

8528. By Mr. CONNERY: Resolution of City Council of Peabody, Mass., for placing a tariff on finished leather; to the Committee on Ways and Means.

8529. By Mr. GARNER of Texas: Resolution of the Legislature of the State of Texas, requesting appropriate legislation for return of certain war records to the States; to the Committee on Military Affairs.

8530. By Mr. JOHNSON of Texas: Resolution of the Texas Legislature, favoring a fair and adequate tariff on all products of farm and ranch; to the Committee on Ways and Means.

8531. Also, resolution of the Texas Legislature favoring the return of the Confederate records to each of the States relative to the military service of their citizens in the Civil War; to the Committee on Military Affairs.

8532. By Mr. KVALE: Petition adopted at a mass meeting under auspices of Cooperative Livestock Shipping Association, Willmar, Minn., on January 29, 1929, and presented by O. B. Augustson, chairman of committee, urging prompt enactment by Congress of legislation to provide for adequate supervision of weights and grades of livestock at all direct buying points; to the Committee on Agriculture.

8533. Also, petition of national legislative committee, Veterans of Foreign Wars, by T. M. Thomson, a member, Minneapolis, Minn., urging prompt and favorable action by Congress on House bill 14676; to the Committee on Pensions.

8534. Also, petition of Julia R. Johnston and Eva Norris, Sophia L. Rice Auxiliary, No. 10, Willmar, Minn., urging enactment of legislation increasing pensions for disabled veterans of the Spanish-American War, also for their widows and orphans; to the Committee on Pensions.

8535. By Mr. LINDSAY: Petition of Reserve Officers' Association of the city of Brooklyn, N. Y., favoring sufficient appropriation to provide for the training of 26,000 reserve officers; to the Committee on Military Affairs.

8536. Also, petition of Seldner & Enequist (Inc.), and sundry citizens of Brooklyn, N. Y., praying for passage of Senate bill 1271, known as the Norbeck bird conservation bill; to the Committee on Agriculture.

8537. By Mr. LINTHICUM: Petition of J. Lawrence Fox, Howard A. Kelly, Mrs. J. Bannister Hall, jr., Edwin G. Baetger, jr., Sifford Pearre, Bertram N. Bruestle, J. W. Lindan, Douglas Gorman, William Cunningham, and Glen F. Kahn, all of Baltimore, Md.; Raymond M. D. Adams, Port Deposit, Md.; and Dr. Henry Barton Jacobs, and D. G. McIntosh, jr., Baltimore, Md.; to the Committee on Agriculture.

8538. By Mr. McCORMACK: Petition of Mrs. John J. Broderick, Miss Marie A. Broderick, and Mrs. Charles Flynn, 69 Roseclair Street, Dorchester, Mass., protesting against the so-called Newton maternity bill and the equal rights bill; to the Committee on Interstate and Foreign Commerce.

8539. By Mr. O'CONNELL: Petition of C. A. Week, Fieldston, New York City, favoring the passage of the Norbeck game refuge bill; to the Committee on Agriculture.

8540. Also, petition of Mrs. Paul C. Ranson, Miami, Fla., favoring the passage of the Norbeck game refuge bill; to the Committee on Agriculture.

8541. Also, petition of the General Federation of Womens Clubs, favoring the passage of the Norbeck game refuge bill; to the Committee on Agriculture.

8542. By Mr. PRATT: Petition of history department of the Monticello, Sullivan County, N. Y., high school, favoring approval of the cruiser bill and adequate appropriations to enforce the prohibition law; to the Committee on Naval Affairs.

8543. By Mr. ROBINSON of Iowa: Petition of George Boyesen, Boysen Shoe Co., and residents of Cedar Falls, Iowa, regarding tariff on hides and leather; to the Committee on Ways and Means.

8544. By Mr. ROMJUE: Petition of W. E. Mitchell, J. A. Brown, et al., of Union Township drainage district, La Grange, Mo.; to the Committee on Irrigation and Reclamation.

8545. By Mr. SELVIG: Resolution of the McCrea Farmers' Club, Mrs. E. H. Brown, secretary, of Warren, Minn., that Congress enact a farm-relief measure at an early date; to the Committee on Agriculture.

8546. Also, resolution of the Warrenton Community Club, Warren, Minn., that Congress enact a farm-relief measure at an early date; to the Committee on Agriculture.

8547. Also, resolution of the Joe River Farmers' Club, St. Vincent, Minn., representing 30,000 acres of land, signed by J. W. Brown, president, and John Anderson, secretary, that Congress enact a farm-relief measure at an early date; to the Committee on Agriculture.

8548. Also, resolution of the Boxville Farmers' Club, signed by Mrs. George E. Willey (secretary), M. W. Munger, Elmer

Erickson, John L. Dalquist, and others, of Warren, Minn., that Congress enact a farm-relief measure at an early date; to the Committee on Agriculture.

SENATE

SATURDAY, February 2, 1929

(Legislative day of Thursday, January 31, 1929)

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

The VICE PRESIDENT. The Senate will receive a message from the House of Representatives.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks, announced that the House had adopted a concurrent resolution (H. Con. Res. 48) to provide for the printing of 2,500 copies of the consolidated hearings on "Tariff readjustment, 1929," in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 3581) authorizing the Commissioners of the District of Columbia to settle claims and suits against the District of Columbia.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 16301) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1930, and for other purposes; requested a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. WASON, Mr. SUMMERS of Washington, Mr. ALLEN, Mr. CULLEN, and Mr. VINSON of Kentucky were appointed managers on the part of the House at the conference.

The message also announced that the House insisted upon its amendments to the bill (S. 2319) for the relief of John W. Stockett, disagreed to by the Senate; agreed to the conference requested by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. STRONG of Kansas, Mr. SINCLAIR, and Mr. LOWREY were appointed managers on the part of the House at the conference.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills and joint resolutions, and they were signed by the Vice President:

H. R. 6864. An act to authorize the Postmaster General to require steamship companies to carry the mail when tendered;

H. R. 13414. An act to amend section 1396 of the Revised Statutes of the United States relative to the appointment of chaplains in the Navy;

H. R. 13507. An act to amend section 3 of Public Act No. 230 (37 Stat. L. p. 194);

H. R. 14920. An act granting the consent of Congress to the State of Wisconsin to construct, maintain, and operate a free highway bridge across the Rock River at or near Center Avenue, Janesville, Rock County, Wis.;

H. R. 15324. An act authorizing the attendance of the Marine Band at the Confederate veterans' reunion to be held at Charlotte, N. C.;

H. J. Res. 340. Joint resolution to authorize the Secretary of the Treasury to cooperate with the other relief creditor governments in making it possible for Austria to float a loan in order to obtain funds for the furtherance of its reconstruction program, and to conclude an agreement for the settlement of the indebtedness of Austria to the United States; and

S. J. Res. 171. Joint resolution granting the consent of Congress to the city of New York to enter upon certain United States property for the purpose of constructing a rapid transit railway.

SALES OF FOREIGN MANUFACTURED LEATHER (S. DOC. NO. 217)

The VICE PRESIDENT laid before the Senate a communication from the chairman of the United States Tariff Commission, transmitting, in response to Senate Resolution 169 of March 19, 1928, a report relative to the extent of the sales of foreign manufactured leather from goat skins and kid skins in the United States since January 1, 1925, and the rates of wages paid workers in the tanning of black and colored kid in the United States and competing countries, which was ordered to lie on the table and to be printed.

REPORT OF THE WASHINGTON GAS LIGHT CO.

The VICE PRESIDENT laid before the Senate a communication from the president of the Washington Gas Light Co., transmitting, pursuant to law, a detailed statement of the business of that company, together with a list of its stockholders, for the year ending December 31, 1928, which was referred to the Committee on the District of Columbia.

CLAIM OF CLYDE H. TAVENNER

The VICE PRESIDENT laid before the Senate a communication from the Comptroller General of the United States, transmitting, pursuant to law, his report and recommendation concerning the claim of Clyde H. Tavenner for refund of the unused portion of money deposited by him with the Public Printer for the printing of speeches in 1916 when he was a Member of Congress, which, with the accompanying report, was referred to the Committee on Claims.

DISPOSITION OF USELESS PAPERS

The VICE PRESIDENT laid before the Senate a communication from the Acting Secretary of War, transmitting, pursuant to law, lists of documents and files of papers which are not needed or useful in the transaction of the current business of the department and have no permanent value or historic interest, and asking for action looking toward their disposition, which was referred to a Joint Select Committee on the Disposition of Useless Papers in the Executive Departments. The Vice President appointed Mr. REED of Pennsylvania and Mr. FLETCHER members of the committee on the part of the Senate.

PETITIONS AND MEMORIALS

The VICE PRESIDENT laid before the Senate the following joint memorial of the Legislature of the State of Oregon, which was referred to the Committee on Immigration:

Senate Joint Memorial 5

To the Honorable Senate and House of Representatives of the United States of America in Congress assembled:

Whereas there is now pending a bill in the Congress of the United States, introduced by Senator HARRIS, of Georgia, providing for an amendment to the immigration laws of the United States so as to place Mexico under the quota provisions applying to other nations; and

Whereas under present conditions many thousands of Mexicans are entering the United States without any restrictions, and the cheaper labor of Mexico is rapidly coming in competition with American labor, and if this condition continues the standard of the American worker will be greatly lowered; and

Whereas the Legislature of the State of Oregon feels that this condition is unjust and should be promptly remedied: Now, therefore, be it

Resolved by the Senate of the State of Oregon (the House of Representatives jointly concurring therein), That we, your memorialists, the Senate of the State of Oregon, the House of Representatives concurring, respectfully request and petition the Congress of the United States to promptly pass the legislation hereinabove referred to, placing Mexico under the same quota provisions concerning immigration as apply to other nations; and be it further

Resolved, That the secretary of state of the State of Oregon be, and he hereby is, requested and directed to forthwith transmit a certified copy of this joint memorial to the Vice President of the United States, the Speaker of the House of Representatives of the United States, and to each of our Senators and Representatives in Congress, urging their support on behalf of the matter embraced in this memorial.

Adopted by the senate January 24, 1929.

A. W. NORBLAD,
President of the Senate.

Concurred in by the house of representatives January 25, 1929.

R. S. HAMILTON,
Speaker of the House.

(Indorsed: Senate Joint Memorial No. 5, introduced by Senator Moser and Representative Anderson, John P. Hunt, chief clerk. Filed: January 28, 1929, Hal E. Hoss, secretary of state.)

UNITED STATES OF AMERICA,
STATE OF OREGON,
Office of the Secretary of State.

I, Hal E. Hoss, secretary of state of the State of Oregon, and custodian of the seal of said State, do hereby certify: That I have carefully compared the annexed copy of Senate Joint Memorial No. 5 with the original thereof adopted by the Senate and House of Representatives of the Thirty-fifth Legislative Assembly of the State of Oregon and filed in the office of the secretary of state of the State of Oregon January 28, 1929, and that the same is a full, true, and complete transcript therefrom and of the whole thereof, together with all indorsements thereon.

In testimony whereof, I have hereunto set my hand and affixed hereto the seal of the State of Oregon.

Done at the capitol at Salem, Ore., this 28th day of January, A. D. 1929.

[SEAL.]

HAL E. HOSS, Secretary of State.

The VICE PRESIDENT also laid before the Senate the following concurrent resolution of the Legislature of the State of Iowa, which was referred to the Committee on Finance:

STATE OF IOWA,

SECRETARY OF STATE.

I, Ed. M. Smith, secretary of state of the State of Iowa, keeper and custodian of the acts and resolutions of the general assemblies, do hereby certify that the attached instrument in writing is a true and correct copy of Senate Concurrent Resolution No. 5 as adopted by the Forty-third General Assembly of Iowa.

In testimony whereof I have hereunto set my hand and affixed the official seal of the secretary of state at the capitol in Des Moines this 30th day of January, A. D. 1929.

[SEAL.]

ED. M. SMITH, Secretary of State.

Senate Concurrent Resolution 5 (by Shaff), memorializing the Congress of the United States to adopt an adequate tariff schedule on molasses imported for the manufacturing of industrial alcohol

Whereas the corn growers of the Corn Belt have met with a limited demand for corn that has been produced and not used for feeding purposes the past several years; and

Whereas because of this lack of demand and the depressed condition of agriculture generally the price of corn has been substantially below the cost of production in this Corn Belt area; and

Whereas one of the greatest single contributing factors in placing agriculture on a parity with other industries is that the price of corn be such as to allow the producer an adequate return for his labor and investment; and

Whereas the dairy and livestock feeding industry would be benefited by the further use and manufacture of corn incident to the making of industrial alcohol and the large amount of distillers' dried grains that would arise therefrom; and

Whereas this would furnish a splendid demand for low-grade corn not well fitted for commercial usage: Now, therefore, be it

Resolved by the Senate of the General Assembly of Iowa (the House concurring), That we petition and pray the Congress of the United States to amend the tariff schedule as affecting the duty on molasses imported for the manufacture of industrial alcohol to such an extent that it will be more economical to use corn in its manufacture than to use imported molasses; be it further

Resolved, That on the passage of this resolution the secretary of state shall certify a copy hereof each to the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States, the Secretary of Agriculture, and the Secretary of Commerce at Washington, D. C.

Introduced January 28, 1929.

Taken up by unanimous consent.

Adopted.

WALTER H. BEAM,
Secretary of the Senate.

To the house January 29, 1929.

Rule 34 suspended; resolution adopted.

A. C. GUSTAFSON, Chief Clerk.

REPORTS OF COMMITTEES

Mr. BROOKHART, from the Committee on Military Affairs, to which was referred the bill (H. R. 132) authorizing the erection of a sanitary, fireproof hospital at the National Home for Disabled Volunteer Soldiers at Dayton, Ohio, reported it without amendment and submitted a report (No. 1597) thereon.

Mr. BAYARD, from the Committee on Claims, to which was referred the bill (H. R. 12714) for the relief of the Rocky Ford National Bank, Rocky Ford, Colo., reported it without amendment and submitted a report (No. 1598) thereon.

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

A bill (H. R. 8807) for the relief of James O. Williams (Rept. No. 1610);

A bill (H. R. 9716) for the relief of Charles H. Salley (Rept. No. 1599); and

A bill (H. R. 10913) to compensate Talbird & Jenkins for balance due on contracts with Navy Department dated March 20 and October 9, 1919 (Rept. No. 1600).

Mr. REED of Pennsylvania, from the Committee on Military Affairs, to which was referred the bill (H. R. 13825) to authorize appropriations for construction at military posts, and for other purposes, reported it with amendments and submitted a report (No. 1601) thereon.

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

A bill (S. 5550) to authorize the purchase by the Secretary of Commerce of a site, and the construction and equipment of a building thereon, for use as a constant frequency monitoring radio station, and for other purposes (Rept. No. 1602); and

A bill (H. R. 16129) to provide for the acquisition of a site and the construction thereon and equipment of buildings and appurtenances for the Coast Guard Academy (Rept. No. 1603).

Mr. EDGE, from the Committee on Finance, to which was referred the bill (S. 5453) authorizing the payment of Government life insurance to Etta Pearce Fulper, reported it without amendment and submitted a report (No. 1604) thereon.

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

A bill (S. 4938) granting war-risk insurance to the estate of Herbert Toll (Rept. No. 1607); and

A bill (H. R. 10760) to authorize the settlement of the indebtedness of the Hellenic Republic to the United States of America, and of the differences arising out of the tripartite loan agreement of February 10, 1918 (Rept. No. 1608).

Mr. CAPPER, from the Committee on Claims, to which was referred the bill (H. R. 5780) to provide for the further carrying out of the award of the National War Labor Board of July 31, 1918, in favor of certain employees of the Bethlehem Steel Co., Bethlehem, Pa., reported it without amendment and submitted a report (No. 1609) thereon.

Mr. TRAMMELL, from the Committee on Claims, to which was referred the bill (H. R. 3967) for the relief of the next kin of Edgar C. Bryon, reported it without amendment and submitted a report (No. 1611) thereon.

Mr. McNARY, from the Committee on Agriculture and Forestry, to which was referred the bill (S. 5201) to authorize an appropriation for the relief of the States of Missouri, Mississippi, Louisiana, and Arkansas on account of roads and bridges damaged or destroyed by floods of 1927, reported it with amendments and submitted a report (No. 1613) thereon.

RATING OF FLYING SCHOOLS

Mr. JONES. Mr. President, from the Committee on Commerce I report favorably with an amendment the bill (S. 5350) to amend the air commerce act of 1926 with reference to the examination and rating of schools giving instruction in flying and I submit a report (No. 1606) thereon.

I call the attention of the Senator from Connecticut [Mr. BINGHAM] to the bill.

Mr. BINGHAM. I ask unanimous consent for the immediate consideration of the bill.

The PRESIDING OFFICER (Mr. McNARY in the chair). Is there objection to the request made by the Senator from Connecticut? The Chair hears none.

The Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Commerce with an amendment.

The amendment was, on page 1, line 6, before the word "examination," to strike out "annual" and insert "necessary," so as to make the bill read:

Be it enacted, etc., That section 3 (d) of the air commerce act of 1926 is amended by striking out the period at the end thereof and adding a semicolon and the following: "and provide for the necessary examination and rating of civilian schools giving instruction in flying, as to the adequacy of the course of instruction, as to the suitability and airworthiness of the equipment, and as to the competency of the instructors."

Mr. ROBINSON of Arkansas. Mr. President, I think the Senator from Connecticut should make a brief statement in explanation of the bill.

Mr. BINGHAM. Mr. President, I shall be very glad to do so. When the air commerce act was passed in 1926 there were only one or two flying schools in the country, and it did not occur to anybody to give the Department of Commerce the duty of rating those schools in case a rating should be asked for. At the present time, however, there are nearly 250 such schools, and they are springing up every day. No one knows whether they are good, bad, or indifferent, and there is no method of finding out. Some of them, with unlicensed pilots and unlicensed planes, are attempting to instruct pupils. The bill is for the protection of those who desire to learn flying. It is not compulsory.

Mr. ROBINSON of Arkansas. What power does it propose to give the Department of Commerce?

Mr. BINGHAM. It merely adds to the functions of the Department of Commerce the duty to rate flying schools just as the department to-day has the duty of rating airports and other air navigation facilities when such a rating is asked for. So far as I know, there is no objection to the passage of the bill, but there is a very general demand for it.

Mr. KING. Mr. President, I wish to ask the Senator from Connecticut whether there is any provision in the bill which will prohibit States from licensing schools which are engaged in teaching aeronautics?

Mr. BINGHAM. Not at all. The bill does not propose to interfere with State rights in any particular.

Mr. ROBINSON of Arkansas. Is the bill accompanied by a unanimous report from the committee?

Mr. JONES. It is.

Mr. KING. The bill, as I understand, proposes to give the Federal Government the power to license and rate flying schools.

Mr. BINGHAM. It is not a question of licensing flying schools, but merely rating them, just as the Government now rates airports.

The PRESIDING OFFICER. The question is on agreeing to the amendment reported by the Committee on Commerce to the bill.

The amendment was agreed to.

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

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

AMENDMENT OF THE DISTRICT CODE

Mr. CAPPER. Mr. President, from the Committee on the District of Columbia I report back the amendments of the House to the bill (S. 2366) to amend subchapter 1 of chapter 18 of the Code of Laws for the District of Columbia relating to degree-conferring institutions, and move that the Senate disagree to the House amendments, request a conference with the House on the disagreeing votes of the two Houses thereon, and that the Chair appoint the conferees on the part of the Senate.

Mr. ROBINSON of Arkansas. Will the Senator state the effect of the House amendments?

Mr. CAPPER. I ask that the House amendments may be read.

The CHIEF CLERK. On page 2, strike out lines 15 to 18, inclusive, and insert:

2. That any such degree shall be awarded only after such quantity and quality of work shall have been completed as are usually required by reputable institutions awarding the same degree and approved by the Board of Education of the District of Columbia: *Provided*, That if more than one-half the requirements for any degree are earned by correspondence or extramural study such fact shall be conspicuously noted upon the diploma conferred: *Provided further*, That no diploma shall be issued conferring a degree in medicine or any healing art, or in law, for study pursued or work done by correspondence.

And on page 4, line 22, after the word "thereof," insert:

And provided further, That after notice has been given as hereinabove provided and during said 30-day period or during the time said decision is under review by the Supreme Court, no diploma shall be awarded or degree conferred by the licensee.

The VICE PRESIDENT. The Senator from Kansas moves that the Senate disagree to the amendments of the House, request a conference with the House on the disagreeing votes of the two Houses thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. BLAINE, Mr. HASTINGS, and Mr. COPELAND conferees on the part of the Senate.

BILLS INTRODUCED

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

By Mr. DALE:

A bill (S. 5658) granting an increase of pension to Celina Plant (with accompanying papers); to the Committee on Pensions.

By Mr. FLETCHER:

A bill (S. 5659) granting an increase of pension to Amanda B. Birch; to the Committee on Pensions.

By Mr. THOMAS of Oklahoma:

A bill (S. 5660) granting an increase of pension to Rachel Ann Evans (with accompanying papers); to the Committee on Pensions.

By Mr. McNARY:

A bill (S. 5661) granting a pension to Henry Y. Blackwell; to the Committee on Pensions.

By Mr. CAPPER:

A bill (S. 5662) to authorize a second 5-year building program for the public-school system of the District of Columbia which shall provide school buildings adequate in size and facilities to make possible an efficient system of public educa-

tion in the District of Columbia; to the Committee on the District of Columbia.

By Mr. REED of Pennsylvania:

A bill (S. 5663) granting an increase of pension to Annie B. Kenyon (with accompanying papers); to the Committee on Pensions.

Mr. NORRIS. On behalf of my colleague [Mr. HOWELL], who is detained from the Senate on account of illness, I desire to introduce a bill.

By Mr. NORRIS (for Mr. HOWELL):

A bill (S. 5664) to extend the times for commencing and completing the construction of a bridge across the Missouri River between Council Bluffs, Iowa, and Omaha, Nebr.; to the Committee on Commerce.

By Mr. WALSH of Massachusetts:

A bill (S. 5665) for the relief of Paul A. Oehme;
A bill (S. 5666) for the relief of Frank P. Hoyt; and
A bill (S. 5667) for the relief of Joseph Gorman; to the Committee on Military Affairs.

CHANGES OF REFERENCE

Mr. DENEEN. Mr. President, I ask unanimous consent that the Finance Committee be discharged from the further consideration of the bill (S. 5187) to exempt from taxation certain property of the National Society of the Sons of the American Revolution in Washington, D. C., and that the bill be referred to the Committee on the District of Columbia. It is a bill regarding certain property here in the District of Columbia.

The PRESIDENT pro tempore. The Senator from Illinois asks unanimous consent to discharge the Committee on Finance from the further consideration of S. 5187 and that the bill be referred to the Committee on the District of Columbia.

Mr. ROBINSON of Arkansas. I did not understand what the Senator said the bill is.

Mr. DENEEN. It is a bill to exempt from taxation certain property of the National Society of the Sons of the American Revolution in Washington, D. C.

Mr. ROBINSON of Arkansas. It should properly have gone to the Committee on the District of Columbia?

Mr. DENEEN. Yes.

The PRESIDENT pro tempore. Without objection, the Committee on Finance is discharged from further consideration of the bill, and the bill is referred to the Committee on the District of Columbia.

On motion of Mr. REED of Pennsylvania, the Committee on Military Affairs was discharged from the further consideration of the bill (H. R. 7939) to authorize settlement of damages to persons and property by Army aircraft, and it was referred to the Committee on Claims.

