understand the gentleman's question.

Mr. MILLIS. Assuming that an American citizen, a resident of the State of New York, receives dividends from a China corporation, the gentleman does not mean to imply that those dividends would be exempt.

Mr. WINGO. That is what the proponents of this bill claim they have done, and I imagine that is what they do.

Mr. MILLIS. I want the gentleman to understand that is not so, and I think that if he will glance at section 12 on page 7 of his notes he will see very clearly that the exemption limits it to a resident of China.

Mr. WINGO. Then what change is being made from the present law? That is the present law.

Mr. MILLIS. I may be in error, but I went into that present law and fought it, and they contended that is what they did.

Mr. GRAHAM. The only word changed in that section is to say that the word "citizen" shall be inserted here. It applied only to citizens of China, and now it applies also to residents of China, who would be American citizens.

Mr. WINGO. I differ with the gentleman.

Mr. GRAHAM. That is the law, and there is no question about it.

Mr. WINGO. Because a man sat in the gallery when we passed that bill, and he said he still retained his citizenship in the United States and that he has been a resident of China for a great many years.

Mr. GRAHAM. I do not care what he said.

Mr. WINGO. And it was urged that he was over there enduring the hardships of life, and simply because he resided over there he ought not to be expatriated. The gentleman was pointed out in the gallery. The gentleman from Pennsylvania says that he is now going to make it a question of residence and not of citizenship. You have it both ways?

Mr. GRAHAM. That is what the bill says.

Mr. WINGO. The gentleman proposes, then, that the question of residence shall determine the tax exemption and not of citizenship? That means that the residence requirement, would be exempt from taxation?

Mr. GRAHAM. How can you tax a British citizen in China who owns stock in the corporation? Is the British subject to taxation?

Mr. WINGO. Does the chairman of the Judiciary Committee tell me that when we issue a Federal charter to an American corporation that we can not control at its source the dividends that corporation pays?

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

Mr. GRAHAM. Mr. Chairman, I want to say a few words on the subject of taxation, and I regard the rest of the bill a matter that will not produce much controversy, but on the question of taxation there are two propositions. To-day there is no taxation. Now these people to be subject to that? I have no doubt about that, and I am not stating that which is not the result of careful study. My attention was riveted upon the question of taxation and not to the few amendments that are made in the bill. The last paragraph in the bill was supposed to have been quoted from the resolution, and that was perfectly clear, and when the time comes I shall offer an amendment saying that hereafter no corporation for the purpose of engaging a Chinese resident of the United States other than the China trade act, which would mean to put the control of this under the China trade act; this every reasonable man would wish to accomplish.

Mr. MORTON D. HULL. Will the gentleman yield?

Mr. GRAHAM. I will.

The amendment would make a special case of those residents of China who own stock in corporations organized under the China trade act. The amendment would exempt the income received from such corporation to the residents of China who own stock in corporations organized under the China trade act, which would mean to put the control of this under the China trade act; this every reasonable man would wish to accomplish.

Mr. WINGO. The gentleman was in error. I am not criticizing the gentleman; I am calling attention to the fact that no three of the gentlemen agree with the man who wrote the report. And they do not agree with the Secretary of the Treasury, and they do not agree as to what the British law is.

Mr. WEFALD. Will the gentleman yield?

Mr. WINGO. Yes.

Mr. WEFALD. Is not that a good reason why the bill should not be passed?

Mr. WINGO. I want to discuss the bill on its merits. I want to go further than the present law. What is sought by this bill is more than meets the competition of England. You go further than the present law. What is sought by this bill is, and I say it in all kindness, there seems to be a multiplicity of interpretations; nobody seems to know what it does. The gentleman from Pennsylvania was plainly in error in an answer he made when on the floor and he will argue it now. The gentleman from Missouri [Mr. Dyer], when the gentleman from New York [Mr. Mills] quizzes him, readily admits that he is mistaken about the answers he made to me.