On motion of Mr. SMOOT, the Committee on Finance was discharged from the further consideration of the bill (S. 5473) granting a pension to Mary H. Goldberger, and it was referred to the Committee on Commerce.

AMENDMENT TO NAVAL APPROPRIATION BILL

Mr. JONES submitted an amendment intended to be proposed by him to House bill 16714, the naval appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed, as follows:

At the proper place under "Public works, Bureau of Yards and Docks," insert:

"Navy yard, Puget Sound, Wash.: Extension of Dry Dock No. 2 (limit of cost, \$700,000), \$400,000."

OPEN EXECUTIVE SESSIONS—PROPOSED AMENDMENT OF RULE XXXVIII, PARAGRAPH 2

Mr. JONES. Mr. President, I desire to present a notice and ask that it may be read at the desk.

The VICE PRESIDENT. The notice will be read, as requested.

The Chief Clerk read as follows:

I hereby give notice that on Monday, February 4, or as soon thereafter as may be possible, I shall move to amend paragraph 2 of Rule XXXVIII of the Standing Rules of the Senate, relating to proceedings on nominations in executive session, so as to make paragraph 2 of said rule read as follows:

"2. Nominations shall be considered in open executive session unless the Senate, in closed executive session, shall by a majority vote determine that any particular nomination shall be considered in closed executive session. When nominations are so considered in executive session all information communicated or remarks made by a Senator when acting upon nominations concerning the character or qualifications of the person nominated shall be kept secret. If, however, charges shall be made against a person nominated, the committee may, in its discretion, notify such nominee thereof, but the name of the person making such charges shall not be disclosed. The fact that a

nomination has been made, or that it has been confirmed or rejected, shall not be regarded as a secret; and all roll calls in closed executive session, together with a statement of the question upon which such roll calls are had, shall be published in the RECORD.

Mr. JONES. I desire to have printed in the RECORD a copy of a speech made by the Hon. Orville H. Platt, of the State of Connecticut, April 13, 1886, dealing with this very matter. The speech was brought to my attention just this morning.

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

The speech referred to is as follows:

OPEN EXECUTIVE SESSIONS

SPEECH OF HON. ORVILLE H. PLATT, OF CONNECTICUT, IN THE SENATE OF THE UNITED STATES, TUESDAY, APRIL 13, 1886

The Senate having under consideration the resolution submitted by Mr. Platt, January 29, 1886, and reported adversely from the Committee on Rules, February 8, 1886, relating to the consideration of executive nominations in open sessions of the Senate.

The PRESIDENT pro tempore. The Senator from Connecticut [Mr. Platt] submitted amendments to the resolution. The resolution will be read as proposed to be modified.

The Chief Clerk read as follows:

"Resolved, That Executive nominations shall hereafter be considered and acted upon in open session, except when otherwise ordered by vote of the Senate, and so much of section 2, Rule XXXVI, and section 2, Rule XXXVIII, of the standing rules of the Senate as conflict with or is inconsistent with the above is to the extent of such inconsistency rescinded."

The PRESIDENT pro tempore. The resolution being pending, the Senator from Connecticut has the floor.

Mr. PLATT. Mr. President, this is a political question which I propose to discuss; a political question but in no sense a question of party politics. It rises above all party politics, and should be discussed upon a higher plane than mere partisan questions are usually discussed. I consider it to be to-day the most needed measure of administrative reform in this Government, and I wish to discuss it from the standpoint of deliberate and dispassionate argument and reason. My opinions in relation to the question have slowly changed, and I have come to-day to feel that the Senate of the United States can engage in no more important business than the change of its rules in respect to the consideration of executive business, especially so far as the business of nominations is concerned.

I desire at the outset to have it understood exactly what this question is and what it is not. It is a simple proposition to change the rule relative to the consideration of Executive nominations, so that in the future the rule shall be that they shall be considered in open session, leaving only the exceptional cases to be considered in secret session. The present rules upon this subject I shall read. The first rule which seems to relate to it is Rule XXXV.

"On a motion made and seconded to close the doors of the Senate, on the discussion of any business which may, in the opinion of a Senator, require secrecy, the Presiding Officer shall direct the galleries to be cleared; and during the discussion of such motion the doors shall remain closed."

My resolution and the amendments which I have proposed do not interfere with this rule. Rule XXXVI, sections 2 and 3, is as follows:

"2. When acting upon confidential or executive business the Senate Chamber shall be cleared of all persons except the Secretary, the Chief Clerk, the principal legislative clerk, the executive clerk, the minute and journal clerk, the Sergeant at Arms, the Assistant Doorkeeper, and such other officers as the Presiding Officer shall think necessary, and all such officers shall be sworn to secrecy.

"3. All confidential communications made by the President of the United States to the Senate shall be by the Senators and the officers of the Senate kept secret; and all treaties which may be laid before the Senate, and all remarks, votes, and proceedings thereon shall also be kept secret until the Senate shall, by their resolution, take off the injunction of secrecy.

Rule XXXVIII, section 2, is as follows:

"2. All information communicated or remarks made by a Senator when acting upon nominations, concerning the character or qualifications of the person nominated, also all votes upon any nomination, shall be kept secret. If, however, charges shall be made against a person nominated, the committee may, in its discretion, notify such nominee thereof, but the name of the person making such charges shall not be disclosed. The fact that a nomination has been made, or that it has been confirmed or rejected, shall not be regarded as a secret."

Then, to refer again to Rule XXXVI, in section 4, which I desire to read, and which I can not read and which no Senator can hear read without a sense of personal degradation, we find the following:

"4. Any Senator or officer of the Senate who shall disclose the secret or confidential business or proceedings of the Senate shall be liable, if a Senator, to suffer expulsion from the body; and if an officer, to dismissal from the service of the Senate, and to punishment for contempt."

So that if a Senator or an officer shall disclose any remarks made by a Senator when acting upon nominations, or the votes upon the nominations, he is liable to expulsion from this body.

A history of legislative and executive proceedings of the different legislative bodies of the United States is exceedingly interesting, and I must to some extent refer to it in my remarks.

But first I desire to examine these rules so far as they enjoin secrecy. I suppose it is apprehended that this rule which makes a Senator liable to expulsion from this body if he communicates or discloses any of the remarks which have been made in secret session when the confirmation of a nomination is pending has been a rule from the foundation of the Government, and that when we seek to change the rule we are departing from the well-established practice of the fathers. But that is an entire mistake. The first rule for requiring any secrecy in the matter of executive nominations was passed on the 3d of January, 1820. Up to the 3d of January, 1820, there was no intimation or suggestion in the rules of the Senate that secrecy was enjoined or expected so far as action on nominations was concerned. Whatever of secrecy was implied was implied simply and purely because of the fact that the Senate sat with closed doors, but so far as the rules were concerned no secrecy whatever was enjoined in this respect.

Mr. MORRILL. May I ask the Senator from Connecticut if up to that period all the proceedings of the Senate were not in secret session?

Mr. PLATT. I will come to that before I get through with this argument, and I think I shall show that the public sentiment of this country compelled the opening of these doors after they have been five years closed in legislative business, and I think I shall show that the same public sentiment now demands that they shall be opened as a rule upon the consideration of executive nominations.

As I said, the first rule in regard to nominations was adopted January 3, 1820. It is to be found in the report of the Senate Committee on Rules, page 34, when, for the first time, the Senate enacted a rule that—

"All information on remarks touching or concerning the character or qualifications of any person nominated by the President to office shall be kept secret."

But no penalty, mark you, was attached at that time. No penalty was attached by the rules to any disclosure of the executive proceedings of the Senate until 1844, when this rule was enacted:

"Any officer or member of the Senate convicted of disclosing"—

Now, mark—

"for publication any written or printed matter directed by the Senate to be held in confidence shall be liable, if an officer, to dismissal from the service of the Senate, and in case of a Member, to suffer expulsion from the body."

The rule requiring that information and remarks concerning the character and qualification of Members had then been in existence for 14 years; and yet when the Senate in 1844 proposed to attach a penalty for the disclosure of the secrets of executive session, it was expressly confined to the "disclosing for publication any written or printed matter directed by the Senate to be held in confidence," and it was not until 1868 that the present rule, which I have said no Senator can read and no Senator can hear read without a sense of personal degradation, was adopted—March 25, 1868:

"Any Senator or officer of the Senate who shall disclose the secret or confidential business or proceedings of the Senate shall be liable, if a Senator, to suffer expulsion from the body; and if an officer, to dismissal from the service of the Senate, and to punishment for contempt."

Remarks and information touching the character and qualifications of a candidate having been made secret, of course that rule now applies to such remarks and information.

So it is seen that the departure from the practice of the fathers has been toward the establishment of a rigid iron-bound rule of secrecy, the violation of which is the expulsion of the Member. It has been in my judgment a departure from the spirit of the fathers in direct opposition to the will and best interests of the people and against the general welfare of the Government.

Now what is my resolution? That there may be no mistake about it I will read it as it will be if the amendment which I have proposed shall be adopted:

Resolved, That Executive nominations shall hereafter be considered and acted upon in open session except when otherwise ordered by the Senate. And so much of section 2, Rule XXXVI, and section 2, Rule XXXVIII, of the standing rules of the Senate as conflict with or is inconsistent with the above is to the extent of such inconsistency rescinded."

The objection which I have most frequently heard is the one of which I have spoken, that this practice of sitting with closed doors is of long standing, dates back to the formation of the Constitution and the commencement of the sessions of the Senate, and the inference is that whatever is old is wise and good and should be retained and never departed from. But I have shown that the departure has been in the line of more rigid secrecy and in the line of punishing for a disclosure of the secrets of the Senate, and I have to remind Senators that no great measure of reform in this world has ever made progress that did not make it over the ramparts of custom and tradition.

It seems to me that the answer may be rested on the history of the rule as I have cited it to the Senate. That whatever secrecy was implied from closed doors existed, I admit. It existed from the start. That any more secrecy than is implied by closed doors existed at the time of the commencement of the sessions of the Senate, I deny. That any greater secrecy existed in relation to the consideration of executive business than existed with the consideration of legislative business while the Senate sat with closed doors, I deny. It was not until 1800, 11 years after the Senate commenced its sessions and 6 years after the doors were opened in legislative business, that any rule of secrecy was applied to any kind of business transacted in executive session. So whatever secrecy the fathers observed for six years after the Senate was opened as to legislative business was the same secrecy with regard to executive business that they adopted with regard to legislative business and no more. I shall endeavor to show by some references to history, as briefly made as I can, that that was not a very rigid rule of secrecy; that even in the Continental Congress, which sat with closed doors, and in the legislative sessions of the Senate, which for the first five years were held with closed doors, there was no rigid secrecy maintained. Members of the House, the newspapers, knew what was being discussed in the legislative sessions of the Senate although the doors were closed.

I have said that the Continental Congress sat with closed doors, but it was early in the history of the Continental Congress that Alexander Hamilton introduced the following motion, to be found on page 52 of Elliot's Debates, fifth volume:

"A motion was made by Mr. Hamilton, seconded by Mr. Wilson, that whereas Congress were desirous that the motives and views of their measures should be known to their constituents in all cases where the public safety would admit, when the subject of finances was under debate the doors of Congress should be open."

Mr. HOAR. What is the date of that?

Mr. PLATT. February, 1783. That was in the Continental Congress, and I call attention to Mr. Hamilton's preamble and I commend it to Senators in the consideration of this resolution:

"Whereas Congress"—

It is not whereas the people were desirous of knowing what Congress was doing, but—

"Whereas Congress were desirous that the motives and views of their measures should be known to their constituents in all cases where the public safety would admit, etc."

That is the doctrine which ought to-day to prevail in the Senate of the United States. The Senate of the United States ought to desire that their constituency should know what they are doing here and the discussions which take place upon any and all measures which may be before the Senate.

The first Congress was to meet March 4, 1789, but a quorum not assembling the House of Representatives did not organize until April 1, 1789, and then transacted no business except of a mere formal character. On the 6th of April, 1789, a quorum of the Senate appeared and, as Senators know, the votes for President and Vice President were counted. On the 8th of April, two days afterwards, the House of Representatives, departing from the custom established, threw open the doors of the House for the transaction of all business, and, except in rare instances of public danger, those doors have never been closed since. John Adams, writing to his wife on the 19th of April, 1789, said:

"Before this, I presume, the printers in Boston have inserted in their gazettes the debates of the House of Representatives, which are conducted with open galleries. This measure, by making the debates public, will establish the National Government or break the confederation. I can conceive of no medium between these extremes."

The Senate did not open its doors, but a resolution to conduct the legislative sessions of the Senate with open doors was introduced very early. The Senate meeting in April, 1789, in the following April, 1790, on the 29th of the month, a resolution for open legislative sessions was offered, as we are told in Maclay's notes, by the Senators from Virginia. The Senators from Virginia were then William Henry Lee and William Grayson. I desire to correct myself. That motion was not offered by the Senators from Virginia, but was, as Maclay tells us, laid on the table at the instance of the Virginia Senators. Grayson died, and James Monroe succeeded him, and took his seat in February, 1791, and on the 24th of February, 1791, as soon as possible after taking his seat he renewed the motion that the legislative sessions of the Senate should be with open doors. That was debated for two days in the Senate, and was defeated by a vote of 9 to 17. The record of it is to be found in Senate Journal, volume 1, pages 281 to 287.

March 26, 1792, the motion was again renewed by Monroe; it was then defeated by a vote of 8 to 17. April, 1792, the motion was varied, and the motion was then to admit to the discussions in the Senate two persons who might be recommended by each Member of the House of Representatives. That was also defeated, 6 to 16.

On the 4th of February, 1793, a resolution was offered, as follows:

Resolved, That the conducting of the legislative and judicial powers of the Senate in public, and suffering an account of their measures and deliberations to be published in the newspapers, is the best means of diffusing general information concerning the principles, motives, and

conduct of individual Members; and that, by withholding this information, responsibility becomes unavailing, the influence of their constituents over one branch of the Legislature in a great measure annihilated, and the best security which experience has devised against the abuse of power and a maladministration abandoned."

It was negatived by yeas 7, nays 21; but I call the attention of Senators to the language of this resolution, because it is as pertinent in relation to the conduct of ordinary executive business as it was with regard to legislative business. On the same day a motion was made to agree to another resolution, in these words:

"Resolved, therefore, That it be a standing rule that the doors of the Senate Chamber remain open whilst the Senate shall be sitting in a legislative and judicative capacity, except on such occasions as, in their judgment, may require secrecy; and that this rule shall commence and be enforced on the first day of the next session of Congress."

That resolution got 10 votes in this body, and there were 18 against it. So that the proposition all the time gained, as the present proposition has all the while gained and will all the while gain until it shall be adopted.

Then the Senate on the 11th day of February of that year, very much as we brought into this Senate the discussion of matters which were raised upon the consideration of nominations by the resolutions of the chairman of the Committee on the Judiciary, voted without division that the discussion and consideration of the question of whether Albert Gallatin, elected a Senator from Pennsylvania, was qualified for a seat in the Senate, it being objected that he had not been nine years a citizen of the United States, should be with open doors. It was so held; and the result of it was that it being once seen that a question of a legislative character could be discussed with open doors without any prejudice to the public interests, the Senate on the 24th of the same month passed a resolution that at the commencement of the next session the legislative sessions of the Senate should be open and that a gallery should be constructed.

I have referred to this to show how the measure grew from the time when Alexander Hamilton introduced his resolution in the Continental Congress, which received only the affirmative vote of the State of Pennsylvania, to the time when, as Hildreth in his history says, public sentiment compelled the doors of the Senate to be opened when it was sitting in a legislative capacity.

It will be observed that on the same day that this resolution for opening the doors was passed, the present rule, the rule which stands to this day, that the Senate should upon the motion of any Senator, seconded by another Senator, close its doors, was enacted. It seems to have been a kind of compromise, something such as is now suggested, that when any matter relating to a nomination comes up which in the judgment of the Senate should be conducted with closed doors the Senate may by vote order it so to be done.

It is interesting to note a fact of which we are told, that the first motion to conduct the legislative sessions of the Senate with open doors having been laid on the table at the instance of the Senators from Virginia, James Monroe came, at the next session, to the Senate instructed by a vote of the Legislature of Virginia to renew the motion and to press it to a favorable conclusion. I will not stop to refer to the interesting character of that debate, as shown by contemporaneous history. The resolution which I have referred to, of February 4, 1793, shows the line along which it must have been conducted. I think I will make a single reference to Maclay's notes, pages 296 and 297, for the purpose of showing that the very same arguments were urged against open legislative sessions which are now urged against open executive sessions.

The Virginia Senators having mentioned their instructions—
"This brought the subject of instructions from the different legislatures into view—"

Which I do not care to refer to. Senator Maclay spoke on the main question. He says:

"As to the late conduct of the Legislature of Pennsylvania, I spoke with but few of them. I had no instructions from them, and, all things considered, I was happy that I had given my voice on a former occasion for it."

That was for open session—
"The reasons which I gave then operated still in full force on my mind."

"The first was: That I knew of no reason for keeping the door of any legislative assembly open that did not apply with equal force to us."

"The second was: That I thought it a compliment due to the smallest State in the Union to indulge them in such request."

"The objections against it—"

And I ask Senators to note these objections, because they are the same which are raised to-day in regard to open sessions in executive matters—

"namely: That the Members would make speeches for the gallery and for the public papers, would be the fault of the Members. If they waged war in words and oral combats; if they pitted themselves like cocks; or played the gladiator for the amusement of the idle and curious, the fault was theirs. That let who would fill the chairs of the Senate, I

hoped discretion would mark their deportment. That they would rise to impart knowledge, and listen to obtain information. That while this line of conduct marked their debates, it was totally immaterial whether thousands attended, or there were not a single spectator."

I have said that the rule of secrecy had been very slight, if any. I think there was really none. The only question was whether the public should be permitted to hear the debates, not whether the debates should be communicated by Members to persons outside, and the correspondence and contemporaneous writings of that day show that Members of the Senate did not hesitate to tell what was said and done in the Senate, and one curious instance I will stop to refer to. Maclay, on page 269, speaking of the vote upon the memorial which had been sent from Pennsylvania to the Senate against the funding of the public debt, which was then under consideration, says this:

"Mr. Morris—"

A Pennsylvania Senator—

"was the only nay. I was in good humor myself, although I considered the vote of this day as waging a war with the public creditors, in which I will most probably lose my reelection, and was sorry to see my colleague manifest such a degree of peevishness. He left the Senate Chamber immediately after the vote."

Now, I want to refer to the writing of Fisher Ames. On the 23d of December, which was the day on which the vote was taken, writing to Thomas Dwight, of Connecticut, he says:

"The creditors in this State have sent us a huffing memorial, which I inclose. It came in when the price of debt affords an answer to it. No notice was taken of it. The Senate, I hear, have proposed to answer them by resolving that a revision of the funding act is improper."

That was in the commencement of his letter. At the end of it he says:

"The Senate have just voted, R. Morris only dissenting, in substance as I stated before. I wonder how the petitioners could overcome their Philadelphia modesty so far as to present such a ——— memorial. You may fill the blank for yourself."

Showing that Mr. Morris, being the only "nay" in the Senate, took his hat, rushed out of the Senate and rushed into the House and poured his woes into the ear of Fisher Ames. It is only one of numerous curious instances which show that there was no rule of secrecy unless it was upon particular matters in which there was a special effort made to keep them secret.

As I have said, there had been no rule of the Senate involving secrecy in any particular. The rules of the Senate were first adopted April 16, 1789, were 19 in number, and may be found in its Journal, volume 1, page 13. Nothing was said about keeping any of the proceedings, either legislative or executive, secret. The only rule of the Senate in relation to executive nominations adopted prior to December 22, 1800, was adopted on the 21st of August, 1789, and is the rule which is now in force in relation to the conduct of public business when executive nominations are considered. It is to be found in Executive Journal, volume 1, page 19, and it is in these words:

"Resolved, That when nominations shall be made in writing by the President of the United States to the Senate, a future day shall be assigned, unless the Senate unanimously direct otherwise, for taking them into consideration. That when the President of the United States shall meet the Senate in the Senate Chamber, the President of the Senate shall have a chair on the floor, be considered as at the head of the Senate, and his chair shall be assigned to the President of the United States. That when the Senate shall be convened by the President of the United States to any other place, the President of the Senate and Senators shall attend at the place appointed. The Secretary of the Senate shall also attend to take the minutes of the Senate."

"That all questions shall be put by the President of the Senate, either in the presence or absence of the President of the United States; and Senators shall signify their assent or dissent by answering, viva voce, 'aye' or 'no.'"

Is it not remarkable, if any more secrecy were implied as to executive business than as to legislative business, that when they were adopting this first rule for the conduct of executive business there should not have been some mention in it that these proceedings should be kept secret?

It ran on, then, without any further rule on the subject, for six years after the Senate adopted a resolution that the legislative sessions should be open. December 22, 1800, the Senate passed this rule; it is the first rule in the Senate with regard to secrecy, and let us see what it applied to; it did not apply to the consideration of nominations:

"Resolved, That all confidential communications made by the President of the United States to the Senate shall be by the Members thereof kept inviolably secret; and that all treaties which may hereafter be laid before the Senate shall also be kept secret until the Senate shall by their resolution take off the injunction of secrecy."

Does some one say the confidential communications included executive nominations? That is shown not to be the case by the occasion on which it was adopted. It was adopted upon the transmission of a message of John Adams, then President of the Senate, submitting in-

structions given to the envoys extraordinary and ministers plenipotentiary to the French Republic in the following words:

Gentlemen of the Senate:

In conformity with your request in your resolution of the 19th of this month, I transmit you the instructions given to our late envoys extraordinary and ministers plenipotentiary to the French Republic.

It is my request to the Senate that these instructions may be considered in strict confidence, and returned to me as soon as the Senate shall have made all the use of them they may judge necessary.

JOHN ADAMS.

UNITED STATES, December 22, 1800.

If the Senate had been considering all messages sent by the President to the Senate as secret, why did he in the message request them to consider this particular measure in strict confidence? The fact that the rule was adopted in relation to confidential communications on the reception of this message shows plainly the character of the communications to which it was applied. It was to communications of the character that had just been transmitted to the Senate only. In that case the instructions given to Minister Short to France, and to-day that is what we understand by the term "confidential communications." That was six years, as I said, after legislative sessions had been adopted. During these six years nominations and confirmations were published daily in the newspapers, or at least every few days.

There are some very curious things to be found in the Executive Journal, if it be said that there was any rigid secrecy maintained in regard to such matters; for instance, on page 149 of the first volume of the Executive Journal I find this:

"That the Secretary of the Senate pay no further compensation to the printers for the weekly publication of the Journals."

So that in that early day, just about the time that the Senate concluded to hold its legislative sessions with open doors, for some reason or other (and it appears to have been a newspaper warfare) the Secretary of the Senate in executive session was instructed to pay no further compensation to newspapers for the publication of the Journals.

The most important event that occurred in those days was the nomination of Mr. Jay to be envoy extraordinary of the United States to His Britannic Majesty for the purpose of negotiating a treaty of commerce and amity. It created a good deal of discussion not only in the Senate but in the country, and a reference to the public journals of that day shows that the country understood perfectly well what that discussion was in the Senate. It turned on the question of whether we wanted any treaty with a power with which we had been so recently at war, and it turned further upon this public question, whether a gentleman who was then one of the judges of the Supreme Court of the United States ought to be appointed as envoy extraordinary to England to negotiate that treaty without resigning his office upon the bench.

That nomination was confirmed on the 19th day of April, 1794, and on the 21st of April, 1794, two days thereafter, the Senate voted that any member of the Senate might have an extract from the Journal; but we find this very curious circumstance, that on that very 19th day of April, on which Mr. Jay was confirmed as envoy extraordinary, John Adams wrote his wife—to be found in page 156 of his letters—calling his wife, as he does in all of these letters, with touching sentiment his "dearest friend":

"The Senate has been three days in debate upon the appointment of Mr. Jay to go to London. It has this day been determined in his favor—18 versus 8."

That was before the Senate had allowed any person to take a copy of the proceedings; and under our rule now I understand that John Adams, then Vice President of the United States, would have been liable to expulsion for writing that to his wife. It shows the difference between former times and the present time.

The most important epoch of that time following upon the nomination of Jay was the negotiation of the treaty, its return to the United States, and its ratification by the Senate. That treaty, for the first time in the history of the Senate, was received under an injunction of secrecy. It was communicated by George Washington. I will not stop to read the message. It was ordered that the Senators "be under an injunction of secrecy upon the the communication this day received from the President of the United States."

That was June 8, 1795, and yet they were holding open legislative sessions, and it is the first indication of a rule of secrecy or of any keeping of secrets to be found in the Executive Journal; and the contemporary historians tell us that great efforts were made to keep that treaty secret. John Adams, in writing to his wife, does not disclose anything about the contents of that treaty, but he says, "Mum, mum, mum." He treats it entirely different from the way in which he treated the question of Jay's nomination pending before the Senate.

If it had been the practice to receive everything under an injunction of secrecy, why should there have been a special order made that this treaty should be received under an injunction of secrecy? The treaty was ratified June 24, 1795. The next day many Senators were absent and the injunction of secrecy was removed, but it was reconsidered at the same session and the Secretary was directed to notify the absent Senators. They came in the next day, and they took the injunction

of secrecy off from the proceedings, but they specially enjoined that no Member of the Senate should divulge a copy of that treaty. There was an effort to maintain secrecy something in the way we do at the present time. What was the result?

Before I come to the result I want to say this: James Madison, writing when that treaty was under consideration by the Senate to James Monroe, then minister to France, communicated about as good an abstract of the contents of the treaty to James Monroe as he could have done if he had seen the treaty itself; and yet he says the most extraordinary efforts in official quarters have been made to keep it secret and he has got no hint of it whatever from official quarters. But what was the result of this effort to keep the text of the treaty secret? The vote to keep the text of the treaty secret was on the 25th of June, 1795. On the 26th or 27th a really good sketch of the treaty was published in the Aurora, in Philadelphia, where the Senate was then holding its sessions, and on the 29th Mr. Mason, a Senator from Virginia, wrote a note to the editor of the Aurora stating that he had seen a sketch of the treaty, and as he desired that there should be no inaccuracies and the public should understand just what it was, inasmuch as the sketch had been published, he sent him a copy of the treaty which he was at liberty to do with as he pleased; and it was published the next day in pamphlet form, and the next day after that, in the Daily Advertiser, and it flew all over the country with lightning rapidity. That was the way they used to keep secrets in those days. I refer to it merely for the purpose of showing not that they violated the injunction of secrecy, but that this was an individual instance where, on account of great considerations relating to the public welfare, an injunction of secrecy was put on in the executive sessions of the Senate. It is curious in this instance to remark too that Washington, just a day before the publication of the treaty, at the instance of Senator Mason, had directed it to be published so that the people might not be misinformed about it.

There are plenty of indications, if I could stop to enumerate them, to show that absolute secrecy was not observed or required in reference to executive proceedings, but that the whole matter was left to the judgment of Senators, supposing that when there was any subject the telling of which would go against—as Alexander Hamilton said in his resolution—public safety, then the Senators would have prudence and judgment enough to keep it secret. That was the original idea, and that was the only injunction of secrecy in those early days.

Mr. SAULSBURY. I wish to ask the Senator whether the order for the publication of the Jay treaty was not made for the purpose of eliciting discussion throughout the country in order that Members of the Senate might know what disposition to make of that treaty? It certainly did lead to a very extended discussion in Boston, New York, Charleston, and all over the country; very able speeches were made in reference to the provisions of that treaty. I wish to find out from the Senator whether the order for publication was not made in order that the Members of the Senate might be informed by their constituents as to the public opinion in reference to the treaty.

Mr. PLATT. I must have been unfortunate in not making myself clear. The injunction of secrecy which was especially ordered by the Senate, and the first injunction of secrecy ever ordered by it in relation to any matter pending before it in executive session, was rigidly observed—rigidly observed both in executive quarters and in the Senate. The greatest efforts were made to do so, and the Senate by vote enjoined that although the proceedings by which it was ratified in the Senate might be made public, no Senator should make the treaty public until after the ratifications had been exchanged by the President. It was in direct violation of that that the treaty was published. It was not till after it had gone through with this discussion in the Senate, where it had been discussed for three weeks in a special called session of the Senate—it was not till after its ratification by the Senate that it leaked out and was published.

I have said that in 1820 a rule was adopted that the remarks and information communicated by a Senator upon the consideration of a nomination should be kept secret and it had been attempted once before in 1813 in the Senate, and I refer to this because it is particularly important. The records in the Executive Journal are too long for me to read and detain the Senate with. The history of the attempt will be found in Senate Executive Journal, volume 2, pages 374 to 415.

The effort was made in executive session to adopt the very rule that was afterwards adopted in 1820, namely, that a Senator should not be permitted to divulge remarks or information communicated by a Senator upon the consideration of executive nominations. It failed signally. It went through all the forms of reference and report, and finally was dropped. So in 1813 the attempt was made to enjoin secrecy and failed, and it was not until 1820 that the Senate succeeded in adopting any rule of secrecy applicable to what was said in executive session with regard to nominations. The fact that it failed in 1813 shows that it was not the rule or the practice at that time. This binding the Senate down by this iron rule of secrecy with regard to what is said respecting the character and qualifications of a person nominated to office is a recent matter.

But, Mr. President, I must not encumber the RECORD with more citations from the Executive Journal—which is an interesting book, if Senators will study it—upon this subject. I have only alluded to one

or two things as illustrating my proposition, but I wish before I come to the more practical and argumentative part of my remarks to enumerate hurriedly the efforts that have been made in open session of the Senate to do away with this rule.

Much of the history of this subject is contained in the Executive Journals of the Senate since 1829. Up to that date the Executive Journals were published by order of the Senate, but since that date they are kept secret, no one other than Senators, the officers of the Senate sworn to secrecy, and the President may know the history of the country contained in those secret books, and if I refer to it I am liable to expulsion. But I may refer to what has been done in legislative session.

On February 20, 1841, Senator William Allen, of Ohio, introduced a resolution for open sessions. The Senator from Vermont [Mr. Edmunds] the other day in the discussion of the question of the production of papers by the Executive referred to this Senator as "Uncle Billy Allen," and I take it it was not a term of reproach, but a term rather of endearment. Certainly he was a Senator representing the great State of Ohio, and he introduced this resolution:

"Resolved, That the fortieth rule for conducting business in the Senate, and which requires the Senate to close its doors when in executive business, be rescinded, except as to the action of the Senate on treaties."

That was laid on the table by a vote of 26 to 20. It was laid on the table, I have no doubt, to cut off discussion; but the fact that 20 to 26 Senators in that day voted to not lay it on the table shows that it had some strength and support even as far back as 1841. Senator Allen never got an opportunity to discuss that again in open Senate. He renewed it at every session of the Senate.

Mr. ALLISON. Will it disturb the Senator if I ask him if there was anything like a party vote appearing in that case?

Mr. PLATT. I think not.

Mr. ALLISON. No party division?

Mr. PLATT. I think not, but here are the yeas and nays; the Senator can tell from them. I have not examined them to see:

"YEAS—Messrs. Archer, Barrow, Bates, Bayard, Choate, Clay of Kentucky, Clayton, Dixon, Evans, Graham, Henderson, Huntington, Ker, Mangum, Miller, Morehead, Phelps, Porter, Prentiss, Sevier, Smith of Indiana, Southard, Talmadge, and Woodbridge—26.

"NAYS—Messrs. Allen, Benton, Buchanan, Calhoun, Clay of Alabama, Cuthbert, Fulton, King, Linn, McRoberts, Monton, Nicholson, Pierce, Smith of Connecticut, Sturgeon, Tappan, Williams, Woodbury, Wright, and Young—20."

Senator Allen renewed his resolution again at the next session, February 23, 1842. No opportunity was given to discuss it then. A motion to go into executive session cut off the debate.

Then again he renewed it December 28, 1843. He renewed it again February 23, 1848, and it was again laid on the table by a decided vote, 39 to 13, probably an unfortunate time to press its consideration. I give the yeas and noes:

"YEAS—Messrs. Ashley, Badger, Baldwin, Bell, Berrien, Bradbury, Breese, Butler, Calhoun, Cass, Clarke, Corwin, Crittenden, Davis of Massachusetts, Dayton, Dix, Downs, Felch, Greene, Hunter, Johnson of Maryland, Johnson of Louisiana, Johnson of Georgia, Lewis, Mangum, Mason, Miller, Moor, Niles, Pearce, Phelps, Rusk, Sevier, Spruance, Sturgeon, Underwood, Upham, Webster, and Yulee—39.

"NAYS—Messrs. Allen, Atchison, Atherton, Bagby, Bright, Clayton, Davis of Mississippi, Dickinson, Douglas, Hale, Hannegan, Houston, and Turney—13."

At the special session in 1853 Senator Chase, of Ohio, introduced the following resolution, thus supplementing the effort of his predecessor, Senator Allen:

"Resolved, That all sessions and all proceedings of the Senate shall be public and open, except when matters communicated in confidence by the President shall be received and considered, and in such other cases as the Senate by resolution from time to time shall specially order; and so much of the thirty-eighth, thirty-ninth, and fortieth rules as may be inconsistent with this rule is hereby rescinded."

That resolution was discussed at some length. It was supported by Senators Chase, Borland of Arkansas, and Sumner, the predecessor of the distinguished Senator from Massachusetts, from whose speech I desire to read a single quotation:

"At the first organization of the Government the proceedings of the Senate, whether in legislation or on treaties or on nominations, were with closed doors. In this respect the legislative business and executive business were conducted alike. This continued down to the second session of the Third Congress, in 1794, when, in pursuance of a formal resolution, the galleries were allowed to be opened so long as the Senate were engaged in their legislative capacity, unless in such cases as might, in the opinion of the Senate, require secrecy; and this rule has continued ever since. Here was an exercise of the discretion of the Senate, in obvious harmony with public sentiment and the spirit of our institutions.

"The change now proposed goes still further. It opens the doors on all occasions, whether legislative or executive, except when specially ordered otherwise. The Senator from South Carolina [Mr. Butler] says

that the Senate is a confidential body, and should be ready to receive confidential communications from the President. But this will still be the case if we adopt the resolution now under consideration. The limitation proposed seems ample for all exigencies, while the general rule will be publicity. The executive sessions with closed doors, shrouded from the public gaze and public criticism, constitute an exceptional part of our system, too much in harmony with the proceedings of other governments less liberal in character. The genius of our institutions requires publicity. The ancient Roman who bade his architect so to construct his house that his guests and all that he did could be seen by the world, is a fit model for the American people."

Let me also quote a single sentence from the speech of Senator Chase especially pertinent to the proposition now under consideration. It will be noticed that his resolution provided for open sessions upon the consideration of treaties as well as nominations. After speaking of the propriety of considering treaties in open session as a rule, he went on to say:

"So many and, indeed, almost all nominations are confirmed or rejected upon principles of public or party policy, without reference to private character. I see no reason why debates and votes upon these should not be public. Whenever any questions involving moral character are raised, it will be in the power of any committee or any member to move that the doors be closed."

The resolution went over after debate, and, as the session adjourned in two days thereafter, no action was taken.

Then at the following session of Congress Mr. Chase renewed his resolution. It was laid on the table without discussion, at the instance of Senator Mason, by a vote of 23 to 14. I give the yeas and nays:

"YEAS—Messrs. Allen, Badger, Bell, Butler, Cass, Cooper, Dawson, Dixon, Evans, Everett, Fish, Fitzpatrick, Foot, Johnson, Jones of Tennessee, Mason, Sebastian, Shields, Smith, Stuart, Thompson of New Jersey, Toombs, and Toucey—23.

"NAYS—Messrs. Chase, Dodge of Wisconsin, Dodge of Iowa, Douglas, Gwin, Hamlin, Norris, Pettit, Slidell, Sumner, Wade, Walker, Weller, and Williams—14." (Congressional Globe, 1st sess., 33d Cong., p. 240.)

The discussion of the subject came up in the Senate upon the resolution of Mr. Wade, submitted January 21, 1862, asking for a joint rule for legislative secret sessions upon important matters touching the conduct of the war. In that discussion the question of secret sessions was pretty thoroughly discussed. I will not stop now to refer to the discussion, because I see that I am consuming altogether more time than I had intended, and because I may wish to quote some extracts therefrom upon another point further on in my remarks.

To leave now the historical argument—and I think the practice of the fathers shows that it will be no very great departure from the principle which governed them if we should open the doors for the discussion of such nominations and such only as we think may properly be discussed with due regard to the public safety—leaving that branch of the argument I wish to come to more practical considerations; I wish to answer some of the other objections which are pressed against the proposition.

And here, Mr. President, I take my stand on the proposition enunciated by you on the 9th day of February last, when you said with great terseness and vigor and condensation of thought, "there ought to be no secrets whatever in this Government of ours, a government of the people." It comprehends the whole question. There is but one, and there can be but one, possible limitation to that proposition, and that is an absolute necessity for secrecy.

And now I propose to examine this question to see whether any such absolute necessity exists, and I believe that to all fair-minded Senators I can demonstrate that there is no such absolute necessity existing, and if I do then I ask their assent to this proposition, that unless that absolute necessity can be shown, unless public safety, public welfare, demand it, no consideration of convenience to a Senator and no desire or disinclination on the part of a Senator to evade responsibility of any kind whatever should lead him to give his vote for the continuance of the practice longer.

Secrecy is odious to every human being in this world except when he practices it himself. It is against the spirit of a free government. I said it was odious. Whenever you see secrecy you are suspicious that something is wrong. It is a relic of monarchical power and privilege that has no business in this day of democratic tendencies, and when we seek to make this Government even more actually democratic than it was expected to be by its founders. It is a lineal descendant of the privy council that has always been hated in this country. We demand that the President shall have no secrets from us. Why? We think that if he has secrets there is something that ought to be disclosed, that what is done in secret should be proclaimed on the housetops. Secrecy is as odious to us as it is to others when the President insists upon practicing it. But what do the people say to us? They say you demand that the President shall have no secrets from the Senate. We demand that the Senate shall have no secrets from the people. How are we to get away from the inexorable logic of that statement on the part of the people?

Mr. President, publicity is the cure of all evils, whether they be governmental or financial or social. Publicity is the one thing upon which

we must most rely in this country for the correction of evils. Why do we investigate matters? We order here and in the other House investigation after investigation, because we think something is done in secret which ought to be revealed. We believe when we get the slightest inkling of anything which has been concocted in secret that something is wrong; that it is the duty of each branch of Congress to turn on the lights, and the people sustain us in it. Usually when that which was done in secret is dragged out into the light we find that something wrong has actually been done. It is as true now as it was 18 centuries ago that "men love darkness rather than light because their deeds are evil."

Now, I want to marshal for a moment the arguments which have been made in favor of secret sessions; and the first is this: The argument has always been made, it was made in the discussions to which I have referred, that open sessions will deter Senators from frankly and freely communicating what they know when bad men are nominated, and therefore objectionable men will be confirmed. Well, we have tried the secret system for 100 years; and do not bad men get confirmed now? And when we see that the secrecy system does not work, that it does not improve the standard of our civil service, is it not worth while to try the other course and see whether publicity will not improve it? I admit that the consideration of a nomination in open session may involve some unpleasant duties for Senators; but is this Senatorial life a bed of roses? Has it no unpleasant duties and no unpleasant consequences?

To imagine it to be a bed of roses requires all the imagination and stolidism of Guatomozin when he was stretched on his bed of torture. We have no such difficulty in relation to other matters involving the discussion of character. We have no difficulty in expressing our opinion with regard to individuals when they come up here in a way that brings them before the open sessions of the Senate. The Senator from Indiana [Mr. Harrison], in the speech he made the other day, did not have any hesitation in telling us what he thought about the appointments that had been made in the State of Indiana; and yet when every one of those appointments are considered by the Senate the doors must be closed, because the Senator from Indiana can not tell without unpleasant consequences to himself what he thinks and what he knows about the men who are nominated for office there.

Even the Senator from Kansas [Mr. Ingalls] finds no difficulty, when he desires to do it, to discuss the character of men nominated and appointed to office in open sessions of the Senate. I turn to the able speech which he made only the other day, and I read this:

"The postmaster at Sioux City, Iowa, was convicted and sentenced in Dakota for violation of the pension laws.

"In Rhode Island a Democratic postmaster was appointed who had been in the preceding three months arrested nine times for violation of the liquor law."

And so on, giving the names of the officers, what they had been arrested for. He finds no difficulty in doing that. We had a discussion here recently on the educational bill, and what did the Senator from Kansas do? He discussed openly in the open Senate a nomination then pending before the Senate in executive session, the nomination of Zach. Montgomery to be assistant attorney general for the Interior Department. Every word that he said was directly relevant and proper to be said in executive session on the consideration of that nomination; yet was there any trouble about it? Did the heavens fall? Was it unpleasant to the Senator? Was it unpleasant to anybody else?

Take another illustration. Take the applications that we have here for restoration to the Army of people who have been dismissed from the service. Is there ever any hesitation or shrinking on account of its being unpleasant for a Senator to say what he thinks about the men? I have here in my hand a quantity of reports where the whole record of the man is spread out on the records of the Senate. Some Senators seem to be more troubled with the idea that it would be unpleasant, not to produce the bad record of a man, but unpleasant to say those things about a man which would wound his feelings, perhaps when he is really a very good man, except that he is not calculated for or adapted to the office. But here in one case General Sherman accepts a man's dismissal for utter worthlessness, and yet there was a proposition to restore him to the Army discussed. I will not take time in referring to more of these.

One answer to that argument is that bad men will not be presented here for discussion; the incompetent will not be presented here for us to discuss as they are now presented, if it be understood that their characters and qualifications are open to public discussion and are to receive public consideration! The whole business of appointing men to office will change. We shall have fewer recommendations of bad men, fewer nominations of bad men, fewer confirmations of bad men, if publicity can attend the whole business of office-seeking and office-getting from the White House to the Senate.

I want to say this in reply to that argument: There are very few such cases, and they will be fewer. It may undoubtedly be pleasanter to say a harsh thing, or an unkind thing, or an unpleasant thing behind a man's back rather than to say it before his face; but is it fairer to say it; in justice and decency and fair play, ought we not to say with respect to any man nominated here before the public and the world just what we would say about him behind those closed doors?

I think we had; but we shall have less frequent opportunity or occasion to say it if these doors are open. How rarely it is now that a Senator is called upon to say an unpleasant thing with regard to a person who is nominated for office here who is otherwise a good man, a man whose feelings you do not want to wound, whose sensibilities you do not want to hurt.

What Senator can remember the time when in executive session here such things have required to be said about any man? If we have those cases where a Senator does not really want to wound the sensibilities of a candidate, the rule which I desire the adoption of still permits our going into executive session with closed doors; but do Senators think they enjoy exemption as it is now? Do you think that the man whom a Senator talks about here does not know what that Senator says about him? If he is rejected, he knows that he is rejected for cause; he knows that he is rejected because his Senator has not stood by him, probably; but he surmises ten times as much as he would if that Senator's conduct and every word he said had been made public and open to the world. So this argument falls to the ground by its own weight. The consequences are more unpleasant now than they would be to take the responsibility in open session.

Let us test this argument a little more closely. A good many of us are lawyers. Do we hesitate to say in open court, when we are paid for it, what we think about the character of witnesses and parties in a cause? Not at all. No lawyer ever flinches from that duty. Why should we seek to flinch from it here? We are paid to do our duty here as elsewhere, and why should we flinch from doing it here any more than in court?

But again we have popular elections. Every four years a man is nominated for President, and from one end of the land to the other his whole character is discussed before the people. Senators go upon the stump; they say what they think about each candidate; his past record is dragged to light; every foible of his life is paraded; the whole question of his character and qualifications is everywhere discussed with the utmost publicity, and why should we seek to shield ourselves behind closed doors when persons are nominated to office by the President, when we never think of desiring to shield ourselves or evade the responsibility of saying what we think about the President himself when he is nominated for office?

So judges and governors are elected, governors by the people and judges sometimes by the people and sometimes by legislatures, elected openly, their characters canvassed openly. If a person thinks they are good men, nice men, but will not make good judges, he says it, and he says it openly. He is never deterred by any consideration that he will wound anybody's feelings from expressing what he thinks when a President is nominated, when a governor is to be elected, when judges are to be elected, or even a justice of the peace is to be elected. Why, then, should we become so nervous when we are asked to tell what we think about the character and qualifications of a man who is nominated for office by the President instead of by a convention? We ourselves are nominated and elected in open legislatures, where our characters are discussed, where our qualifications are considered, and our whole history is brought to light and arguments made pro and con. If a member of the legislature thinks we are fair men for some positions, but not for the Senate, does he ever forego the expression of that belief from the fear of wounding our tender susceptibilities?

Mr. President, we have election contests here sometimes. Look at the book which has been compiled by the Committee on Privileges and Elections, study the questions which have been raised here with regard to the admission and the expulsion of Members when questions of bribery to secure election, charges involving moral character, have been made against Senators and against the mode of their election; has there ever been any shutting of the doors to the investigation of those questions, and to the discussion of such issues from the fear of wounding a Senator's feelings? They have been investigated in open daylight; they have been discussed in open Senate, and you could no more have shut the Senate doors upon such discussions than you could shut them upon all legislative questions. Yet it is just as unpleasant for a Senator to say what he thinks about a person who has been certified as elected to the Senate, about his conduct and about the charges against him, as it is to say it with regard to the nomination of a man here. Take one noted case. My eye being on the Senator from Illinois [Mr. Logan] now brings it to my mind. For years and years there has been discussed here in open session the conduct of Fitz-John Porter, and that Senator has not hesitated to say what he thought boldly, openly, in view of the whole world, about that gentleman who is seeking to be restored to the Army, and when the bill passes, if it does pass, and when the President nominates him to be a colonel, if he ever does, then these doors must be shut in order to consider whether we shall confirm him or not. Then the character and conduct of Fitz-John Porter must be discussed in secret.

Sir, this argument becomes something of a farce when you look it in the eye. What is the essence of it? It is a plea for personal privilege on the part of Senators; it is a plea to be exempt from unpleasant duties. I like to be exempt from unpleasant duties, but I do not want to plead that and I do not believe any Senator wants to plead that when such exemption from public duty militates against the public welfare.

I want to say one thing more in reply to this argument. I have not been here as long as a good many Senators, but I have been here some years now. I affirm here now that I never have heard a word said in executive session which ought to have been said there or which any person thought ought to have been said there which might not just as well and just as appropriately have been said in open session in relation to the confirmation of nominations.

But another argument is that we shall consume a great deal of time and encumber the RECORD. If that argument is good, we had better go back to the days of secret legislative sessions. That was an argument used against opening the doors in legislative session; and if all debates were secret and we had no RECORD, and what a man said was not published in the RECORD, possibly we could get along with business a little more rapidly. Will we go back to secret legislative sessions on that account? If not, it is no argument against open executive sessions provided it be for the public welfare and the public interests that they shall be held. It is inconsistent with the last argument. The two can not stand together.