Mr. GRAHAM. How can you tax a British citizen in China who owns stock in the corporation?
Mr. MORTON D. HULL. I wish the gentleman would clarify his statement in reference to the double system of taxation. To Mr. GRAHAM. I would refer to it in two sentences. Whenever a dividend is paid to a citizen of the United States from the China corporation, that citizen must pay a normal tax on it. Now, wherever the corporation pays the 12% per cent corporation tax, that tax is relieved from the shoulder of the individual taxpayer. Now, as the law stands he is obliged to pay on all dividends from a corporation under the China trade corporation act, and the corporation also is to pay 12% per cent corporate surtax. Now, there is another sense in which it is double taxation. A corporation which holds stock in a China trade corporation and receives a dividend from the latter on its stock must include that dividend in the profits of the corporation and pay 12% per cent on it as part of its earnings. Is that fair? Mr. WEFALD. Will the gentleman yield? Mr. GRAHAM. I do. Mr. WEFALD. Is that tax again shifted back again to the Chinese? Mr. GRAHAM. No; not in any way. I can not yield any more, because I have not the time. Mr. WEFALD. Were not these same arguments made here last year when we passed the revenue bill, that the common people paid all the taxes? Mr. GILIAN. No. Mr. WEFALD. Yes; it was. Mr. GRAHAM. Well, that is a difference of opinion between myself and my friend. [Laughter.] Now, I am trying to show you that there is a double taxation. Now, this bill is to relieve that and go one step further. A corporation created under the China trade act will have the right, if this bill becomes a law, to take the aggregate holdings thereof of citizens of the United States or of its possessions in the United States or any of its possessions; that is the only language that is incorporated in the text of the bill that changes the old law, and it will be relieved from paying the 12% per cent corporation tax to that extent. Upon the stock held by Britshers or anybody else it must pay 12½ per cent tax. Now, I say that that is the law as stated in this bill, and there can be no dispute about it. Now, the paragraph to which my friend from Arkansas refers, you will notice in Mr. Mellon's letter, relates to the last portion of this subject, which is contained in section 12 of the bill.

In the case of a person—

You will observe—amounts distributed as dividends to or for his benefit by a corporation organized under the China trade act, 1922, if, at the time of such distribution, he is a resident of China and the equitable right to the income of the shares of stock of the corporation is in good faith vested in him.

That paragraph is changed only in one word. Under the old law it said "citizen" of China. We say "resident" of China, so that that would include every American who in the pursuit of the extension of business in China who took up his residence in China; and that is a perfectly fair provision in this bill.

Mr. JACOBSTEIN. Mr. Chairman, will the gentleman yield there for a question? Mr. GRAHAM. Yes. Mr. JACOBSTEIN. As to this question of double taxation, would this double taxation exist for those doing business in South America, for instance? Mr. GRAHAM. No. I do not see how tax can arise. Mr. JACOBSTEIN. Is it a preference to those doing business in China as against persons doing business in other parts of the world? Mr. GRAHAM. I do not see how that is related to the subject we are considering. Mr. JACOBSTEIN. I was wondering whether a general law could not be passed to relieve people from double taxation. Mr. GRAHAM. No. This is specifically in regard to trade with China.

Mr. CARTER. The gentleman from New York is trying to find out whether this same thing does not now exist with reference to the United States and South America. Does this condition of double taxation exist in South America as it now exists in China? Mr. GRAHAM. I do not now know whether or not such a condition exists. I do not see how it can.

Mr. JACOBSTEIN. I am talking about an American who may be engaged in trade in some foreign country other than China. Now, the gentleman from New York [Mr. MILLS] tells us whether there is double taxation in trade not carried on under this act?

Mr. MILLS. An American citizen residing in a foreign country would pay an income tax to the United States as an American citizen and would pay an income tax in the country in which he resides on the income derived from business there, where he is a resident. In that case he would be taxed twice, whereas an American citizen who is a stockholder in this corporation would have the double taxation relieved from the latter country.