Again, another objection I have heard is that there will be cases where public policy and the conservation of the public morals require that they shall be discussed in secret session. Who ever heard of such a case? Who ever heard of a case discussed in secret session of the Senate that might not have been discussed openly and everything relating to it be published openly, without any prejudice to the public morals? It applies with much more force to cases in court than it does in the Senate; and yet no Senator here will stand up and say that the doors of the courts in this year 1886 shall be closed against any testimony in any case whatever. I think myself that the publication of very much which is done in court tends to debase the public morals; but public sentiment is so far in favor of publicity and no secrecy that it will not permit, and it is right that it should not permit, the doors of the courts to be closed, even in cases where the details having a tendency to prejudice public morals are under discussion.

But it is said that there is a distinction between the capacity in which we act in executive matters and in which we act in legislative matters, and that in this distinction, in this difference between our duty as legislators and our duty in confirming or rejecting officers lies the real reason why we ought to act with closed doors. I admit that in a sense we are a part of the executive power; but when we thus act, exercising that duty and that function, we are still Senators, and the crucial test is this: If we are free from responsibility to the people when we act on the confirmation of nominees, when we discharge that portion of our duties which is executive, then I agree that it is quite proper to close the doors; but if we are Senators still, if we are responsible to the people for our trust, if we ought to report to the people how we discharge that trust, then the distinction which is sought to be drawn between our legislative and our executive functions falls entirely to the ground. I apprehend that we are Senators still, that we represent somebody still, that we are not beyond responsibility, that we are not beyond accountability for our trust, when we act in the matter of the confirmation of officers. The administration of law is involved in the confirmation of officers. The whole question of administration, whether the Government shall be well administered or poorly administered, is involved in the question of what officers are appointed and what officers are confirmed; and it is as important that the people should know in this regard and for this reason how officers are appointed as it is that they should know how the laws are made.

I want to read from the report made by Garrett Davis, upon the Sylvester case in relation to secrecy. It was a part of the report of the Judiciary Committee in the discussion of the power of the President to withhold papers:

Why should there be any secrecy in these matters?—

That is, in relation to removal from office—

"Secrecy is not an element of our system—its great and fundamental law is public opinion; and how can this be wisely and justly formed when the facts which are necessary to enlighten it are concealed as 'state secrets'? It is only falsehood and corruption, wrong and oppression, that are sought to be wrapped in darkness; the officer who means and acts well dreads not the sunlight. There may be rare cases where secrecy in the removal of public officers would promote the public good; but the mischief and immorality inseparable from such a system will preponderate a thousandfold."

It is doubly applicable to the matter of confirming officers rather than to their removal.

The PRESIDENT pro tempore. It is the duty of the Chair to lay before the Senate the unfinished business at this hour, being the resolution reported by the Senator from Maine [Mr. Frye] from the Committee on Foreign Relations, February 3, 1886.

Mr. FRYE. Let it be laid aside informally until the Senator from Connecticut concludes.

The PRESIDENT pro tempore. If there be no objection, the unfinished business will be laid aside informally until the Senator from Connecticut concludes. The Chair hears no objection.

Mr. PLATT. I thank the Senate. I will conclude without consuming very much more of the time of the Senate.

Is there any other argument than those which I have examined why we should continue these secret sessions? Yes; I have heard one other, that it is a senatorial prerogative which it is wise for us to maintain. I do not want to stop to discuss that question; but I believe that right in that argument perhaps is the greatest disinclination which some Senators may have to the opening of these doors; but I desire to say just this: There are two words which the people want to see expunged from the political vocabulary of this country, and it is time they were obsolete. Those words are "prerogative" and "privilege." If it were not for being alliterative I would say there are two more words they desire to see expunged, and those are "patronage" and "perquisites." The people desire to have done with them and we had better have done with them. This is no place to assert prerogative. We had better stand pretty close to the people and trust the people if we want them to trust us.

But I must do more than answer objections, Mr. President; I must take the affirmative. I say, then, we must do this thing in self-defense, as Senators and as a Senate.

This is not a popular body, either in the political or colloquial sense of the term; indeed, I have come to the conclusion that it is fast coming to be a very unpopular body in the estimation of the citizens of this country. Some Senators will say it never was intended to be a popular body; some Senators will say now, as we said in the Constitutional Convention, that here should be a body constituted with a long term to be elected not by the people, but by the States, to be removed from direct responsibility to the people, in order that they might check the tendencies to democratic extravagances; some men may say now, as they said then, that it was well to mold one branch of this legislature somewhat upon that branch of the English Parliament known as the House of Lords. Such seems to have been the idea of Senator Butler in the discussion in the Senate on the Chase resolution in 1853. I quote from Senator Butler's remarks (Appendix Congressional Globe, 32d Cong., 2d sess. p. 321):

"This is not a pure democracy. If the Government of the United States was an undisguised and simple democracy, perhaps the gentleman might well insist upon a resolution of this kind. They might make the Senate the arena for the discussion of every subject, as was done in Athens, or in democracies where the people directly had a vote. But we are a confederacy of organized republics, and we live under a Constitution—a Constitution by whose obligations I feel bound, as well as the usages under it."

But this Government was formed a century ago. The men who framed it made a theoretical democracy, but there were anomalies in that Government which they so founded, and the Senate is one of them. They were theoretical democrats, but they were far from being actual democrats; and whoever observes the signs of the times in this year will see that the day, not of theoretical democracy, but of actual democracy is hastening on to its accomplishment and completion. Whoever looks abroad, whoever notices what is going on in all civilized countries can not fail to see the great ground swell which is to lift the people of the world into more active and close participation in the affairs of government. It is well we should not shut our eyes to it; it is well to get away from this idea that we do not represent the people, that we represent the States.

What are the States we are sent to represent? Can you disconnect the States from the people of the States? By no means. The people are the States; and when it is said that a Senator represents here the State and is not directly responsible to the people, that is only a fiction; it is only a nominal representation. Our real responsibility is to the people of the State that we represent. What do I mean? Do I mean that the Senate is to be influenced by public clamor? No; I think myself I have as much courage to withstand public clamor as perhaps any Senator. I do not mean to be influenced by public clamor; but when I believe that public sentiment with great unanimity demands a thing I am going to be very careful to draw the distinction between that public sentiment and public clamor and not mistake the will of the people deliberately formed for public clamor.

No, Mr. President, the idea that we can set ourselves up above the people, not let the people know what we are doing, is not in accordance with the spirit of the age. This world has come to believe in the philosophy of the Divine Master, "And whosoever of you will be the chiefest shall be servant of all." That is what a Senator must be. As the President and the governor and every other officer within the body politic, he must be the servant of the people.

This means popular information and scrutiny of all governmental proceedings; it means better government; it means better administration; it means the abolition of all exclusiveness, of privilege, of prerogative, of aristocratic tendencies. For better or for worse, that day has come. The people are to be omnipotent in government.

What has this to do with secret sessions, says some one? The people believe that this Senate is aristocratic, that it holds itself above them, and does not consider itself responsible to them. I do not like to make that statement, but I believe it to be just and proper that I should make it, because I believe that to a large extent, to a much larger extent than Senators suppose, it is the view which the people have of this body

that we intend here to maintain aristocratic privilege; that we intend here to maintain secret prerogative; that we intend here to put ourselves above responsibility to the people.

In this, Mr. President, the people are largely mistaken. They misunderstand us; they misunderstand the character and desires of Senators; but, notwithstanding, that is their belief, and nothing has done so much to create that belief and perpetuate it as the fact that we close these doors when we consider nominations to office. It is just because the Senate, from habit and custom, from a disposition not to depart from what are supposed to be the good old ways, maintain certain things, and among them this matter of secret sessions that the people think we have set ourselves above them.

The popular sentiment, Mr. President, is for open executive sessions with regard to nominations as a rule. It is not public clamor; it is real, true, and genuine popular sentiment. How is popular sentiment reflected in this country except by the press? I venture to say that of the nearly 14,000 newspapers in the land probably 10,000 of them, political or independent, a very large proportion of them, have declared their belief that this measure should be adopted. I am met by some Senator by saying that he does not care what the press says, that an issue has been raised between the press and the Senate, and he is not going to be influenced by any such consideration as that. I desire to say here one or two very frank words. With that journalism which concedes to public men neither honest motive nor private virtue I have no sympathy and no respect. It is a malignant kind of journalism which I can not respect and which all right-minded men must condemn. But that is not the true character of the public press of this country as a whole. The country newspapers, the newspapers that have no special correspondent here, are all against these secret sessions. All over this land without regard to section these country newspapers, which represent the real sentiment of the country, which go where the minister and the schoolmaster and where the voice of the Senate does not otherwise go, have declared in favor of this measure.

The men who publish those newspapers think of our Government, they study public questions a great deal more than we suppose, and the fact that there is but one voice in the press shows where public sentiment is on this subject. Public sentiment compelled open legislative sessions of the Senate, and it now demands open executive sessions of the Senate.

Whence arises this demand? It is not idle curiosity. It is not that a few reporters may look in on these proceedings and send the news to the journals which they represent. Oh, no; that is not it. It is the desire of the people for a better administration of the Government. It is a desire of the people that the standard of official life and character shall be elevated; and they know the only way to do it is by having the qualifications of men discussed openly in the Senate Chamber.

I should like to read extracts from newspapers, but I will content myself with reading one. I read it from a Democratic paper in my own State—a conservative paper, a paper that does not mean to misrepresent Senators or the Senate. It is from the New Haven Register:

"But it is in the confirmatory powers of both the National and State Senates that the evil of the secret-session system most clearly discloses itself. Many an unworthy public official is imposed upon the community by the Senate to please the whim and caprice of 'a brother Senator,' because the responsibility for his confirmation can not be fixed. Whereas if the country only knew what Senators indorsed the nominations of this class of servants, not one of them would dare vote for a confirmation. Moreover, the secret session encourages a disreputable class of politicians to seek public office. They know that whatever their faults are they will not be held up to the contemplation of the country. They are sure to have 'a pull' with either their own or some other fellow's Senator, which a secret session will permit to be worked for all it is worth in bargains and trades. The results are that the responsibility for bad officials is hopelessly divided, and bad officials get into office."

Pardon a single other extract from among thousands. It is from the New York Independent:

"There is no good and sufficient reason why these sessions should be secret, and the action of the Senate should be known to the people only in the result. Secrecy gives an opportunity for bargains between Senators and bargains between the President and Senators in respect to appointments to office that would not exist to anything like the same extent if the sessions were open and the general public permitted to see all that is done. Both the President and the Senate, with open sessions, would act under a sense of responsibility—the one in making nominations and the other in acting upon them—that would be favorable to the best interests of the civil service of the country. Both would be influenced by the fact that the eye of the public is upon them."

These extracts from conservative newspapers show what the sentiment is in regard to the way we conduct business here. I want to say the press in this respect is largely mistaken, but you can not eradicate that idea from the public mind.

But there is another argument, which is also an argument of self-defense. I have said that secrecy begets suspicion. Go to a dinner party, to any social gathering, and see two persons whispering together,

and you think they are saying something which they ought not to say, and probably about yourself. Secrecy begets suspicion; and it is only human nature which the public are exemplifying when they believe that something wrong is done behind these doors in the way of bargains and trades and arrangements by which men are confirmed to office.

I say no Senator can afford to expose himself to any such suspicion. Every Senator knows it exists. Every Senator knows that very largely through this country the idea is that we bargain with each other about confirmations, or that we confirm nominees out of good nature, or that through some idea of senatorial courtesy we fail to oppose men whom we ought to oppose or favor men whom we ought not to favor. Every Senator knows it, and I for one do not want to endure it. I do not want it longer to exist. A poet said:

"O wad some power the giftie gie us
To see oursel as others see us!"

I wish Senators would try to exercise that gift. I wish they would try to understand how they are regarded in this respect, what the people think of the way in which we conduct business here in the secret sessions of the Senate, and the motives which influence us in the confirmation of persons to office. I agree I am glad to testify that it is a great mistake in the popular mind, but as I said you can not eradicate it. No record for honesty, no record of an honorable life, no record which a man has made of pure motives and pure intentions exempts or excuses himself from this belief on the part of the people. If you doubt it, ride in the cars, in any public vehicle, listen to the conversation along the streets, hear what motives are attributed to Senators who we know are honorable by people in ordinary conversation. If there were no other argument but this in favor of open sessions I should insist upon it that the people might know what my motives were in regard to the confirmation or rejection of men.

But Mr. President, there is no secrecy. We are hugging an old custom for its name rather than for its actual results. We are pinning the Senate to the skirts of an ancient tradition when there are no results to be obtained from it. There is no secrecy possible. There never has been any secrecy possible in any matter about which the public desired information that took place in executive session. I do not say how much or how little, or whether any at all of the reports which we see from day to day in the newspapers published after each executive session is true, but I think I am justified without revealing any secrets of executive session, without doing what the Senator from Vermont intimated was done in his colloquy the other day with the Senator from Kentucky, violating a senatorial oath and becoming guilty of senatorial perjury—I believe I may say that the secrets of this body are to a greater or less degree exposed and disclosed. Mixed they may be with untruth, mixed they may be with the fertile imagination of the newspaper reporter, nevertheless no Senator will deny me in saying that more or less of what occurs in executive session is disclosed.

It is disclosed either by Senators or by the officers of the Senate, and when I say that I do not mean to cast the slightest suspicion upon the officers of the Senate. I do not want to be in a body where I am subjected to the suspicion of dishonorable disclosure. We are a class here, as lawyers, as clergymen, as bank presidents, and as business men are a class; and when one does a thing that is discreditable we all suffer.

I repeat, there is no secrecy possible with regard to the executive sessions as to those matters which the public want to know. Let me refer, as I have referred, to the Jay treaty. I refer to the treaty of Washington. I shall not stop to dwell upon it. I refer to the case of the Spanish treaty. I hold in my hand three pamphlets, International Awards and Arbitrations, by George Ticknor Curtis, a reply by Mr. Foster, and another reply by Mr. Curtis. They all tell the public that there is a treaty pending here, and in what they say of the treaty they give extracts from it, and yet if there is a treaty pending here to-day known as the Well and La Abra treaty I may not say so, and I may not say one word in relation to it without incurring the degrading punishment of being expelled from the Senate.

Let me quote from the discussion in the Senate in 1862 upon the Wade resolution, to which I have alluded. Mr. Foster, a Senator from my own State, said:

"Mr. President, I am not disposed to oppose the adoption of this joint rule, but I must be permitted to express my great doubts as to our acting in secret with efficiency. I do not believe that secrecy is an element of power in our Government. I believe it is an element of weakness, decidedly. We have at the present time what are facetiously called secret sessions of the Senate; and, sir, what is done in secret session, or what is reported to be done is brought before the eye of the public I think rather earlier and more minutely than what is done in open session. I do not say that it is correctly reported, but it is so reported that the public give it credit; and if it is false, it is more likely to do harm than though the truth were reported. I do not see, therefore, that we gain by attempting to conceal our transactions from the public eye. I am not disposed, however, to enlarge upon that topic. I am perfectly willing to accord with the Senate in passing the rule if it is deemed best to do so." (Congressional Globe, 37th Cong., 2d sess., pt. 1, p. 491.)

Mr. Trumbull, of Illinois, said, speaking of a clause providing for expulsion in case of disclosure:

"That is the rule now, sir, for punishing the disclosure of what occurs in the executive sessions of the Senate; and what have we seen since this session began? Why, sir, we have seen published nearly everything that has occurred in executive session; and the rule which the Senator now proposes to adopt to prevent it is no more stringent than the present rule of the Senate. I should hope, if this rule be adopted, that we shall be able to keep our secrets and that the punishment prescribed by the rules would be inflicted upon the violators of them. I wish that punishment could be inflicted upon the violators of the rule during the present session of Congress in this respect. We have hardly had an executive session, certainly not one where there has been any discussion or any question dividing the body, that nearly everything that has transpired has not been published the next day to the world—published with exaggeration, published with misrepresentations, placing Members in a false position. I would infinitely prefer that our regular reporters should be here and publish what we do say and how we act than that these garbled accounts should go out to the public to create bad feeling in the country. I do not know that we have any assurance that this new rule will be better observed than the present rule is; but if it is adopted, I hope it will be.

"I do not mean to oppose the adoption of a rule to go into secret session for the purpose indicated by the chairman of the War Committee. I want to see greater harmony between the different departments of the Government, closer connection between them, each bolstering up the other, and that we may go along hand in hand to put down this rebellion in the shortest possible time. Therefore, reluctant as I am to vote for a resolution imposing secrecy upon ourselves, I shall consent to this if it can be modified so as not to place the body absolutely at the disposal of a single Member." (Congressional Globe, 37th Cong., 2d sess., pt. 1, pp. 491, 492.)

What a farce it is, Mr. President. The whole community, the world, are laughing at us that we pretend to have secret sessions. We ourselves would be infinitely better off if every word that is said here were known to the remotest portion of the globe than with the pretended publications of what we do and say, mixed up with the imagination of reporters and the untruthfulness which accompanies the reports.

There is nothing left to us but silent endurance when we are misrepresented. I could name matters in which to-day my people suppose that I have voted one way because it has been so stated in the newspapers and I voted the other way. I have nothing left to do but to endure and to submit to the misrepresentation, because I can not disclose what my vote was or the motive which led me to give it unless I can get the injunction of secrecy removed; and that goes, as every Senator knows, as a matter of courtesy very often to a particular Senator. The public believes these disclosures.

But there is another reason why we should make the discussion of nominations open, and that is because the discussion of the question whether an officer nominated to the Senate shall be confirmed or not often involves the most critical and important policy of the Government. We have had an instance within the last few days of the discussion as to the right of the President to withhold papers upon the consideration of nominations. It was so important as to be taken out of the secret business of the Senate and made the matter of a public discussion. Why? Because it involved a principle. So almost every nomination here that does not go as a matter of course involves a principle of administration, a policy of administration, a policy of government. Take a few instances.

Take Jay's nomination. Take the removals for political reasons in 1835, when Marcy uttered that famous sentence that "they agree to the rule that to the victors belong the spoils of the enemy." That was in secret session. It arose in secret session upon the question of the confirmation of a nomination. For a knowledge of that important discussion we are indebted to the fact of the removal of the injunction of secrecy in the particular instance, so that Senators might by publication of their speeches let the country know what was said in secret session. They were afterwards written out and published, and thus only we get the information. A great many matters of great public importance have been discussed in secret sessions upon the consideration of nominations that have never gone to the public; the seal of secrecy has never been removed from them. I have heard speeches made in the Senate in secret session which ought to be in every schoolbook in the land, and yet they are sealed by that rule which makes me liable to expulsion if I disclose them.

Without enlarging upon such cases, I instance the nomination of ministers to the Panama Congress, the nomination of directors for the United States Bank, the Kearney nomination, where Mr. Benton, as Senator Hale said in the discussion of this subject in 1853—I suppose he alludes to him—discussed that nomination for three weeks in executive session. It turned upon the policy of the government of the Territory of New Mexico while under a military governor. Take the case of Burnett, now pending; take the case where we confirmed a man nominated to office only a few days ago, the case of Judge Merrick. I ask Sen-

ators who were in executive session that day whether it would not be better for this whole people that every word which was said on that occasion should be spread upon the record, whether important principles were not discussed which the people ought to know about.

I have alluded to these instances only to show that except in the cases which go without contradiction, or the very few contested cases which arise upon the record of the candidate, almost all of these nominations involve some important principle of the administration of the Government. What occasion is there for concealment? We hear frequently about the policy of the President. Where is the policy of a President shown more than in the class, the character, the tone of the men whom he nominates for office?

That leads me, Mr. President, to my concluding proposition. The nomination of an Indian commission may involve our whole Indian policy; the nomination of a postmaster may involve the whole policy of civil-service reform; and we never shall have a real, thorough reform of our civil service until the widest possible publicity is given to the methods of presidential nominations and senatorial confirmation. This thing has been going from bad to worse during the hundred years that we have closed up these doors, and the people have become more or less aroused on this subject. They do not believe that the methods of seeking office, of getting office, of making nominations and confirming men to office are calculated to inure to the welfare of this Government, and they want a change. They think they have a right to know by what means men secure nominations and obtain confirmation. They want to know how it is done and why it is done—and they are right.

What is the principle underlying the idea of civil-service reform? I want to say that I believe in that principle. It is that fitness and good character shall be the real primary tests and qualifications for office. Nay, more than that, not only that the man shall be fit and good but that he shall be the fittest and best man obtainable for the office. That is the principle of civil-service reform, and it has no limitations to men who discharge mere clerical duties. It applies to all officers, to the heads of departments, to Senators, to Members of the House, to every man who is nominated by the President, to come before this body for confirmation. The best government is only attainable by the appointment of the fittest and best men. Negative fitness and goodness will not do in this respect. We must have absolute fitness and absolute goodness in the character of our officers or the whole system of republican institutions is in danger.

What was the abuse which has aroused the people in this respect? The abuse was that offices were bestowed as rewards for political service, or adherence to the fortunes of men who could manage appointments; that patronage controlled appointments. That is the reason why men have become earnest in this matter of civil-service reform. How was that carried on? It was carried on by the solicitation of politicians to the appointing power, by recommendations from politicians to the appointing power, by nominations secured by such solicitations, persistent solicitations by politicians, by Senators and Representatives who should act only in a legislative capacity. That was the way it was possible; solicitation privately made, patronage privately dispensed, confirmations secretly accomplished. These are the things which have aroused the people, and Senators know that I speak the truth when I say it.

Has it ceased, Mr. President? In this discussion I exclude the question whether officers should be changed when a political administration is changed. Admit that or deny it, the reason for open executive sessions is still the same. If the officeholders are to be taken from one political party because that party is in power, you still want to get the best and the fittest men in that party, and it is only thus that you can secure the best government by that party.

It is a mockery to speak of civil-service reform as accomplished because 13,000 or 14,000 mere clerks are appointed by competitive examinations and are not liable to be discharged on the change of an administration. We confirm 4,000 men in the Senate, not including military and naval officers, any one of whom has ten, twenty, nay, fifty times the political influence of any clerk who is appointed under the civil-service rules, and how are these men appointed? Go stand on the steps of the White House; see who goes there. Go stand within the library of the President; see how he is persistently approached and solicited to appoint men to office.

I wish to put in a table, which I have obtained as approximately correct from one of the civil service commissioners, showing the number of persons whom we confirm here to political offices:

Memorandum of officers whose appointment is by nomination and confirmation

Department of State:		
Department officers	-----	3
Consular and Diplomatic Service (about)	-----	800
		803
Treasury Department:		
Department officers	-----	33
Collectors of internal revenue	-----	85
Officers of customs	-----	200
Mint officers	-----	26
Supervising inspectors of steam vessels	-----	10
Assistant treasurers	-----	9
		363

Interior Department:	
Department officers.....	21
Surveyors general.....	17
Receivers of land offices.....	109
Registers of land offices.....	109
Indian inspectors.....	5
Indian agents.....	61
Pension agents.....	18
Territorial governors, 9; Territorial secretaries, 9.....	18
Utah commissioners.....	6
	364
Post Office Department:	
Department officers.....	4
Postmasters.....	2,248
	2,252
Department of Justice:	
Department officers.....	8
Supreme Court justices.....	9
Court of Claims Justices.....	5
Justices Supreme Court of District of Columbia.....	6
Circuit court judges.....	12
District judges.....	54
District attorneys.....	69
Marshals.....	69
Territorial judges.....	29
	261
Whole number requiring confirmation.....	4,043

Whole number of civil employees, about 110,000; of these, 52,632 are postmasters. Places subject to civil-service examination, about 15,000, namely, departments at Washington, 6,000; postal, 6,000; customs, 3,000.

Is it possible for a President, no matter how good his intention, how strong his desire may be, to select for officers the best and most capable men even from the ranks of his own party until the present methods are done away with?

Until there shall be some degree of publicity attending the procuring of nominations, until the President shall be in some degree relieved from the solicitations to which he is subjected, until we speak openly in regard to the character of men who get nominations and the official standard of the service to which such men are appointed, this thing will go on. It is a farce and a mockery and a delusion to talk about civil-service reform as an accomplished fact while this goes on.

There is no party consideration in this; either party will be advantaged and neither party can be hurt by the adoption of this resolution. Is patronage no longer known? Can President Cleveland select the best qualified men while the country knows that recommendations are to be hidden and confirmations are to be surrounded by secrecy?

How, then, is civil service to achieve its ultimate triumph? One road and one road only leads to the goal of its perfect success. That road passes through those open doors. Give to the people every opportunity to scrutinize the means, the influence, by which men obtain nominations to office, the causes for which incumbents are removed, the methods by which confirmations or rejections are secured.

While the Senate holds the President to his promised transaction of the business of selection of officials behind glass doors, let it, in the language of Senator Sumner, imitate the example of "the ancient Roman who bade his architect so construct his house that his guests and all that he did could be seen by the world." Then the whole scene will be changed; the man whose character can not stand public scrutiny either at the Executive Mansion or in the Senate Chamber will no longer be a candidate for appointment, or if a candidate he will be an unsuccessful one—offices will then in truth begin to seek the man, for it will be useless for the man to unduly seek the office. Office holding will, as it should in a free government, become honorable and honored.

Bestow the offices as publicly as possible. Let all the people know why and how they are bestowed, and they will see to it that the standard of official life is raised to its highest plane. Still surround the bestowal of office with concealment, with mystery, with secrecy, and the standard of official life will inevitably sink to its lowest level.

Mr. President, this Senate Chamber, constructed as it is to exclude the joyous sunlight and the pure air of heaven, is the most fitting place in which to conduct this business of secretly considering nominations to office. Here the sunlight never enters; here we may never breathe the pure air of heaven; here we languish and sicken and eventually die; here every vital physical and mental energy is impaired if not paralyzed. While we remain we must live in a dungeon.

This Chamber is an architectural failure—I had almost said an architectural outrage; but it has its fair complement in the way we conduct the business here regarding nominations. That conduct is a political failure; it is fast coming to be a political outrage. We can not change the construction of this Chamber, but we can change our method of doing our executive business. Do we wish to restore our political health? Do we desire a new lease of political and beneficent life? Then these doors must be opened. We must let in the light; the "keen, bright sunlight of publicity must illumine our transactions; we must breathe in the pure and vitalizing atmosphere of popular responsibility."

PROPOSED SALE OF UNITED STATES LINES (S. DOC. NO. 218)

Mr. McKELLAR. Mr. President, I ask unanimous consent that the report of the Shipping Board relative to the sale of the United States Lines be laid before the Senate.

The PRESIDING OFFICER (Mr. McNary in the chair) laid before the Senate a communication from the chairman of the United States Shipping Board, submitting in response to Senate Resolution 317, of January 29, 1929, a report relative to the proposed sale of the United States Lines, and stating, in part, "Inasmuch as the American Merchant Lines combination passenger and cargo vessels are included in the offers for sale and are covered by the bid under consideration herein, the board has included information on the American Merchant Lines as well as the United States Lines."

Mr. McKELLAR. I ask that the report may be referred to the Committee on Commerce and be printed.

The PRESIDING OFFICER. In the absence of objection, it will be so ordered.

ADDRESS OF PRESIDENT COOLIDGE AT MOUNTAIN LAKE, FLA.

Mr. TRAMMELL. Mr. President, on yesterday at Mountain Lake, Fla., upon the occasion of the dedication of the Bok carillon singing tower, President Coolidge made a most excellent address and one full of interest. I think it would be very proper to have it inserted in the RECORD, and I ask unanimous consent that that may be done.

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

ADDRESS OF PRESIDENT COOLIDGE AT MOUNTAIN LAKE, FLA.

Our country is giving an increasing amount of attention to art. We have reached a time when our people have more leisure for enjoyment and more means for gratifying their taste. Even during its colonial history it was not without some progress in this direction. Very early it produced painters of historic merit. Some of the architecture of the eighteenth century continues to hold a very high place, but with the exception of a few public buildings, these creations were for private use and reached but a few people.

While the United States has been by no means lacking in spiritual vision, and, considering the circumstances of its surroundings, has been remarkable in the devotion of its religious life, yet, being new and undeveloped, it has been necessary for our people first of all to give their attention to the material side of existence. We have been forced to get things done. We have been required to build cities, improve harbors, open mines, cut down forests, lay out great systems of transportation, till the soil, erect factories, open banks, and develop commerce. We have been making a new Nation out of raw materials. What others have done in many centuries we have crowded into the short space of 300 years. It is only in the last generation that the great body of our people have been sufficiently relieved from the pressing necessities of existence so that they could give some thought to the art of living.

It is significant of our institutions and of the spirit of our national life that in the opening up of the new era we have attempted to give to the people at large what in other days had been enjoyed only by a fortunate and privileged few. This effort began with popular education. The free public school, the endowed academy and college, the high school, and the State university were the beginnings of this movement. They have more recently been supplemented by public art galleries, popular concerts for the presentation of the best music, and the opening of innumerable public parks. The useful and the practical are being supplemented by the artistic and the beautiful.

This has been done in no small and niggardly way, but on a vast scale representing an outlay of many hundred millions of dollars.

Many people have given large sums to these purposes, and municipal, State, and national resources have been employed in ever-increasing amounts.

It would be a mistake to suppose that the organization of the material side of existence has been completed. It is more likely that it has only just begun. But it has progressed far enough so that a moderate amount of industry and thrift is all that is needed to relieve the great mass of our people from the pinch of poverty, and when these are supplemented with such training and skill as it is possible for almost anyone to acquire, to raise them to a position of comparative affluence. Above this line there are an increasing number of individuals who have sufficient resources to enable them to minister in a most substantial way to the humanitarian and artistic side of life. Some of the largest fortunes which were ever accumulated in the United States have been almost entirely devoted to such charities.

We can not observe this movement without smiling a little at those who but a short time ago expressed so much fear lest our country might come under the control of a few individuals of great wealth. They claimed that the rich were growing richer and the poor were growing poorer. Our experience has demonstrated that the reverse of this would be much nearer the truth. So many of our people have large amounts of property that it has taken on the aspect of being common. The distinction that it once carried is gone. It is also doubtful if there ever was a time when even great wealth gave its possessors so little power as at present. Their money is of very little value in determining political action. Capital is so easily secured for any promising enterprise that it is no longer necessary to be rich to go

into business, even on an extensive scale. The possession of money has never been sufficient to gain the social attentions of persons of culture and refinement.

On the other hand, the advantages that are enjoyed by people of moderate means, including the great mass of wage earners, were never so great as they are at present. Not only is their income proportionately greater than ever before, but their whole method of life, their opportunities to secure benefits which but a short time ago were the exclusive possession of the rich, have been tremendously increased. I have already referred to the broadening field of education. Another new element is the wide use of the automobile. Whole families are able to have the beneficial results of travel at an outlay which is so small that it is practically within the reach of everyone. Within the last few years the radio has come to afford entertainment and instruction to a great body of our people. Through these instrumentalities the vision has been extended to embrace the wide circle of our rich scenery, and the hearing has been amplified so that it may listen to the eloquence and music of many distant places. Through the medium of the motion picture all that is attractive and instructive in the art of acting and the presentation of scenery is to be had at a very moderate cost. All of this has greatly enriched the life of those who were recently looked upon as poor.

These grounds which we are dedicating to-day are another extension of this rapidly developing movement. It has been designated as a sanctuary because within it people may temporarily escape from the pressure and affliction of the affairs of life and find that quiet and repose which comes from a closer communion with the beauties of nature. We have not secured the benefits which I have enumerated without being obliged to pay a price. The multiplicity and the swiftness of the events with which we are surrounded exhaust our nervous energy. The constant impact upon us of great throngs of people of itself produces a deadening fatigue. We have a special need for a sanctuary like this to which we can retreat for a time from the daily turmoil and have a place to rest and think under the quieting influence of nature and of nature's God.

It is not only through action but through contemplation that people come to understand themselves. Man does not live by bread alone. This thought is expressed in the motto of the sanctuary in the words of John Burroughs: "I come here to find myself. It is so easy to get lost in the world." We are so thickly crowded with the forest of events that there is not only danger that we can not see the trees, but that we may lose our sense of direction. Under the influence of these beautiful surroundings we can pause unhampered while we find out where we are and whither we are going. Those who come here report the feeling of peace which they have experienced. In the expression of an ancient writer, it is a place to which to invite one's soul, where one may see in the landscape and foliage not what man has done but what God has done.

The main purpose of this sanctuary and tower is to preach the gospel of beauty. Although they have been made possible through the generosity of Mr. Edward W. Bok, he does not wish them to be considered as a memorial or a monument. While it has been his purpose to give some expression here to his own love of the beautiful, in form, in color, and in sound, he has also sought to preserve the quiet majesty of the trees, increase the display of coloring in the flowers, and combine stone and marble in the graceful lines of the tower, all in a setting surrounded by green foliage and reflected in sparkling waters over which the song of the nightingale will mingle with the music of the bells.

As the tourist and the traveler in search of recreation and a change from the more rigorous climate of the North come to this wonderful State of perpetual springtime and summer, they can pause and think how much our country can profit by cultivating an appreciation and understanding of the beautiful in nature and in art as they are here combined. The material prosperity of our Nation will be of little avail unless it is translated into a spiritual prosperity. We need a deeper realization of the value and power of beauty. While few have the means to present such a gorgeous display as will here strike the eye and the ear, it is well to remember that beauty is not dependent upon large areas or great heights. Some of the most appealing and fascinating homes in the world are small. They may represent but little outlay and be the abode of people of moderate means, but if there dwells a fine character within it will shine forth and give to all the surroundings a touch of peace and loveliness which the most spacious palace can not surpass.

Wherever communities are formed there is ample opportunity for this kind of expression. Those who visit here can not escape taking away with them an inspiration for better things. They will be filled with a noble discontent which can not fail to react in some degree against all forms of physical and spiritual ugliness. They will go forth as missionaries of the beautiful because of what they have seen and heard. The streets of distant towns will be cleaner. Lawns will be better kept. A larger number of trees will spread their verdant shade over highways and homes. Public buildings will take on more beautiful lines, making life more graceful and more complete. Certainly, we need to put more emphasis on improvements of such a nature.

The influence of an example like this is always contagious. The noticeable improvement of architecture in this country had its inception in the exhibition of the fine buildings of the World's Fair at Chicago. The five years following the fair at San Francisco changed the whole face of the State of California. This combination of influences has resulted in the recent enactments of Congress to span the Potomac with a memorial bridge and adorn the avenues of the Capital City with stately public buildings. Already there is a very healthy and beneficial competition in this field among various cities of the United States. Civic centers are being laid out with spacious squares surrounded by public buildings which will reflect the power and dignity of the beautiful in community life.

This sanctuary and tower are not only endowed with a beauty of their own, but they are a representation of the beneficent spirit of the giver. They are another illustration that the men of wealth of the United States are not bent on the accumulation of money merely for its own sake, or that they may use it in selfish and ostentatious display. A most cursory examination of the facts would soon disclose that our country leads the world in its charities and endowments. It would be difficult to recall any line of endeavor capable of ministering to human welfare, not only in our own country but in many places abroad, which is not being helped by the generosity of our people of wealth. Not only that, but the charities of this Nation stand on a plane which is occupied by them alone. They have never been tainted with any effort to hold back the rising tide of a demand for the abolition of privilege and the establishment of equality, but have rather been the result of a sincere philanthropy. They have not come from any class consciousness; certainly, not from any class fear. They represent in all its beauty and purity the love of man and the desire to benefit the human race. We have a strong sense of trusteeship. While giving every credit to the genius of management and holding strongly to the right of individual possessions, we realize that to a considerable extent wealth is the creation of the people, and it is fitting, as in this case, that it should be expended for their material, intellectual, and moral development.

While there is much to be said for the statement that there is nothing new in the world, there are yet many things that are new in our country. In the Netherlands, Belgium, France, and England the carillon has been in existence for hundreds of years. It goes back to the fourteenth century. In the Netherlands, which supplied the inspiration for this singing tower, a community that does not have a carillon is not regarded as complete. While in the United States we have always been accustomed to the bells of the churches, and later to their use in transportation and industry, yet the carillon has been very little appreciated. Only a few have been built. This singing tower only brings our entire number up to 30. It will take its place, therefore, of giving our people what is to them a comparatively new form of music, as they have the pleasure of listening to its melodious cadence. It contains 61 bells and is the largest and heaviest ever cast in a single order. So intricate is the task of turning them out perfectly tuned and in complete harmony that their construction has taken nearly a year. The people of this locality have already been listening to them, and in the future the beauty of their song will impress itself upon the endless line of coming generations. As they gaze upon the structure which holds them and are moved by their music, it will all blend in one harmonious whole; and more and more they will realize the significance of the designation given to such structures by the Dutch of "singing tower."

This wonderful work with all its loveliness of form, of color, and of sound, is another evidence of the breadth and completeness of the life of our Republic. We should find, if we sought for it, a considerable literature undertaking to prove the necessity of a ruling class for national political well-being and the need of a privileged nobility as the best method of providing for the cultural and artistic life of a people. It is not to be denied that under such a system, when tempered with a wholesome regard for liberty under the law, there has been great progress. But in many respects it is of a narrow and limited nature. The brilliance at the top of the social structure has always been insufficient to furnish light for the great mass of the people. When we erected our institutions on the basic theory of equality our ability under such conditions to produce the finer things of life was immediately challenged. The correctness of our theory has been more and more demonstrated by the course of events. We have been able to raise up individuals who stand out in history undimmed by any comparisons to which they can be subjected. Our artistic growth has been constant and in its individual examples and its general application is not excelled by any other people. In its main purpose to create a nation and increase intelligence, stability, and character our Republic has met with unexampled success. It has been thoroughly demonstrated that the principle of equality is sound. Our institutions have endowed our people with insight and vision. The individual has been developed, the Nation has become great. The belief that there is nothing which our people can not do, and no power which our people ought not to have, has been the main source of our progress. Faith in our people stands vindicated beyond further discussion. Into their hands we have entirely entrusted the future destiny of our Nation.

It is a trait of human nature to wish to personify its ideals. This is the chief reason that the kingly office continued to exist after it had served its main purpose of being sufficiently skilled in military leadership so as to increase the order and security of the country. The people found it easier to have their conception of sovereignty embodied in a personality. The monarch reflected the greatness which came from them. It was very seldom that he created it. It was much easier under those circumstances to secure a response when calling on the people to make sacrifices for the national welfare. They felt they were doing it for the king. They could see him in person and hear his expression of approbation. For his glorification not only were men willing to take up arms, but they found in him an inspiration for their art. Their music, their literature, their sculpture, and their painting dealt with royal subjects. Even Shakespeare gave royal titles to a number of his productions.

In the course of long human experience actions of this nature are not accidental. If they did not serve some useful purpose in the development of the race, either they would not have occurred at all or would have been of a transitory nature. They persisted because they gave the people a better conception of the abstract idea of national unity and national sovereignty. Even when our own Constitution was adopted this idea was so firmly entrenched that it was with great difficulty and hesitation that the people of that period were able to cast aside the idea of a personal sovereignty. That they did so stamped their action as extremely revolutionary. But finally our Nation and our States have planted themselves squarely and securely on the theory that all the powers of government emanate from the people. They stand as our sovereign. They are our national monarch. That act was a recognition of their own inalienable nobility.

Gradually, for complete revolutions do not occur in a day, we have transferred our allegiance to the people. It is for them that our songs are made, our books are published, our pictures are painted, our public squares are adorned, our park systems are developed, and the art of the stage and the screen is created. While these things are done by individuals, this movement is "of the people, by the people, and for the people." It is no accident that this superb creation which we are dedicating to-day is the conception of a man whose only heritage was that of good breeding, an American by adoption, not by birth, who has felt the pinch of poverty, who has experienced the thrill of hard manual labor, and who has triumphed over many difficulties.

Edward W. Bok is making this contribution in recognition of his loyalty to his sovereign—the people. It is another demonstration that when they are given the opportunity the people have the innate power to provide themselves with the wealth, the culture, the art, and the refinements that support an enlightened civilization.

Now, therefore, in a spirit of thankfulness for the success of our institutions, which is here attested, and appreciation of the munificent generosity which is here exhibited, in my capacity as President of the United States I hereby dedicate this Mountain Lake Sanctuary and its Singing Tower and present them for visitation to the American people.

ST. PAUL FEDERAL LAND BANK

Mr. BLEASE. Mr. President, I ask unanimous consent to have printed in the RECORD an article from the St. Paul Pioneer Press of Tuesday, January 22, 1929, relative to the St. Paul Federal Land Bank.

The PRESIDING OFFICER (Mr. GEORGE in the chair). Without objection, it is so ordered.

The matter referred to is here printed, as follows:

[From the St. Paul Pioneer Press, St. Paul, Minn., Tuesday, January 22, 1929]

PAUL A. PREUS AND OFSTHUN INDICTED HERE—FORMER OFFICIALS OF LAND BANK ACCUSED OF \$50,000 PLOT—BOND FIXED AT \$10,000—FORMER GOVERNOR'S KIN ARRAIGNED BEFORE UNITED STATES DISTRICT JUDGE SANBORN

Paul A. Preus and Thomas O. Ofsthun, former high officials of the St. Paul Federal land bank, were disclosed Monday as having been indicted on conspiracy charges when Mr. Preus, a brother of former Gov. J. A. O. Preus, surrendered to the United States marshal here.

Mr. Ofsthun will surrender, his attorney announced. Both were indicted secretly Saturday on charges of conspiring to misappropriate more than \$50,000 of the bank's funds in land deals approximating \$1,000,000. The indictment brings the number of officials charged with criminal activities to four.

Preus, former treasurer of the land bank, was arraigned before United States District Judge John B. Sanborn immediately following his surrender. He pleaded not guilty and the \$10,000 bond was set by the court.

BONDS FIXED AT \$10,000

Mr. Preus resigned as treasurer of the Federal land bank in July, 1926. Mr. Ofsthun resigned as assistant treasurer in April, 1923. He no longer was connected with the institution when the alleged defalcations took place, but served as secretary of the State rural credits commission.

Preus appeared with Harry Weiss, his attorney, at the office of L. L. Drill, United States district attorney, and was taken before Federal Judge John B. Sanborn for arraignment. He pleaded not guilty to the charges and his bond was set at \$10,000 which was furnished.

Mr. Weiss announced that he also is attorney for Ofsthun and that the latter, who is out of the city, will appear and give himself up, probably Tuesday. Preus and Ofsthun have been associated in business in Cleveland since investigation of the bank's affairs began more than a year ago. Their families live in St. Paul.

CARRIES 2-YEAR TERM

Penalty for conviction on the charges against Preus and Ofsthun is two years in Leavenworth Penitentiary or a fine of \$10,000, or both.

Through his attorney, Mr. Preus authorized the following statement after his arraignment:

"We have not had the opportunity to learn the details of the charges against Mr. Preus, and until we do so we will be unable to make a definite statement. But any transactions in which he was involved were approved by the board of directors of the Federal land bank.

"When all the facts are brought out, these transactions will be found to be in the best interests of the bank. And when all the facts are brought out it will be found that Mr. Preus can fully account for any money involved in transactions in which he was concerned at the bank."

CLOSES LONG INQUIRY

The indictment and surrender culminated one of the most far-reaching and startling investigations ever conducted by the Federal Government here. James A. Wharton, assistant United States district attorney, was in charge of the investigation.

H. J. Speer, also a former assistant treasurer of the bank, and John E. Martin, former general counsel, were indicted by a Federal grand jury here last spring on charges of defrauding the institution of approximately \$5,000. They are awaiting trial.

Administration of the land bank's affairs by its present officials is in no way connected with the investigation or the indictments against the former officials, and H. K. Jennings, former president, also is said to have been cleared of blame.

The indictment naming Preus and Ofsthun reveals an intricate system of alleged misappropriation and accuses them of 11 overt acts, through which they are alleged to have carried out the conspiracy. In the alleged overt acts they are charged with misappropriating, between September 9, 1925, and May 8, 1926, the sums of \$1,235.35, \$11,853.55, \$2,274, and \$37,447.60, totaling \$52,828.50.

The history of their alleged operations was made public at the office of the United States district attorney.

FORECLOSURE DEALS CITED

Preus became treasurer of the St. Paul Federal land bank in December, 1917. Ofsthun's connection with the bank began the same year, but he was not appointed assistant to Mr. Preus until 1918. As assistant treasurer Ofsthun became familiar with the fact that the bank sells farms it obtains under foreclosure.

In 1922 Ofsthun became heavily indebted to Preus through the failure of the Hingham State bank they had reorganized at Hingham, Mont. When Ofsthun resigned as assistant treasurer of the Federal land bank here in 1923 he was appointed secretary of the Minnesota Rural Credits Bureau.

He continued as secretary of the credits bureau until July 1, 1925. Shortly after that he asked Preus to obtain a position for him at the land bank. Preus told him that none was open at the time. At this meeting, however, according to Government investigators, Preus assured Ofsthun that he would be "taken care of," whether or not there was a position open at the bank.

OFFERED TO BUY FARMS

In August, 1925, Ofsthun offered to purchase from the bank for \$250,000, 94 North Dakota farms it had obtained under foreclosure. With his offer he inclosed a \$15,000 check as part payment. The offer was accepted, after which Ofsthun immediately assigned his interest in the farms to E. W. Backus, millionaire Minnesota lumberman.

Meanwhile the Investment Land Corporation had been formed by Backus and Frank Thompson, widely known St. Paul politician. Ofsthun was made secretary of the corporation, and Backus's interest in 91 of the 94 farms was assigned to the corporation.

Ofsthun appraised the land for the Investment Land Corporation and was paid for his services by that company. In September, 1925, he presented a bill of \$1,253.35 to the land bank for the same services. The bill was approved and paid by Preus as treasurer of the bank.

The same month back rentals on the farms totaling nearly \$23,000 were paid to the bank. In the purchase contract between the bank and the Investment Land Corporation no mention was made that a portion of this sum be paid the corporation. The indictment charges, however, that \$11,853.55 of this sum was paid by the bank to Ofsthun at the direction of Preus.

Several foreclosed farms then were sold by the bank through sources other than the land corporation, although Ofsthun was paid \$2,274 by the bank as commission for selling them.

Early in 1926 the Midwest Farms Corporation was formed by the Backus-Thompson interests to purchase more foreclosed farms from the bank. Ofsthun, already secretary of the Investment Land Corporation, also became an employee of the new company.

In February, 1926, Ofsthun offered the bank \$250,000 for 106 foreclosed farms. Soon after this the Midwest Farms Corporation offered the bank \$275,000 for the same farms and the offer was accepted. Ofsthun then informed Preus that he (Ofsthun) was entitled to \$25,000 as commission on the deal.

This transaction was followed by the sale by the bank of 24,000 acres of foreclosed land, valued at several hundred thousand dollars. Ofsthun then presented a bill to the bank of \$12,447.60 in commission he asserted he was entitled to in the sale of the 24,000 acres.