Mr. JACOBSTEIN. In other words, this would be in behalf of a special class of people, and in that respect it would be class legislation.

Mr. GRAHAM. That act does not do what the gentleman says. It is an act to put on an equality our people who are in China with those who are our competitors in that country.

Mr. JACOBSTEIN. You are putting them on an equality with others doing business in other portions of the world?

Mr. GRAHAM. Yes. But that is not the point with the subject of the China trade act.

Mr. WINGO. Mr. Chairman, will the gentleman yield? Mr. GRAHAM. I regret I can not yield. Mr. WINGO. I yield to the gentleman. Mr. GRAHAM. Well, I will yield to the gentleman.

Mr. WINGO. I want to ask the gentleman in regard to certain language of the bill on page 5, at the bottom of the page, to what persons are the words "persons resident, or citizens resident in China wherever resident" applicable? Can the gentleman name me a person who is not included in one of these classes?

Mr. GRAHAM. The language of the old law is this: "Individual citizens of the United States or China resident in China."

That is intended to cover the difficulty, as I explained at the beginning of my remarks, where the citizen of the United States is obliged to pay the normal tax, and he could not be relieved if it applied only to persons resident in China.

That is the only manner in which they could be relieved of paying the normal tax; the payment of which they are now relieved from in the matter of stock held in domestic corporations. In addition to that—answering again, to some extent, the gentleman's question as to South America—if a citizen were a stockholder in a corporation doing business in South America, and it were a domestic corporation—and if created in the United States it would be—he would not be subject to the payment of that tax in that manner; but in the China trade act he is expressly exempted by the language of the act itself. So that although it is classed as a domestic corporation, he is not permitted to have an exemption with respect to the payment of the normal tax on a dividend declared by that corporation. If you will read the sections of the original revenue law relating to individual tax returns, relating to corporation tax returns, and relating to insurance companies' tax returns, you will find in each one of these words, when they cover the exemptions, "except dividends received from corporations created under the China trade act." Now, when that exception exists it creates an inequality. It does not apply to any other domestic corporation created under the laws of this land, and the language as it is in the bill is the only language that could correct this in that particular.

Mr. HOCH. Will the gentleman yield? Mr. GRAHAM. Yes. Does that provision affect in any way the surtax upon income derived from dividends declared by these China trade corporations?

Mr. GRAHAM. No; the surtax is still applicable. They have got to account for these dividends in making up their
Mr. HOCH. So it puts them exactly on a par with dividends declared by domestic corporations and does nothing more. The whole purpose of this act is to correct those inequalities and provide the purpose to relieve our corporations of the handicap under which they are now laboring in China and put them on a fair, square basis with citizens who own stock in other domestic corporations.

Mr. CHAIRMAN. I reserve the balance of my time.

Mr. LAGUARDIA rose.

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

Mr. LAGUARDIA. To make a point of order. I have to go home and look up my Chinese atlas, and I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from New York makes the point of order that there is no quorum present. The Chair will count.

Mr. GRAHAM. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. TILDSON, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 7190) to amend the China trade act, 1922, and had come to no resolution thereon.

AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES

Mr. SNEILL from the Committee on Rules, submitted a privileged report (H. Res. 440) for the consideration of House Joint Resolution 68, proposing an amendment to the Constitution of the United States, which was referred to the House Calendar.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. WELLES, for two days, on account of important business.

Mr. MAPES (at the request of Mr. CRAWFORD) for to-day, on account of illness.

ADJOURNMENT

Mr. SNEILL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 18 minutes p.m.) the House adjourned until to-morrow, Saturday, February 14, 1925, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

872. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, United States Army, report on preliminary examination and survey of Arthur Kill between the States of New York and New Jersey; without amendment (Rept. No. 1489). Referred to the Committee on Interstate and Foreign Commerce.