Preus allowed both the \$25,000 and \$12,447.60 bills and sent Ofsthun a check for \$37,447.60, according to the indictments. Ofsthun was out of the city when he received the check. He immediately sent the check to a St. Paul bank with instructions that Government bonds be purchased for the amount. On May 28, 1926, the day Ofsthun received his receipt for the bonds, Preus obtained a safety deposit box in a St. Paul bank. Ofsthun had a safety deposit box in another St. Paul bank, but was deputized to open Preus's box.

PAID \$37,447.60 ON TWO DEALS

Shortly after this the Midwest Farms Corporation learned that Ofsthun had been paid \$37,447.60 as commission on the two deals and that he had invested the sum in bonds. The corporation alleged that it was entitled to this commission and Thompson demanded the bonds from Ofsthun.

Thompson and Ofsthun then went to Ofsthun's deposit box and took from it a sealed package. A few minutes later they obtained a similar package from Preus's box. The packages were placed in Thompson's possession.

Reports of illegal transactions in the land bank here reached the Federal Farm Loan Board at Washington. Early in 1928 two bank examiners for the board informed Assistant District Attorney Wharton that they had disclosed evidence of fraud at the institution.

Mr. Wharton then took charge of the investigation and at his request Department of Justice operatives and Government accountants were assigned to the case. Mr. Wharton and Mr. Drill had numerous conferences on the matter with the Farm Loan Board and with Attorney General Sargent in Washington.

Assistant Attorney General O. H. Luhning and two special assistants to Attorney General Sargent assisted Mr. Wharton in presenting the case to the grand jury here last week. The special assistants were Oliver E. Pagan and William F. Stern, nationally known indictment experts.

Presentation of the case began Tuesday and ended Thursday. Witnesses who testified before the body included Mr. Backus, Mr. Thompson, and Miss Myrtle Cuno, of Cleveland, former private secretary to Mr. Preus.

Mr. Wharton gained national recognition in 1927 when he obtained indictments of six former officials of the Southern Minnesota Joint Stock and Land Bank of Redwood Falls.

INTERPRETATION OF MULTILATERAL TREATIES

MR. BORAH. Mr. President, I have asked the Senator from Nebraska [Mr. NORRIS] to yield to me for a moment to read into the RECORD a statement from the American Journal of International Law with reference to the interpretation of multilateral treaties. There was much discussion during the debate on the multilateral treaty as to the correct interpretation of treaties and as to the effect of the notes upon the part of Great Britain, France, and other countries upon the treaty.

This is an article by Quincy Wright, one of the board of editors of the American Journal of International Law. I think there are several paragraphs which the Senate would be glad to have in the RECORD. In the first place, he says that with reference to bilateral treaties a different rule obtains touching the construction of the same and the effect of notes upon the construction than to a multilateral treaty, and then he says:

With respect to multilateral law-making treaties, however, it is not common to utilize preliminary materials except in so far as incorporated in reservations formally attached to the instrument on signature or ratification and accepted by the other parties to the convention. During the World War the French prize court even refused to accept the report of the drafting committee as a conclusive interpretation of the declaration of London. "The clear and precise provisions of an article which the state had adopted, though the declaration itself had not been ratified, could not be weakened by any extraneous document." In the Tunis nationality decrees case the Permanent Court of International Justice paid no attention to peace-conference discussion introduced by France in support of a particular interpretation of paragraph 8, article 15, of the League of Nations covenant. Instead, the paragraph was interpreted by textual analysis and general principles of law. The same was true with respect to the Rumanian effort to interpret the definitive statute of the Danube by preliminary material. The court recalled "that preparatory words should not be used for the

purpose of changing the plain meaning of the text," and refused to consider confidential preparatory material at all. The league council has expressly ruled that reservations to multilateral treaties must be made at signature and can not be attached to accessions. The International Labor Office has similarly ruled that labor conventions resulting, as they do, from a process assuring proper consideration of the interests not only of states but of industrial classes, must be considered as *ne varietur* documents. Multilateral treaties have sometimes by their own terms prohibited reservations or permitted them only for specified articles. The misunderstandings which would result from reservations or interpretations of such treaties, made in any but the most formal manner and with full opportunity for consideration by the ratifying authority in all the states, has been fully appreciated.

Thus, with respect to interpretation it seems both reasonable and in accord with practice to regard treaties between two or a small number of states as analogous to contracts, while multilateral law-making treaties bear more resemblance to statutes. The latter analogy seems especially applicable to multilateral treaties open to general accession, since the acceding states are usually officially cognizant only of the text and formal reservations and can not be supposed to have accepted interpretations suggested in the preliminary conversations of the original negotiators.

The Kellogg pact is not in precisely this class, because even the acceding powers have, though rather informally, been apprised of the preliminary correspondence. Thus it can not be said that the interpretative notes are without weight. The manner of their presentation and the express or tacit acceptance of most of them by the original signatories precludes such a conclusion. It is believed, however, that they are to be treated merely as evidence of the sense of the text and not as modifications of or exceptions from it, or even as conclusive interpretations.

Preliminary correspondence in regard to a draft treaty may attempt to modify the obligations of all the parties, modify the obligations of particular parties, or interpret the text. The first and second can, it is believed, be done, at least in the case of a multilateral treaty, only by a formal amendment or reservation accepted by all the parties, and if the notes do not acquire that status, they have no effect upon the text which has received formal ratification. Notes purporting merely to interpret the text may, of course, be formally accepted as reservations, in which case they are as binding as the text. They are, in fact, "authentic" interpretations. If they do not acquire this status, their importance depends on the character of the negotiation. In the case of bilateral treaties, such notes, if accepted or not protested by either party, have been regarded as authoritative. They indicate the meaning intended by the parties. In the case of multilateral treaties, however, there is a strong presumption that the terms of the text have the established meaning recognized throughout the family of nations. Such notes may furnish evidence of that meaning, but they are not conclusive of it.

In the present case it does not appear that any of the notes were intended either to amend the text or to give a privileged position to any of the parties. The only one suggesting such an intent is that in which Great Britain calls attention to:

"Certain regions of the world, the welfare and integrity of which constitute a special and vital interest for our peace and safety. His Majesty's Government have been at pains to make it clear in the past that interference with these regions can not be suffered. Their protection against attack is to the British Empire a measure of self-defense. It must be clearly understood that His Majesty's Government in Great Britain accept the new treaty upon the distinct understanding that it does not prejudice their freedom of action in this respect. The Government of the United States have comparable interests, any disregard of which by a foreign power they have declared that they would regard as an unfriendly act. His Majesty's Government believed, therefore, that in defining their position they are expressing the intention and meaning of the United States Government."

Though this may seem to assert a special privilege for Great Britain and the United States, it can readily be read as an interpretation (reasonable in the light of article 21 of the league covenant) that action in pursuit of any internationally recognized "regional understandings" is not within the prohibition of the treaty. The gist of the other notes was summed up in Secretary Kellogg's address to the American Society of International Law on April 28, 1928, as simply the application of established international law to the text of the treaty, and the address was sent to the powers on June 23, 1928, with the invitation to sign.

Thus, while it is believed the importance of the notes lie in the evidence they give of the interpretation which international law would accord to the text, in the opinion of the writer little exception can be taken to their interpretation. It would seem that use of force in self-defense, in pursuance of internationally recognized regional understandings, in fulfillment of guarantees recognized by treaty, or against a state which has itself resorted to war in violation of the pact, is not a resort to war "for the settlement of international controversies" or "as an instrument of national policy." (From the January, 1929, issue of the American Journal of International Law; by Quincy Wright, of the board of editors, pp. 103-106.)

Mr. JOHNSON, Mr. BINGHAM, and Mr. WALSH of Montana addressed the Chair.

The VICE PRESIDENT. Does the Senator from Nebraska yield; and if so, to whom?

Mr. NORRIS. I yield first to the Senator from California.

Mr. JOHNSON. I wish to ask the Senator to yield for a question to the Senator from Idaho.

Mr. NORRIS. I yield for that purpose.

Mr. JOHNSON. Does the Senator from Idaho agree with the interpretation and the conclusions of the writer?

Mr. BORAH. No; not in detail, but I do agree that a different rule applies to multilateral treaties than applies to bilateral treaties. I go further than the author as to the ineffectiveness of the notes.

Mr. MOSES. Mr. President, I was not here when the Senator began reading. Who was the writer?

Mr. BORAH. Quincy Wright.

Mr. MOSES. Having heard from Mr. Quincy Wright in full, I suppose when the treaty comes up for interpretation we will hear from others.

Mr. BORAH. Very likely, and undoubtedly of great authority.

Mr. NORRIS. I yield now to the Senator from Connecticut.

Mr. BINGHAM. I was merely going to ask a similar question.

Mr. NORRIS. Then I yield to the Senator from Montana.

Mr. WALSH of Montana. Mr. President, I am not fully advised, so I inquire, who is Mr. Quincy Wright?

Mr. BORAH. He is one of the editors of the Journal of International Law.

CONSTRUCTION OF CRUISERS

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 11526) to authorize the construction of certain naval vessels, and for other purposes.

The VICE PRESIDENT. The Senator from Nebraska [Mr. NORRIS] is entitled to the floor.

Mr. HALE. Mr. President, I ask unanimous consent that certain resolutions and communications which I now present from various associations and societies in favor of the passage of the cruiser construction bill may be printed in the RECORD and lie on the table. There are about 10 of them.

There being no objection, the communications and resolutions were ordered to lie on the table and to be printed in the RECORD, as follows:

The following resolution was unanimously passed at the fourth annual Women's Patriotic Conference on National Defense, held in Memorial Continental Hall, Washington, D. C., at which 38 patriotic organizations were represented by 684 delegates:

"Resolved, That it is the sense of the Women's Patriotic Conference on National Defense, consisting of 38 patriotic organizations in convention assembled, that we unqualifiedly support the program for naval defense, namely, fifteen 10,000-ton cruisers and one airplane carrier, same to be laid down in a 3-year time limit (1931), and that we demand its immediate adoption."

LUCY R. D. FICKLEN,

Chairman Women's Patriotic Conference on National Defense.

GRACE H. BROUSSEAU,

*President General National Society,
Daughters of the American Revolution.*

Mrs. THOMAS SPENCE,

President American War Mothers.

ORGANIZATIONS PARTICIPATING IN WOMEN'S PATRIOTIC CONFERENCE ON NATIONAL DEFENSE, JANUARY 29, 30, AND 31, 1929

American Gold Star Mothers.
American Legion Auxillary.
American Veteran and Allied Patriotic Organizations.
American War Mothers.
American Women's Legion.
Auxiliary to Sons of Union Veterans of Civil War.
Bergen County Women's Republican Club of New Jersey.
Colonial Daughters of the Seventeenth Century.
Daughters of the Cincinnati.
Daughters of the Colonial Wars (Inc.).
Daughters of the Union Veterans of the Civil War, 1861-1865.
Government Club of Chicago.
Government Club of New York.
Ladies' Auxillary, Veterans of Foreign Wars of the United States.
Ladies of the Grand Army of the Republic.
Law League of Kansas.
National Auxillary, United Spanish War Veterans.
National Society, Colonial Daughters of America.
National Society of Colonial Descendants of America.

National Society, Dames of the Loyal Legion.
National Society, Daughters of the American Colonists.
National Society, Daughters of the American Revolution.
National Society, Daughters of Founders and Patriots of America.
National Society, Daughters of the Revolution.
National Society, Daughters of the Union, 1861-1865.
National Society of New England Women.
National Society, Patriotic Builders of America (Inc.).
National Society, United States Daughters of 1812.
New York City Colony, National Society of New England Women.
Service Star Legion (Inc.).
Society of Sponsors of the United States Navy.
The Guadalupe Club, 1848.
The National Patriotic Council.
The National Women's Relief Corps.
Women's Naval Service.
Women of Army and Navy Legion of Valor, United States of America.
Women's Overseas Service League.
Woman's Constitutional League of Virginia.

NEW YORK, N. Y., January 29, 1929.

HON. FREDERICK HALE,

Chairman Committee on Naval Affairs,

United States Senate, Washington, D. C.:

The National Association of Manufacturers and National Industrial Council, representing thousands of industrialists in every State of the Union, has the largest investment in permanent peace, but we realize that adequate protection for our expanding commerce and respect for our position in the world demand reasonable naval defense. Without it, we can not feel secure. Our utter lack of preparedness cost our taxpayers in the last war, according to the estimates of the President of the United States, \$170,000,000 a day. We urge, in the name of reasonable security, immediate passage of the naval bill which you are presenting with such admirable skill. In this statement I express the assured sentiment of the great body of American manufacturers. The goal is peace, but we realize the practical necessity for adequate protection.

JOHN E. EDGERTON,

*President National Association of Manufacturers
and Chairman of National Industrial Council.*

AMERICAN MARINE MUTUAL ASSOCIATION
OF MASTERS, MATES, AND PILOTS (INC.),

Boston, Mass., January 3, 1929.

HON. FREDERICK HALE,

Chairman Senate Committee on Naval Affairs,

Washington, D. C.

DEAR SENATOR HALE: The bill now pending in Congress for the construction of fifteen 10,000-ton cruisers has aroused the deepest interest in the minds of the masters and licensed deck officers of American merchant ships.

The lessons of the past are still fresh in their memory. They know from actual experience what happens to the merchant ships of a neutral nation when any of the great maritime powers are at war with each other. It would seem that having surrendered superiority in battleships, gained at an enormous cost, we ought not to be asked to accept an inferior position in cruiser tonnage, thus placing our ocean-borne commerce at the mercy of any nation possessing greater sea power than our own.

No sane person, be he landsman or sailor man, desires to see war, with all its attendant losses and horrors, but rather do we believe that the best guaranty of peace is to be found in the ability to protect ourselves from unjust aggression at sea through unlawful seizure of our merchant ships by European belligerents.

It is the unanimous opinion of the members of our association that the enactment of this bill will tend to promote peace rather than to provoke war.

DENIS MCCARTHY, *President.*

ALBERT J. MONROE, *Secretary-Treasurer.*

MILITARY ORDER OF FOREIGN WARS OF THE UNITED STATES,

NATIONAL COMMANDERY,

New York, N. Y., December 24, 1928.

CHAIRMAN COMMITTEE ON NAVAL AFFAIRS,

United States Senate, Washington, D. C.

DEAR SIR: I trust that immediate favorable action will be taken on the cruiser bill, and that nothing will be done to emasculate this absolutely necessary safeguard. The Military Order of Foreign Wars stands firmly behind any step which helps toward the prosperity and protection of our country.

Respectfully yours,

WM. SEAMAN BAINBRIDGE,

Commander General.

NEW YORK CITY, January 5, 1929.

(Mrs. Calvin Coolidge, honorary chairman; Miss Maude Wetmore, chairman; Mrs. Rogers H. Bacon, secretary; Miss Anne Morgan, treasurer; Mrs. Coffin Van Rensselaer, executive secretary)

Hon. FREDERICK HALE,

United States Senate, Washington, D. C.

MY DEAR SENATOR HALE: At a meeting of the executive council of the woman's department of the National Civic Federation assembled in New York on January 3, 1929, the following resolution was adopted:

"Whereas a navy adequate for the national defense is essential to the development and safety of the Nation; and

"Whereas the President of the United States has stressed the need for greater cruiser strength: Therefore be it

"Resolved, That consistent with the established policy of the woman's department on national defense, the council indorses the naval construction bill pending in the Senate of the United States, and urges its prompt passage unamended."

Sincerely yours,

MAUDE WETMORE, *Chairman.*

THE DISTRICT OF COLUMBIA SOCIETY OF THE
ORDER OF THE FOUNDERS AND PATRIOTS OF AMERICA,
Washington, D. C., January 24, 1929.

Hon. FREDERICK HALE,

United States Senate, Washington, D. C.

MY DEAR SENATOR: The Washington, D. C., Society of the National Association of Order of the Founders and Patriots of America adopted the inclosed resolution at a recent meeting. We will be pleased to have you present it to the Senate and have it inserted in the CONGRESSIONAL RECORD. The Order of Founders and Patriots has some 8,000 members.

Very truly yours,

EDWARD NELSON DINGLEY,
Governor of Washington, D. C., Society.

WASHINGTON, D. C., January 22, 1929.

Resolved, That the Washington Society of the Founders and Patriots of America urge the prompt passage of the bill now before the United States Senate providing for the construction by the Government of 15 cruisers and 1 aircraft carrier. National defense is vital to the future safety and welfare of the United States of America.

EDWARD NELSON DINGLEY,
Governor.

SAMUEL HERRICK,
Past Governor.

D. B. AXTELL, *Secretary.*

RESERVE OFFICERS' ASSOCIATION OF THE UNITED STATES,
January 4, 1929.

Senator FREDERICK HALE,

Senate Office Building, Washington, D. C.

MY DEAR SENATOR: The Reserve Officers' Association of the United States, with a membership of more than 26,000 officers, and which is the representative organization of the 115,000 reserve officers of the Army of the United States, is deeply interested in all matters pertaining to the defense of this Nation. We are, therefore, vitally concerned about the enactment into law at this session of Congress of the cruiser bill, providing for 15 additional cruisers for our Navy. We have given careful study to the subject of our Navy's needs and are familiar with the terms and at least some of the results of the disarmament conference held at Washington. We are so thoroughly convinced as an association that this bill should be speedily enacted into law we have made it, upon our own initiation, a major consideration in our legislative program for this session of Congress.

I am confident I express the practically unanimous sentiment of the Organized Reserves, which in time of war constitutes about 85 per cent of our entire land forces, when I say that the passage of the cruiser bill is of the greatest importance to an adequate national defense and the future welfare of this country. Permit me, therefore, to urge you, and through you the Senate of the United States, to cause the passage of this important legislation without unnecessary delay.

The land forces of the country must have the cooperation of an adequate naval force in time of emergency. Therefore naval inferiority weakens the entire defense scheme to the success of which this association is dedicated.

Sincerely yours,

ROY HOFFMAN, *President.*

THE DISABLED AMERICAN VETERANS OF THE WORLD WAR,
LEGISLATIVE AND REHABILITATION DEPARTMENT,
Washington, D. C., December 20, 1928.

Hon. FREDERICK HALE,

*Chairman Naval Affairs Committee, United States Senate,
Washington, D. C.*

MY DEAR SENATOR HALE: On the eve of the consideration of this matter of supreme importance to the American national defense, I desire

to record the vigorous support of the Disabled American Veterans to the naval construction bill.

Composed exclusively of men who still carry the disabilities of their World War service, we feel that the Disabled American Veterans are particularly qualified to speak with authority on the necessity of proper preparedness.

The organized disabled men of this country are unitedly behind the Kellogg pact as a movement toward lessening the chances of war, but we see no inconsistency in the maintenance of proper protection at sea merely because we are cooperating in the hope of removing the probability of further armed conflict.

Upon the construction of a modern fireproof building one of the first actions taken by the owners is to sign policies covering fire insurance, and the Disabled American Veterans feel that proper preparedness under our Constitution no more invites war than insurance invites fire.

Well-meaning but misled groups, under the skillful leadership of those who would dull the national conscience by their false heresies of internationalism, are prepared to Chinafy this country by weakening or destroying our forces of protection, so, as you enter the battle for our naval defense I am taking this opportunity to assure you of the appreciation and support of tens of thousands of men who still bear the scars of their national service.

Cordially yours,

MILLARD W. RICE,
National Commander Disabled American Veterans.

NATIONAL HEADQUARTERS,
UNITED SPANISH WAR VETERANS,
Washington, D. C., January 28, 1929.

Hon. FREDERICK HALE,

United States Senate, Washington, D. C.

MY DEAR SENATOR: By direction of Commander in Chief William L. Grayson I am inclosing for your information a resolution urging upon the Senate the necessity for the immediate passage of the cruiser bill. This resolution was adopted at a meeting of the national legislative committee of the United Spanish War Veterans held in Washington, D. C., Monday, January 21.

Yours very truly,

[SEAL.]

JAS. J. MURPHY,
Quartermaster General.

Resolution adopted by national legislative committee, United Spanish War Veterans, January 21, 1929

Whereas our lack of preparedness upon entering the war with Spain caused untold hardships and much needless sacrifice of lives; and desiring to profit by the lessons of that experience by being better prepared in case of another war, we embodied in the fundamental law of our organization a clause "constantly to exert an influence to the end that our Government at all times shall provide an adequate defense"; and believing that our national security is again endangered because of the present lack of preparedness when compared to that of other countries, and believing the passage of the cruiser bill now pending before the United States Senate would be in no sense a war gesture, but only an effort to provide for long-delayed and necessary replacements to our Navy: Therefore be it

Resolved by the national legislative committee of the United Spanish War Veterans, That we respectfully urge upon the United States Senate the necessity for the immediate passage of the cruiser bill.

Mr. HALE presented numerous letters, papers, and telegrams in the nature of petitions from various civil, military, and patriotic organizations and citizens, praying for the prompt passage of the bill (H. R. 11526) to authorize the construction of certain naval vessels, and for other purposes, which were ordered to lie on the table.

Mr. NORRIS. Mr. President, when the Senate took a recess last night I was making some remarks relative to the international race in the building of naval armaments. I would like to call attention to the fact that the building of naval vessels has been for a great many years and still is in a state of continual improvement, resulting in increasing the efficiency of all naval armaments and vessels. In a naval war there is an advantage with the country having the newest naval vessels. If we should delay the construction of the naval vessels provided for in this bill we would be able to build better vessels on account of that delay than would be built if construction were undertaken now under the terms of the bill. Therefore it seems to me, inasmuch as everybody admits there is no danger of war or conflict with any other nation, that we should lose nothing by a delay, and that the proposition to strike out the time limitation in this bill ought to receive favorable consideration. Even though we are in favor of building all the vessels provided for in the bill, if by delay we can obtain more efficient and better vessels and profit by Great Britain or other

countries pursuing immediately their building program, we ought, it seems to me, avail ourselves of the opportunity.

We have all read in the newspapers, no doubt, in the last few days of a cruiser which it is said is about to be constructed in Germany which is so far in advance of all the cruisers now in existence that it would have no difficulty in putting out of business quite a number of cruisers of the same size. That may not be true; I do not know anything about it except what I have read in the press; but it is a matter of common knowledge that the newest vessels are much superior in efficiency to those which have been previously built. A ship that was built yesterday is surpassed by the one that is built to-day, and the one that is constructed to-day becomes almost obsolete in comparison with the one that may be constructed to-morrow. So a delay, particularly when there is no danger involved, in the construction of these ships ought to give us a better navy and a more efficient fleet of ships than if we provided for their immediate construction.

Mr. President, wars do not just happen; they are made; they are the result of the actions of nations. They are not accidents; they come as a logical result of the conduct of nations in time of peace. There would have been no World War if Germany and Great Britain and France had not been armed to the teeth. It is perfectly natural, it is perfectly human, that when men or nations continue to arm themselves, to increase their armaments in a race with each other, ultimately they will come into conflict. It seems to me that if the world continues its present course in providing armaments, the result, as demonstrated by the history of the past, must be ultimately another World War. I do not know when; I do not know how soon; but nations can not violate the universal law of human nature without suffering the consequences. The naval vessels being built by one nation because some other nation is building naval vessels will result in a third nation building naval vessels and increasing its armament; that will result in the fourth nation taking the same course; and then the first nation, her ships being somewhat obsolete and out of date, will have to commence another circle. So the nations of the world travel around and around in a circle, piling up armaments, creating new instruments of human destruction, inventing new ways of taking human life, and eventually, with a chip on the shoulder of every nation in the world, one gets knocked off and the conflagration commences, as it did in the World War. That would not happen without these superarmaments; that would not take place if it were not for the suspicion that is aroused all over the world by the various nations adopting new methods of warfare and laying down new forms of ships, built for the purpose of destroying human life and property.

We can not avoid that suspicion. One has only to read the newspapers to know that this process is going on now. It is common knowledge everywhere in the civilized world that each nation is watching every other nation, and the course they will pursue will depend upon what other nations shall do. Unless some nation breaks this vicious circle, and says to the world, "We want to put an end to this unnecessary expenditure of public funds," which, if it does not bring a world conflagration, will bring a world subdued and bowed in poverty from taxation alone, no one can foresee what the result may be.

No nation is better qualified or equipped to make that proposition to the world than are we. Occupying the position that we do, with our financial resources, and with a Navy equal to any other navy in the world, unless it be the navy of Great Britain—and as to that there is an honest dispute and disagreement—with no cloud of danger upon the world's horizon, running no risk to our safety and running no risk in any way, we should make the move. All the civilized peoples of the world are waiting for such a move, the common people of every civilized nation on earth are now hoping that America may take the step.

Mr. President, a few days ago we ratified the peace treaty, which, in substance, binds us, as it will bind every other nation which may ratify it, not to use force or go to war to settle disputes that may arise in the future. If we should pass this bill, it would follow, it seems to me, that we would be proceeding on the theory that either we or some other nation or nations are going to violate that treaty; we would be proceeding on the assumption that that treaty is not going to be lived up to by the nations of the world. We are not willing to admit that we are going to violate it; we are not even willing to charge openly that any other nation, naming the nation, is going to violate it; but we are going on the assumption that some nation will violate it, and, hence, it will be of no account. Let us go on the other assumption just for a moment and see what the result will be. Let us assume for the moment that the civilized nations of the world that enter into that treaty are doing so in good faith, are

going to obey its mandates, are going to abide by the solemn agreement which they make; take that assumption, and what would be the result?

Assuming that they will all ratify it, as I presume they will, it follows that war between civilized nations will disappear; that war will no longer be an element in the settling of international disputes; that standing armies and huge navies will be useless and of no account; that the world will be able to save the money which is now being expended for armaments and for navies and use it for other purposes or permit the people to keep it in their pockets. Is not that as fair an assumption as to assume that the treaty is only a scrap of paper and is not going to be obeyed?

Why should we select this treaty, framed on the beneficent theory of bringing about peace among the nations, and say it is going to be violated? We here ratify by the dozen treaties with the various nations of the world, and we ratify them on the assumption that the signatories are going to keep their word and are going to abide by the agreements which they thus make. Such agreements are harder to keep than the agreement contained in the so-called multilateral treaty. That is the easiest agreement to keep that has ever been made in the history of the civilized world. It only says that the nations of the world will not resort to war to settle disputes; that they outlaw war; that they are going in the future to settle their disputes in some peaceful way. Everybody wants to do that. One can go abroad through the world to-day and find no statesman, no citizen of any country, but desires to see that condition brought about. Why are we afraid? Why are we treating this treaty in a different light from any other treaty upon which we act; and why are we going to follow up that kind of agreement, assuming as I do, and as I believe, that we have ratified it in good faith, by providing for a larger naval expenditure than we have ever provided for in the history of the country in time of peace? Why are we now, right on the heels of that peace treaty, going to provide for a larger navy? What would be the use of the Navy if that treaty is to be adhered to? What is the use of all these ships if we are going to settle our disputes in the future by peaceful means? Why are we construing that treaty in this way when we have never construed any other treaty in a similar way?

Were we fooling? Were we playing? Did we not mean what we said? Do the other nations of the world show any indication that they are not in earnest? Are they any less desirous for peace than we? When we agree that we will not settle our disputes by force, we have made it unnecessary to have the force; and, on the other hand, the reverse is true: When we make that solemn agreement that we will not resort to war, we are naturally suspected of bad faith when we follow it up with the greatest naval program that we have ever undertaken outside of a time of war.

Mr. President, in conclusion, I want to say that it strikes me that we are not giving to the civilized world the right kind of a demonstration of our good faith in that treaty. Why can we not wait to see whether the other nations agree to it? Why can we not let that treaty go for a few years and see how it works? Let us ascertain whether some of these nations are not acting in good faith. Why not test ourselves, especially when we can do it without any possible danger to our rights as a nation or our liberties as a people?

Mr. BURTON. Mr. President, the discussion of this measure has been conducted with great frankness in the Senate. There has been severe criticism of the course of foreign countries; their good faith has been questioned, and forecasts of war with Great Britain or other nations have been expressed which are quite unusual in a legislative body. Perhaps it is better so, that the question should be discussed fully and freely.

As a Member of the Senate, I am unwilling to take the responsibility of opposing authorization for the construction of 15 cruisers. There is a possibility, though remote—very remote, as I verily believe—that the world may again become involved in conflict. The defense of our country and its residents is a duty which no patriotic citizen can shirk. At the same time, I do favor the elimination of the time requirement governing their construction, as suggested by the able Senator from Idaho [Mr. BOBAH] and others, and supported, as I understand, not merely by the President of the United States but by the President elect, thus leaving the date of construction to the judgment of the President or to future action by Congress in the successive naval appropriation bills.

It was maintained yesterday that the pending bill contains a provision for the suspension of the proposed building program in case an agreement looking to disarmament is reached, and the intimation was that this is sufficient; but there is provision

for the commencement of measures for the building of a third of the ships by June 30 next, and who could expect an agreement for disarmament to be reached in so short a time? Thus, this provision in the pending bill is not sufficient.

This is a crucial time. Shall the Kellogg treaty be an event of far-reaching importance in the cause of world amity or shall it be a mere gesture, as it has been termed by some of its critics? The effectiveness of this treaty must depend upon national policies and the forces of public opinion. The future of world peace depends very largely upon our own United States. We are in a position of leadership financially, industrially, and in all the great features which tend to make up national life; and our attitude on this subject will be most influential and may be controlling. We must face this responsibility; a nation like an individual has responsibilities which it must perform.

There will be no denying that the world's greatest desire at this time is to be relieved from the horrors of war. There are numerous factors at work which constitute sharply contrasting tendencies in this regard—some for and others against peace.

The threat of war is stimulated by the distrust and antagonisms which have existed among the nations of Europe for centuries. These have been accentuated by the late war, with its bitter recollections, and by the treaty of Versailles and later treaties, which imposed severe restrictions and large indemnities upon the vanquished. These treaties sought to remake the map of Europe, placing racial or national groups aggregating more than sixty millions of people under the domination of nations unfriendly or hostile, and, as it is alleged, in some cases altogether inferior in culture.

We may also mention the appropriation of the colonies of Germany.

To this, if I may summarize things looking toward war, must be added the regrettable fact that expenses and preparation for war, as compared with expenses prior to the Great War in 1914, have increased and are increasing in almost every nation in Europe. Great Britain, in the last year for which figures are available, expended for military purposes—army and navy—about \$200,000,000 in excess of the amounts in 1914 and prior years. Incidentally, I may remark, when complaint is made of the burden of the indebtedness of that country to the United States, that this increase is \$40,000,000 more than the approximate amount of annual payments on Great Britain's debt to us, and that several of the other countries, if they were to devote their military expenditures for a few years to the liquidation of the indebtedness to us, would pay off the full amount.

Among other things disastrous to peace may be mentioned the failure thus far of conferences and negotiations for disarmament and the utter failure of the naval conference called by President Coolidge.

I have thus briefly summarized the principal facts which threaten the cause of peace. Now, let us look to the other side of the picture.

On the other hand, there have been notable achievements for peace since Armistice Day in November, 1918.

The situation is very much influenced by the frightful dread of another war, which, with the progress of invention, would inevitably prove more deadly and destructive than the last and might even destroy modern civilization. Harmony and cooperation are coming to be universally regarded as essential for the rehabilitation of nations which have suffered most; also for the prosperity and happiness of the people. Moral and intellectual forces were never more active for a better understanding than now.

In measures looking to peace, chronologically, the League of Nations comes first, which embodies the idea of consultation and united action. While it is not probable that this country will assume membership in this organization, we have nevertheless cooperated in important meetings held at Geneva. The League has settled a number of minor differences, such as the controversy between Bulgaria and Greece, and has created bureaus which are devoted to the correlation of efforts of international societies, gathering information for universal benefit and further promoting uniform regulations as to labor which seek to ameliorate its condition. Anything which brings nations into closer contact has a potent influence for peace.

We may also mention the conference at Washington, 1921-22, placing a limit on battleships. Our action in that conference has been very much criticized; but not only was a limitation placed on the construction of battleships, but rights for China were secured, and our contentions in regard to that country were vindicated. Also, a treaty was negotiated for the settlement of controversies among the nations bordering on the Pacific.

Besides, there is the World Court, which has been functioning for several years and has given very general satisfaction in its decisions upon controversies between nations resorting to it.

Then there are the Locarno treaties of 1925, which provide means for the prevention of war between nations among which there had been serious friction.

There have been many arbitration treaties, some providing for the compulsory settlement of controversies, as between Denmark and Holland; others less broad in their scope, but all marking a distinct advance upon existing agreements.

The treaty of mutual guaranty between England, France, and Germany seeks to assure the prevention of aggression by France against Germany or Germany against France.

To all these must be added the notable achievements of the last year—arbitration and conciliation treaties in considerable number in which the United States has taken the lead. Special mention should be made of the treaty framed for amicable settlement of controversies among the nations of the New World. And last of all, the treaty for the renunciation of war, containing in a second clause—more important, perhaps, than the first—a declaration for peaceful settlement of international disputes. This last treaty assumes supreme importance.

A first objection to the 15 cruisers is the expense of \$255,000,000 involved. Not only is the original construction of a ship expensive, but according to recent estimates the annual upkeep of a cruiser costs \$1,247,000.

I say with the utmost earnestness that there is grave danger that the incoming administration will be embarrassed by a deficit. Our country is expanding in its activities.

Especial mention may be made of the cost of protection to the people of the Mississippi Valley and the construction of the Boulder Dam, which will entail very considerable expense. Enlargement of old activities or creation of new will require large appropriations. In the face of this fact we have to note that there has been a decrease of approximately \$40,000,000 in the collection of internal-revenue taxes, and the prospective tariff bill, which it is expected will be enacted in the coming special session, may still further diminish the other class of taxes derived from import duties. Certainly those of either party do not wish to embarrass the next administration by the threat of a deficit, as the country must in large measure rely for its prosperity on diminished taxation and the assurance that national revenues equal national expenditures.

More important considerations, however, rest upon the influence of our action on the future peace of the world. Can anything be more absurd than the building of huge warships in preparation for a possible war between Great Britain and the United States? These two countries—with common language and traditions—ought to find some means of avoiding this enormous and unnecessary expense. Is it beyond the possibilities of diplomacy to secure such agreement? If so, a situation confronts us which indicates that we are lacking in the achievements essential to modern progress.

Fear of war with Great Britain is farcical.

In the first place, no nation in the world is so interested in the maintenance of peace and the promotion of foreign trade. In the next place, the British Isles depend for their food supply and raw material very largely on the United States and Canada. In recent years more than two-thirds of their imports of wheat and flour have come from Canada and the United States. The proportion of other essential commodities is even larger. If these supplies should be shut off it is difficult to understand how the people of Great Britain could be saved from starvation.

Still further, in case of war, Canada, the fairest jewel among British outlying possessions, would almost immediately be overrun by troops of the United States, and there would be an absolute cessation of exports from that country. Both are particularly vulnerable to attacks from us; the one more especially from the military standpoint, and the other from the economic standpoint. I make these statements in no offensive sense, because we are exceptionally friendly both to Canada and Great Britain. Though rivalry has been keen and bitter feeling has been aroused at times, for more than 100 years a way has been found to compose every difference.

The life of a warship is limited to a comparatively brief period. Twenty years is the standard adopted by some, 15 years by others. Battleships and cruisers go on the scrapheap in a comparatively short time. Some years ago, indeed, almost exactly 25 years from this day, in this Congress I referred to the high-sounding names of English warships—the *Colossus*, the *Powerful*, the *Thunderer*, the *Terrible*.

The very names were sufficient to frighten the timid.

I might add other names—the *Vindictive*, the *Revenge*, the *Spitfire*, and so on. So far as I can learn, not one of those

great ships ever fired a shot in any conflict; long ago they were broken up.

New methods of warfare have been devised, and it may be said that in a general survey of the situation defensive warfare has made greater progress than offensive. There are not lacking many military experts who maintain that the airplane will be the most effective instrument of warfare in the future. Special emphasis should be laid upon the fact that the submarine and the destroyer, in both of which we have supremacy, have almost irresistible force for defense. Capt. Yates Stirling, now a rear admiral, and regarded as one of the ablest of our naval officers, has said:

Battleships and battle cruisers, the monarchs of the sea, are as helpless before the submarine as a prize fighter is helpless before a burglar with an automatic pistol drawn. Our submarines could drive from our coasts the very largest fleet of battleships and cruisers.

I do not believe, Mr. President, that the sentiment of this country will approve our engaging in offensive warfare. If we forecast the future, our provision should be for sufficient equipment of war to provide not for attack but for defense.

Lieutenant Commander Gill says of the battle cruiser:

The chief utility of the battle cruiser is now held to be that of a scout and raider.

It is reported—and the report has been serious enough to be recognized in an editorial in a local newspaper—that Germany has built a cruiser far and away more formidable than any of those heretofore constructed or projected, having 11-inch guns and a much larger cruising radius.

This is but an illustration of the fact that the types of warcraft become obsolete year by year, and there is not merely the ordinary obsolescence or wearing out but they are naturally superseded by other craft, the products of later inventions which render new ships more formidable than any existing warships can be.

It may be confidently asserted that the most ambitious advocates of the program presented will not be satisfied with 15 cruisers, nor yet with 30, nor even 50. To some it is the beginning of a race for what they may call "parity," but to others it means a requirement for a navy equal to that of any two nations in the world.

Of what are the advocates of this bill afraid? When the United States was much less powerful in arms, and, indeed, in trying situations, we were not attacked. In the Civil War the shutting off of the supply of cotton by the blockade deprived the countries of western Europe of their principal material for clothing. The English Navy was quite as powerful, relatively, then as now, and yet there was no intervention. In support of the successful enforcement of the Monroe doctrine, when was a shot ever fired or a sword drawn? In 1895, when our Navy was of the weakest, we demanded of Great Britain that the Venezuelan dispute as to boundary be arbitrated. This was the extreme application of the Monroe doctrine in more than a hundred years since it was first declared; and yet Great Britain, at first refusing, nevertheless yielded to our demand. In 1898, in the Spanish-American War, a majority of the nations of Europe would have liked to have intervened on behalf of Spain. It must be said that, according to all records, England was our friend at this time. Yet there was no intervention, and with a navy which was of no very considerable power we successfully fought out the war.

We have heard it iterated and reiterated that we must have a navy equal to that of Great Britain. I can not agree to this contention. The situation of the two countries is very radically different. Great Britain, with her island empire, densely populated, depends upon outlying portions of the world, her colonies and other countries, for the very means which give her life and economic existence. Various estimates are made as to how soon England, Scotland, and Wales would starve if food supplies were shut off from the outside. But in any event it is but a fraction of a year and probably rather a small one.

Again she has outlying possessions over the sea which demand that she give them protection, and to secure the units of the Empire it is necessary that cruisers and other warcraft be ready to protect them. I may say in this connection that when the count is made of the number of cruisers which Great Britain has we must take into account the three or four assigned to Australia and the two or three assigned to New Zealand, showing that the whole of her fleet would not be immediately available in the British Isles or for attack upon us.

I wish to call the attention of the Members of the Senate to an article by Theodore Roosevelt in the Kansas City Star of December 17, 1918. Among all our public men in the last two

or three decades no one was more insistent upon a powerful navy than Theodore Roosevelt. In the year 1904 I expressed some sentiments against the number of battleships provided for in the then pending bill. As a result I received a letter from him, four pages in length, with many interlineations, conveying protests; a letter which I have regarded as so important that I filed it with an historical society. He was a great advocate of a larger navy. What did he say about our seeking to equal the navy of Great Britain? I quote:

Over here representatives of the administration are demanding a navy bigger than that of Great Britain. The only possible interpretation of these facts is that the administration proposes to threaten Great Britain with having to get in a neck-to-neck competition with America to build the greatest navy in the world. Under these conditions the American people should, with common sense, look at what their own needs are and at what the needs of their allies are. Sooner or later any program will have to be tested by its results, and even if the United States started to emulate Great Britain's Navy, the enthusiasm to do so would vanish when it appeared that there was no earthly interest of ours to be served by the action. * * * Great Britain is an island separated from the huge military commonwealths of Europe by very narrow seas, and separated from her own greatest colonies by all the greatest oceans. To her, supremacy in the navy is a matter of life and death. America ought to have a first-class navy, but if she did not have a ship she might yet secure herself from any invasion. But Great Britain's Empire would not last one week, and she could not make herself safe at home one week, if her navy lost its supremacy. Incidentally to saving herself, the British Navy rendered incalculable service to us during the last four and a half years, and for the last 30 years has been a shield to the United States.

It has not yet been forgotten that when there was a threat of trouble out in the harbor of Manila the British admiral sent a friendly message to Admiral Dewey.

Great Britain is not a military power in the sense that any of the nations of Continental Europe, or, indeed, Asia, are military powers. She had almost as much difficulty in developing her army in this war as we had in developing our Army. Her army is no more of a threat to other peoples than ours is.

Mr. BRUCE. Mr. President, may I interrupt the Senator for a moment to ask a question?

The PRESIDING OFFICER (Mr. GEORGE in the chair). Does the Senator from Ohio yield to the Senator from Maryland?

Mr. BURTON. I yield.

Mr. BRUCE. The Senator remembers, however, I am sure, in connection with what he is quoting Mr. Roosevelt as saying, that there has been an enormous expansion of our American commerce since Mr. Roosevelt's time. For instance, if my memory serves me aright, our commerce with South America has increased since 1914, when we had a commerce of a value of \$300,000,000, to a commerce of a value of \$1,000,000,000. There has been a tremendous increase of several hundred per cent in our commerce with Africa, and a similar increase in our commerce with Asia. It seems to me those facts ought certainly to be taken into account in connection with any views which Mr. Roosevelt expressed.

I may say that, looking at the conditions which surrounded him, I for one agree with him entirely in the correctness of his conclusions. I do not think the special need of Great Britain for naval armament is comparable with ours. I think their naval strength and our naval strength are not commensurate terms. But I do submit to the Senator that it seems to me he ought to take into account the tremendous increase in our foreign commerce since Mr. Roosevelt's time.

Mr. BURTON. I recognize the pertinency of the comment of the able Senator from Maryland. I shall speak of the matter of commerce before I am through. I will say, however, at the very outset that as a comparative proposition, when we put side by side our commerce before 1914 and our commerce in the years succeeding the great conflict, I do not see any great difference in the requirements. True, a large share of exports were carried in foreign vessels and a large share is probably still carried in foreign vessels. It is true we have reached out into portions of the earth which were not much frequented by our traders in earlier days and have vastly increased our commerce with South America, with Asia, and with Africa. But the relative position is not so different from what it has been in prior years.

Mr. KING. Mr. President, will the Senator permit an interruption?

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

Mr. BURTON. I yield.

Mr. KING. With the Senator's permission, I suggest—what he knows perhaps better than I—that one of the principal causes of Germany's industrial development and the remarkable increase in her foreign trade and commerce, is to be found in the fact that she has been relieved from military and naval burdens. While some nations have been spending hundreds of millions annually for the maintenance of armies and navies, Germany has employed her revenues for internal development and for carrying her products to the nations of the earth. Her percentage of increase in foreign commerce has been, I think, as great as that of the United States. Armies and navies have not been deemed essential by Germany since the war in order that she might find world markets. She has not needed guns to open the ports of the world nor navies to take her flag and her products to almost every land.

In my opinion those persons representing the best thought of Germany support the position that battleships are not the most effective agents of peace nor the most successful instrumentalities to carry on trade and commerce. It is not a formula that must be accepted that trade only follows the battleship and the mailed fist.

The Senator from Maryland referred to the increasing foreign trade of South America. Senators know that the Latin-American countries are not militaristic and do not favor standing armies or big navies. Indeed, the entire naval tonnage of the Latin-American Republics is wholly insignificant. Brazil, Argentina, and other South American nations whose trade has so greatly expanded during the past two or three years have brought about this happy situation without cruisers or battleships. Mr. President, I repeat, battleships are not necessary in order to secure trade. Good will, good wares, and good salesmanship, all of which Americans possess in a high degree, will put our commerce upon the seven seas and into every part of the world.

Mr. BRUCE. Mr. President, will the Senator from Ohio permit me again to interrupt him?

Mr. BURTON. Certainly.

Mr. BRUCE. But the Senator from Utah forgets, it seems to me, that Brazil and Argentina are protected by our battleships and battle cruisers.

Mr. KING. Mr. President, will the Senator from Ohio permit a further interruption?

Mr. BURTON. I yield.

Mr. KING. In my opinion the Latin-American Republics do not accept the view expressed by the Senator from Maryland. They do not ask the United States to protect them from invasion or to assume a protectorate over them. They do not ask that our battleships and other vessels of war shall protect them, or that this great Republic shall constitute itself their guardian. The Senator from Ohio is quoting from Mr. Roosevelt. May I call attention to a statement of the latter to the effect that such nations as Brazil, Argentina, Chile, Uruguay, and Paraguay are so advanced in stability and power that there is no need of applying the Monroe doctrine to them. He further stated that they are able to help themselves, and that any help accorded them by the United States would be given as an auxiliary rather than as a principal, and of that character that we would give to Australia or Canada.

Mr. President, the Monroe doctrine has been misinterpreted and it has provoked resentments among our Latin-American neighbors whose friendship we should always possess.

Mr. BRUCE. May I interrupt further to say that the information of the Senator is entirely different from mine. I heard the Brazilian ambassador make the very interesting statement a few nights ago that Brazil is the only country in South America that ever formally acquiesced in the Monroe doctrine.

Mr. BURTON. Departing from the discussion of the Monroe doctrine back to the quotation from President Roosevelt, I continue:

Therefore we Americans find ourselves, as regards the British Navy, in this position: That it is of vital consequence to Great Britain to have the greatest navy in the world; it is emphatically not of any consequence to us to have as big a Navy as Great Britain, and in all ordinary circumstances the British Navy can be counted upon as a help to the United States, and never as a menace. In such circumstances, to set ourselves to work to build a navy in rivalry with Great Britain's, and above all to do this as political bluff, is worse than silly. Our own Navy should be ample to protect our own coasts and to maintain the Monroe doctrine.

Now, Mr. President, I will soon come to the subject of commerce, but as preliminary to the treatment of that subject I wish to say the economic progress of the world at present has no handicap comparing in seriousness with that created by the expansion of military establishments and the withdrawal from

productive employment of millions employed in armies and navies. I can not agree with the opinion that war is a necessary and inevitable event, part of the world's history in the past, and that it will be part of the history of the future. On the other hand, manifest destiny would demand a more sensible, a more rational means for the settlement of international controversies.

I have the greatest admiration for the heroism of men who have engaged in war on the battle field, but, after all, are there not opportunities in the peaceful life of nations for similar heroism? Can we not compare the achievement of Captain Fried and his efficient officer, Manning, in their skill and heroism in a deed in which they did not destroy life, but saved 32 despairing seamen from the perils of the sea?

Peace bath her victories
No less renown'd than war.