873. A communication from the President of the United States, transmitting supplemental estimates of appropriations for the Navy Department for the fiscal year ending June 30, 1925, amounting to $17,025,000; supplemental estimates for the fiscal year ending June 30, 1926, amounting to $17,025,000; supplemental estimates for the fiscal year ending June 30, 1926, amounting to $13,000,000; in all, $30,052,000, and drafts of proposed legislation affecting existing appropriations pertaining to the Navy Department (H. Doc. No. 622); to the Committee on Appropriations and ordered to be printed.

874. A communication from the President of the United States, transmitting supplemental estimate of appropriation for extraordinary repairs and furnishing of the Executive Mansion, $50,000 (H. Doc. No. 623); to the Committee on Appropriations and ordered to be printed.

875. A communication from the President of the United States, transmitting supplemental estimate of appropriation for the legislative establishment of the United States, for the fiscal year 1926, in the sum of $750, for the procurement of two marble pedestals for busts to be placed in the Capitol Building (H. Doc. No. 621); to the Committee on Appropriations and ordered to be printed.

876. A communication from the President of the United States, transmitting proposed legislation affecting an existing appropriation of the Department of Agriculture for the fiscal year 1925, in the sum of $5,508.75 to pay claims for damages by collisions, river and harbor work, which have been adjusted and settled by the Chief of Engineers, United States Army (H. Doc. No. 626); to the Committee on Appropriations and ordered to be printed.

877. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the legislative establishment of the United States for the fiscal year 1925, in the sum of $351,800 (H. Doc. No. 627); to the Committee on Appropriations and ordered to be printed.

878. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the legislative establishment of the United States for the fiscal year 1925, in the sum of $337,000 to pay claims which have been adjusted and require an appropriation for their payment (H. Doc. No. 628); to the Committee on Appropriations and ordered to be printed.

879. A communication from the President of the United States, transmitting supplemental estimate of appropriation for the fiscal year ending June 30, 1925, for the War Department, for the repair of the elevator in the Washington Monument, amounting to $10,000 (H. Doc. No. 629); to the Committee on Appropriations and ordered to be printed.

880. A communication from the President of the United States, transmitting supplemental estimate of appropriation for the fiscal year ending June 30, 1925, for the War Department, for the repair of the elevator in the Washington Monument, amounting to $35,000 (H. Doc. No. 630); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. WAINGRIGHT: Committee on Military Affairs. S. J. Res. 124. A joint resolution to provide for the posthumous appointment to commissioned grades of certain enlisted men and the posthumous promotion of certain commissioned officers; with amendments (Rept. No. 1485). Referred to the Committee of the Whole House on the state of the Union.

Mr. LUCE: Committee on the Library. H. R. 1226. A bill authorizing the appropriation of $5,000 for the erection of tablets or other form of memorials in the city of Quincy, Mass., in memory of John Adams and John Quincy Adams; without amendment (Rept. No. 1486). Referred to the Committee of the Whole House on the state of the Union.

Mr. VINSON of Georgia: Committee on Naval Affairs. H. R. 11926. A bill to authorize the reimbursement of certain persons for the loss of personal effects at the naval training station, Hampton Roads, Va.; without amendment (Rept. No. 1487). 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. 163. A joint resolution to accept donations of lots for war memorials in or near the White House; with amendment (Rept. No. 1484). Referred to the Committee of the Whole.

Mr. PARKER: Committee on Interstate and Foreign Commerce. S. 4178. An act to authorize the Port of New York Authority to construct, maintain, and operate a bridge across the Hudson River between the States of New York and New Jersey; without amendment (Rept. No. 1488). Referred to the House Calendar.

Mr. PARKER: Committee on Interstate and Foreign Commerce. S. 4179. An act to authorize the Port of New York Authority to construct, maintain, and operate bridges across the Arthur Kill between the States of New York and New Jersey; without amendment (Rept. No. 1489). Referred to the House Calendar.

Mr. PARKER: Committee on Interstate and Foreign Commerce. S. 4206. An act to authorize the Port of New York Authority to construct, maintain, and operate a bridge across the Kill Van Kull between the States of New York and New Jersey; without amendment (Rept. No. 1490). Referred to the House Calendar.

Mr. SNEILL: Committee on Rules. H. Res. 440. A resolution providing for the consideration of H. J. Res. 68, proposing an amendment to the Constitution of the United States; without amendment (Rept. No. 1491). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XXII,

Mr. HILL of Alabama: Committee on Military Affairs. S. 1232. An act for the relief of Stephen A. Winchell; without amendment (Rept. No. 1483). Referred to the Committee of the Whole House.
PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS

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

By Mr. GLEATFELTER: A bill (H. R. 12283) providing for the establishment of a term of the District Court of the United States for the Southern District of Florida at Orlando, Fla., to the Committee on Military Affairs.

By Mr. SMITH of Florida: A bill (H. R. 12282) providing for the organization, disposition, and administration of the counties of York and Lancaster, in the State of Pennsylvania, and their 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.

By Mr. CARLTON: A bill (H. R. 12285) to name the organic act of Porto Rico, approved March 2, 1917, to the Committee on Insular Affairs.

By Mr. C. CURRY: A bill (H. R. 12283) to create a department of air, defining the powers and duties of the secretary thereof, providing for the organization, disposition, and administration of a United States air force, and providing for the development of civil and commercial aviation, the regulation of air navigation; and for other purposes; to the Committee on Military Affairs.

By Mr. MAGEE of New York: A bill (H. R. 12286) to provide for the appointment of one additional district judge for the northern and eastern districts of New York; to the Committee on the Judiciary.

By Mr. RANKIN: Resolution (H. Res. 490) directing the Federal Trade Commission to make an inquiry into cottonseed products, and for other purposes; to the Committee on Agriculture.

By the SPEAKER (by request): Memorial of the Legislature of the State of Wisconsin petitioning Congress to protest against the surrender of Muscle Shoals to private interests; to the Committee on Military Affairs.

By Mr. FLEETWOOD: Legislature of the State of Vermont passed a joint resolution approved by the governor urging Congress to participate in the World Court on the Harding-Hughes terms, as approved by President Coolidge; to the Committee on Foreign Affairs.

By Mr. BROWNE of Wisconsin: Memorial of the Legislature of the State of Wisconsin, petitioning Congress against the surrender of Muscle Shoals to private interests; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. COLE of Ohio: A bill (H. R. 12257) to reinstate in the naval service John C. F. Yarnell; to the Committee on Naval Affairs.

By Mr. LAZARO: A bill (H. R. 12288) granting a pension to Addie I. Parsons; to the Committee on Invalid Pensions.

By Mr. SCHAEFER: A bill (H. R. 12290) for the relief of John W. Lewis; to the Committee on Military Affairs.

Also, a bill (H. R. 12291) for the relief of Maj. F. Ellis Reed; to the Committee on Claims.

By Mr. SNELL: A bill (H. R. 12262) granting insurance to Lydia C. Spry; to the Committee on World War Veterans' Legislation.

Also, a bill (H. R. 12263) granting an increase of pension to Eliza N. Stacke; to the Committee on Invalid Pensions.

Mr. WILLIAMS of Michigan: A bill (H. R. 12294) granting an increase of pension to Alice Root; to the Committee on Invalid Pensions.

Mr. WILLSON of Indiana: A bill (H. R. 12295) granting an increase of pension to Sarah A. Hugan; to the Committee on Invalid Pensions.

PETITIONS, ETC.

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

3777. By the SPEAKER (by request): Petition of board of supervisors, San Francisco County, Calif., requesting Congress to appoint a committee to be present at the celebration of California's diamond jubilee; to the Committee on Rules.

3778. By Mr. ARNOLD: Petition from sundry citizens of Nevada protesting against the passage of the compulsory Sunday observance bill; to the Committee on the District of Columbia.