The argument has been made that the cruisers provided for by the pending bill are necessary for our commerce. Let us consider that suggestion. When will we be likely to export more automobiles or cash registers at the point of a gun? The demand for our products would be most substantially diminished from any nation over which we should seek to dominate or from which we should obtain a political or commercial concession by the sword. Trade does not follow the battleship or the cruiser. It is, as the Senator from Utah [Mr. KING] has said, a matter of good will, of good wares, and good salesmanship.

Thus the threat of war would be a hindrance rather than promote commerce. Then, as a practical question, is it possible with the aid of 15 cruisers to guard the lanes of commerce on the seven seas? A single raider cruiser or merchant ship equipped with a few guns could in any part of the world, as did the German cruiser *Emden*, create havoc in our commerce. It is not 15 cruisers, nor yet 30 cruisers, or more, that could guard all the avenues of trade.

In the last analysis the aid of cruisers would only be available to force a belligerent country to withhold restrictions on our commerce. This would mean war, in which we would be engaged, and the volume of foreign trade would diminish.

I trust the great principle of free ships make free goods and the immunity of neutral commerce may be secured by agreement. That was one of the principal contentions of President Wilson when he left this country for the Paris conference. I can not be sure of my information, but I have been told that he was informed by Lloyd George that if he insisted on that contention the conference could not continue along amicable lines.

It may be said historically that until about the time of the beginning of the French Revolution the principle of the immunity of neutral shipping was maintained by the nations. Great Britain at about that time began, largely because of her dominance on the seas, to insist on the new doctrine. We have stood strongly for the rights of neutral ships, our diplomats and legislators taking a stronger position in that direction than our courts, for some of the earlier decisions were not altogether in accordance with that doctrine. We have stood for the free passage of neutral ships and neutral commerce, except that we live in a veritable glass house by reason of some things that were done between 1861 and 1865. Mr. Wharton, in his very able work on international law, said that except for the abnormal and exceptional spasm of the Civil War we have always stood for the rights of neutrals. We certainly stand for them now; and, as was remarked by the able Senator from Idaho [Mr. BORAH] in a speech some days ago, there are strong arguments to the effect that the protection of neutral commerce would be for the advantage of the nation which has insisted upon the right of search and upon interference with the rights of neutrals. I can not relinquish the idea that, as a result of conference and that concession which nations should make to each other, our contention may yet be granted.

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

Mr. BURTON. I yield.

Mr. KING. Mr. President, I did not quite understand the Senator's allusion to the Napoleonic wars and the question of blockade. Speaking with the interpretation which I placed upon his remarks, I think it should be said that Great Britain believed that the ambitions of Napoleon would lead to the destruction of Europe, and if unchecked perhaps the overthrow of the British Empire. The British people took the view that the only way of combating Napoleon was to enforce a blockade in most of European waters and to prevent Napoleon from obtaining supplies and commodities from various countries of the world. The blockade which Great Britain attempted to enforce undoubtedly interfered with the commerce of neutral countries,

During the World War the allied nations believed the situation justified a blockade of German ports and the adoption of measures to prevent munitions of war and substantially all products from reaching the Central Powers. There was an interference with neutral shipping, and many neutral nations complained against the allied nations.

Mr. BURTON. Mr. President, I think there is much in what the Senator from Utah has said. I would, however, for a full understanding of the subject, call attention to the distinction between a blockade and the seizing of ships on the ocean because they carry contraband. There is a decided difference between the two. I do not know that we are ready to demand that blockades shall be abolished. The Paris conference of 1856, in asserting certain principles, laid down the principle that a blockade, to be respected, must be effective; and that principle has been insisted on by other nations since. I think that the course of Great Britain toward us in the late war was marked by severity and by much that was arbitrary, though her action can readily be explained in view of the terrible contest in which she was engaged. The correspondence seems to reveal that our minister, Mr. Page, was, perhaps, unduly partial to Great Britain and sought to justify some of her actions which naturally in the assertion of our rights he would not have sanctioned.

In this connection I want to say that our consul general at London at that time, Mr. Skinner, now minister to Greece, at Athens, played a very important part and is entitled to very much credit for reaching agreements and framing regulations in regard to the treatment of our ships seized on the sea which very much ameliorated the situation as regards our own shipping.

Mr. President, I wish to say another thing in that connection: I do not quite agree with some things that have been said here to the effect that commerce, the maintenance of the rights of traders, is the principal cause of war. It may preponderate, especially when we take into account the needs of a country such as Great Britain—and, under some circumstances, the same thing might be said as to Japan—which must depend upon commerce with the outside world for its very lifeblood.

Mr. BORAH. Mr. President—

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

Mr. BURTON. I yield.

Mr. BORAH. But the Senator will agree that it is a historic fact that we have really never had any trouble with Great Britain except over commerce?

Mr. BURTON. I think I should modify that a little. If we take into account the discussions preceding the declaration of war against Great Britain in 1812, we realize that, while the main contention was in regard to impressment and the seizure of our ships, there was a "hang over" from the Revolutionary War, resentment at the slowness of Great Britain in evacuating territory belonging to us, and a sort of general ill will, which I think had something to do with that declaration. As the Senator will recall, Mr. Webster most vigorously opposed our engaging in that war. There were men of youth and enthusiasm, including, especially, Mr. Clay, who insisted on war; but I do not think the action of Great Britain in the matter that has been mentioned was the sole cause of our entering that contest.

Mr. BORAH. It might not have been the sole cause, but it was certainly the dominating cause.

Mr. BURTON. Perhaps so.

Mr. BORAH. And the only cause which was alleged upon the surface. We did not say anything about any "hang over" from the Revolutionary War or indicate any other reason.

Mr. BURTON. We did not say anything about it in our declaration, but it had a potent influence on the public opinion of the time.

Mr. BORAH. I suppose that is true; but the reason for our going to war was the interference by Great Britain with our commerce and with our sea rights.

Mr. BURTON. Yes; but, in addition to reasons of commerce as a cause of war there is the national spirit, which I think has been intensified in some degree since the World War—the idea that every citizen thinks he depends upon the prestige and strength of the country to which he belongs for his standing in the world.

That national spirit causes citizens of any country to be extremely sensitive in case of any incident, such as interference with the rights of a fellow citizen, or anything which interferes with national pride. Then, again, there is the desire for enlargement of territory that is as old as the life of nations, the desire to increase their borders. Then, still further, there have been, of course, dynastic quarrels which have led to war; in earlier years religious animosities were a fruitful cause of

conflicts, and I might enumerate other causes, such as the recollection of past grievances or oppression by another country.

Unfortunately, this disposition on the part of some peoples is neither dead nor even dying. It presents a threat to the peace of the world.

In the present situation, while there must be due regard for national defense and protection of all our interests, it is not rational that our policies should be dominated entirely by our fears. Let us not be lacking in hope and faith—hope that the future has things in store for us, for the welfare and progress of mankind, surpassing anything in the past; faith that we shall not altogether be fettered by apprehensions of danger, but that there will be good will among the peoples which shall lead them to better relations. This country, so strong, so peace loving, should prove a pathfinder, an example for the world in looking toward a better day.

Why should there not be progress in the one cause most needed in the world, that of peace? There has been wonderful progress in everything which pertains to the material world. The facilities and comforts of life have been many times multiplied. Medical science has prevented disease and postponed death. The world is being made new. Can not the intelligent efforts of the diplomats and legislators of the world, supported by a powerful public opinion, be brought to bear on this great problem, which is the one thing needful?

Mr. SHORTRIDGE obtained the floor.

Mr. HEFLIN. Mr. President, with the Senator's permission, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

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

Ashurst	Fletcher	McKellar	Shortridge
Bayard	Frazier	McMaster	Simmons
Bingham	George	McNary	Smith
Black	Gerry	Mayfield	Smoot
Blaine	Gillett	Moses	Steck
Bleese	Glass	Neely	Steiner
Borah	Glenn	Norbeck	Stephens
Bratton	Goff	Norris	Swanson
Brookhart	Gould	Nye	Thomas, Idaho
Bruce	Greene	Oddie	Thomas, Okla.
Burton	Hale	Overman	Trammell
Capper	Harris	Phipps	Tydings
Caraway	Harrison	Pine	Tyson
Copeland	Hawes	Ransdell	Vandenbergh
Couzens	Hayden	Reed, Mo.	Walsh, Mass.
Curtis	Heflin	Reed, Pa.	Walsh, Mont.
Dale	Johnson	Robinson, Ark.	Warren
Deneen	Jones	Sackett	Waterman
Dill	Kendrick	Schall	Watson
Edge	Keyes	Sheppard	Wheeler
Fess	King	Shipstead	

Mr. GERRY. I wish to announce that the junior Senator from Louisiana [Mr. BRUOSSARD] is necessarily detained by illness. I ask that this announcement may stand for the day.

Mr. BAYARD. I desire to announce that my colleague [Mr. HASTINGS] is absent on account of illness. This announcement may stand for the day.

The PRESIDING OFFICER. Eighty-three Senators having answered to their names, a quorum is present. The Senator from California will proceed.

Mr. SHORTRIDGE addressed the Senate in support of the bill. After having spoken for some time—

Mr. JONES. Will the Senator from California yield?

Mr. SHORTRIDGE. I yield to the Senator from Washington.

CAPT. GEORGE FRIED

Mr. JONES. Mr. President, I am going to move that the Senate take a recess for five minutes in order to give Senators an opportunity to greet Capt. George Fried.

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

The VICE PRESIDENT. The clerk will call the roll.

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

Ashurst	Deneen	Hawes	Oddie
Bayard	Dill	Hayden	Overman
Bingham	Edge	Heflin	Phipps
Black	Fess	Johnson	Pine
Blaine	Fletcher	Jones	Ransdell
Bleese	Frazier	Kendrick	Reed, Mo.
Borah	George	Keyes	Reed, Pa.
Bratton	Gerry	King	Robinson, Ark.
Brookhart	Gillett	McKellar	Sackett
Bruce	Glass	McMaster	Schall
Burton	Glenn	McNary	Sheppard
Capper	Goff	Mayfield	Shipstead
Caraway	Gould	Moses	Shortridge
Copeland	Greene	Neely	Simmons
Couzens	Hale	Norbeck	Smith
Curtis	Harris	Norris	Smoot
Dale	Harrison	Nye	Steck

Steiwer	Thomas, Okla.	Vandenberg	Waterman
Stephens	Trammell	Walsh, Mass.	Watson
Swanson	Tydings	Walsh, Mont.	Wheeler
Thomas, Idaho	Tyson	Warren	

Mr. NORRIS. I desire to announce the absence of my colleague [Mr. HOWELL] on account of illness.

Mr. BLAINE. I wish to announce that my colleague the senior Senator from Wisconsin [Mr. LA FOLLETTE] is unavoidably absent. I ask that this announcement may stand for the day.

Mr. BRATTON. I wish to announce that my colleague [Mr. LARRAZOLO] is absent on account of illness. This announcement may stand for the day.

The VICE PRESIDENT. Eighty-three Senators having answered to their names, a quorum is present.

Mr. JONES. Mr. President, I know that Senators will gladly avail themselves of an opportunity to meet Captain Fried, commander of the steamship *America*.

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

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

THANKS TO OFFICERS AND CREW OF STEAMSHIP "AMERICA"

Mr. COPELAND. Mr. President, Senators will remember that a few days ago I introduced a bill proposing to recognize the heroic conduct and devotion to duty and skill on the part of the officers and crew of the U. S. S. *America*. The bill has received the unanimous indorsement of the Committee on Commerce. From that committee I now report back favorably the bill and I submit a report (No. 1605) thereon. I ask unanimous consent that the bill may receive consideration at this moment.

The VICE PRESIDENT. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 5578) recognizing the heroic conduct, devotion to duty, and skill on the part of the officers and crew of the U. S. S. *America*, and for other purposes, which was read, as follows:

Be it enacted, etc., That the term "crew" as used in this act shall mean and include any person carried on the ship's register or serving on the ship in any capacity, regardless of rank or rating, at the time of the rescue referred to in this act.

SEC. 2. That the thanks and appreciation of the Congress of the United States be, and they are hereby, tendered to the officers and crew of the U. S. S. *America* as constituted on January 23, 1929, for the heroic conduct shown and noble service rendered in the rescue of the officers and crew of the Italian steamship *Florida*.

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

RECEPTION TO CAPT. GEORGE FRIED

Mr. JONES. Mr. President, in order that Senators may meet Captain Fried, commander of the steamship *America*, I move that the Senate stand in recess for five minutes.

The motion was unanimously agreed to, and the Senate took a recess for five minutes.

The Senate being in recess, Capt. George Fried was escorted into the Chamber by the Vice President, and standing in the area in front of the Secretary's desk greeted the Members of the Senate as they were introduced to him by the Vice President. At the expiration of the recess the Senate reassembled and the Vice President resumed the chair.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14800) granting pensions and increase of pensions to certain soldiers, sailors, and marines of the Civil War and certain widows and dependent children of soldiers, sailors, and marines of said war.

CONSTRUCTION OF CRUISERS

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 11526) to authorize the construction of certain naval vessels, and for other purposes.

Mr. SHORTRIDGE resumed and concluded his speech, which is as follows:

Mr. SHORTRIDGE. Mr. President, I do not rise to pronounce a eulogy on our country or to deliver a philippic against any nation. Perhaps it were easy to do either; but to pronounce a eulogy is untimely and to deliver a philippic would be extremely unwise.

My respect for the different opinion of others prompts me to express my own, and, if not unduly interrupted, I shall not long engage the attention of the Senate.

The importance of this proposed legislation is appreciated by us all; it can not be overstated. It is proposed to authorize the construction, within a period of three years, of 15 modern cruisers and 1 aircraft carrier. Patriotic men and women may differ as to the necessity for building, or the wisdom of building, this or any number of cruisers now or at any time. Some would commence now; others would indefinitely delay. Some good and patriotic citizens think the building of these or any number of cruisers will be provocative of war; other good and patriotic citizens think the building of these cruisers will be a guaranty of peace.

The coordinate branch of Congress, made up of a large number of patriotic men drawn from the 48 States, decided that the welfare of our Nation called and calls for the proposed increase of our naval force.

With unfeigned respect for the matured judgment of others equally devoted to our common country, and not unmindful of the arguments which have been made in support of their views, I have come to the conclusion that the House of Representatives acted wisely when they passed this measure and sent it to us for our consideration.

In reaching a decision we should remember the past, consider the present, and endeavor to look into the future.

We should, of course, bear in mind the cost of maintaining an adequate navy, but we should not overlook the value of the rights to be safeguarded.

It is an hour for dispassionate thought, not for perfervid declamation; an hour to consider the world as it is, not as it might be.

OUR CONSTITUTIONAL DUTY

I trust it will not seem superfluous for me to remind ourselves that Article I, section 8, of the Constitution provides—

The Congress shall have power * * * to provide and maintain a Navy.

And that Congress is vested with power, which runs hand in hand with duty—

To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, * * *

Washington, Hamilton, Franklin, Ingersoll, Wilson, Madison, all of those wise men who framed our Constitution and started this Republic on its voyage, agreed that a navy was needed to guard the precious cargo.

It has been asked: Why do we need a navy now?

I wish, first, briefly to consider the subject from the standpoint of the United States as a neutral, and second, to consider the subject from the standpoint of the United States as a belligerent.

THE UNITED STATES AS A NEUTRAL

As a neutral, let us first consider the proposition as to the necessity for an adequate navy.

We are a separate nation, one among many rival nations.

The "parliament of man," the "federation of the world," is a dream, the beatific vision of the poet, the realization of which lies far, far in the future.

There always have been, there always will be, separate nations. Perhaps it was divinely so ordained.

Standing on Mars Hill, in Athens, God's immortal ambassador, St. Paul, said:

God hath made of one blood all nations of men for to dwell on all the face of the earth, and hath determined the times before appointed, and the bounds of their habitation.

Wherefrom we may infer that, whereas in a broad sense all mankind is of one blood, as being above the beasts of the field, they are divided into separate nations and the "bounds of their habitation" determined.

We have become a great and prosperous nation, and it may be our greatness excites the fear, our prosperity arouses the envy, of other nations. We have territorial possessions.

I listened with an attentive ear to the thoughtful, the dispassionate, discussion of this question by the learned Senator from Ohio [Mr. BURTON], and particularly did I take note of his reference to the wide extended possessions of Great Britain. We, too, have extended possessions, far extended, far remote from continental United States. Our flag floats over Alaska, the Philippines, Hawaii, American Samoa, the Panama Canal Zone, Porto Rico, the Virgin Islands.

These territories contain 716,141 square miles. They have a population of 14,258,422. The value of shipments from these possessions to the United States in 1927 amounted to \$371,639,000. The value of shipments from the United States to these possessions amounted to \$273,181,000.

The details for 1927 may be interesting.

Alaska contains an area of 590,884 square miles; a population of 55,036; value of shipments to the United States amounted to \$51,314,000; value of shipments from the United States amounted to \$35,604,000.

Hawaii contains an area of 6,449 square miles; a population of 333,420; value of shipments to the United States amounted to \$106,370,000; value of shipments from the United States amounted to \$79,666,000.

The Philippine Islands contain an area of 114,400 square miles; a population of 12,354,000; value of shipments to the United States amounted to \$115,984,000; value of shipments from the United States amounted to \$69,521,000.

Porto Rico contains an area of 3,435 square miles; a population of 1,440,000; value of shipments to the United States amounted to \$96,902,000; value of shipments from the United States amounted to \$86,319,000.

The Virgin Islands contain an area of 142 square miles; a population of 20,728; value of shipments to the United States amounted to \$810,000; value of shipments from the United States amounted to \$1,799,000.

(At this point Mr. SHORTRIDGE yielded to Mr. JONES and a recess was taken to receive Captain Fried.)

Mr. SHORTRIDGE. Mr. President, previous to the recess, I was considering the United States as a neutral and the rights of a neutral, and was briefly calling attention to our wide, extended territorial possessions, perhaps almost as far extended in point of distance as those of Great Britain. I had alluded to the remark of the Senator from Ohio [Mr. BURTON], who advanced the thought that because of Great Britain's far-extended possessions she was fully justified in maintaining a navy far greater than that of the United States. I also called attention to the fact that our flag floats over Alaska, over the Philippines, over Hawaii, over a portion of the Samoan group, over the Panama Zone, over Porto Rico, over the Virgin Islands, and on some other small spots, so to speak, lost in the ocean. I had called attention to the commerce already developed between us and our outlying territorial possessions and to the population of those several territories. Why was I doing that? Obviously in order to show that we also have valuable possessions and valuable rights which as a neutral—I trust we shall never be required to assert our rights as a belligerent—as a neutral we should safeguard and protect. In other words, Mr. President—and I say it not as a matter of patriotic pride but as a fact—the sun never sets on the American flag and beneath that flag wherever it floats are millions of happy, prosperous, and secure people.

In addition to our great internal domestic trade we have a vast foreign commerce. In 1928 our exports amounted to \$5,129,000,000 and our imports to \$4,090,000,000. Need I add that this commerce extends to practically all separate nations or countries on the earth, and need I add further that rights growing out of this world-extended commerce are similarly extended to all parts of the world? The rights growing out of this world-extended commerce in a sense exist all around the earth. Thus it is seen we have great world-extended interests, to become greater, which as a nation we are morally and, of course, legally justified in guarding and protecting, and the duty is ours who have been chosen in part to speak for this Nation, it is the Senate's duty to do whatever shall be deemed necessary to guard and keep safe those great and increasing interests.

The seven seas are the common heritage of mankind. No one nation owns or should own the seven seas or any one of the seven seas. No one nation should rule or claim the right "to rule the waves." In time of peace—and I am still thinking of neutrals' rights—in time of peace all is well; merchant vessels come and go unmolested; and the seas are free and there is "freedom of the sea." But in time of war—what then? The right to navigate the seas is interfered with. Hence arises the question as to the right of neutral nations to trade with the belligerents, and hence the question, What is contraband of war? And that question provokes another, Is there any recognized law or rule determining what is and what is not contraband of war? That is a phrase which we all understand, but which perhaps many of the good people throughout our country do not fully understand.

Attempts have been made to agree as to what is and what is not permissible commerce with a belligerent nation. For example, in 1856 there was adopted by the consent of many nations what was known as the declaration of Paris, which laid down certain rules in respect of contraband, meaning, in respect of what kind of commodities might be carried unmolested to a belligerent nation by a neutral nation. The declaration of Paris provided:

1. Privateering is and remains abolished.
2. The neutral flag covers enemy's goods, with the exception of contraband of war.
3. Neutral goods, with the exception of contraband of war, are not liable to capture under enemy's flag.
4. Blockades, in order to be binding, must be effective. That is to say, maintained by a force sufficient to prevent access to the coast of the enemy.

I need not pause to point out—it has been stated here by different Senators—how these rules were flagrantly disregarded so far as we were concerned during the World War. Of course, it is highly desirable that the law or rules as to the trading and commercial rights of neutrals should be codified; that is to say, agreed upon by maritime nations. If these rights could be agreed upon, and if the rules to protect them should be observed by belligerent nations, commerce would continue and friction would be avoided; but is there reason for rational hope or belief that certain great nations will agree to a codification of neutrals' trading rights during war time, or that those rights would be respected by belligerents engaged in mortal combat?

The chairman of the Foreign Relations Committee [Mr. BORAH] and the Senator from Montana [Mr. WALSH] appear to think that some satisfactory agreement with the great powers as to neutrals' rights can be reached, and hence they plead for delay in order that an effort may be made to reach such an agreement—an agreement, of course, to be desired, a consummation, indeed, devoutly to be wished. If I understand their position, each of these learned Senators admits that, falling such an agreement, we should build more cruisers.

It will be seen in a few moments that I have compressed my thoughts into a few words, for I do not intend long to delay the Senate. Therefore, without elaborating my reasons, I submit to these two learned Senators, I submit to this body, that to postpone this legislation will not hasten or assist in reaching any desired agreement as to neutral rights.

Judged by the past, judged by current pronouncements, judged by present cruiser building in every great or potentially great maritime nation on earth, I have no reason to believe that they will enter into any such desired agreement, or—which is perhaps of more present importance—that they will cease building cruisers pending conference and negotiations for such agreement.

Why, then, indefinitely postpone action? If we need additional cruisers to protect our neutral rights, now, in my humble judgment, is the time to commence to build them.

I ventured somewhat timidly, perhaps somewhat afraid—though I am not conscious of being much afraid—to question the chairman of the Foreign Relations Committee as to whether he thought or whether he had reason to think or to hope that by delay satisfactory agreements in respect of neutral rights could be reached; and I am still waiting for a definite reply. It is true he in part replied by saying that at least we should make the effort to arrive at such an agreement; but why make an abortive effort? Why make a futile effort? And I repeat myself to say that I have heard no reason given for hope that such an agreement would be sooner reached by our postponing action upon this bill.

Mr. President, that phrase, "neutral rights," is very fully understood by the Senate; but I would have the country understand that those rights are essential to the commerce of this Nation. It is not carrying argument too far to say that those rights are essential to the prosperity of the people of our country—and those rights should be guarded. We ought not to surrender or abandon them. We ought not to suffer them to be utterly disregarded, ignored, trampled upon—not unless we are willing to abandon foreign commerce; not unless we are willing to keep to the shore.

Therefore, if cruisers are needed for any purpose, one of those purposes is to protect our rights as a peaceful neutral Nation engaged in lawful, peaceful commerce with the peoples of the earth.

THE UNITED STATES AS A BELLIGERENT

And now may I devote a few moments to considering this proposition from the standpoint of the United States as a belligerent, as a nation engaged in war?

It is perfectly clear, as I have said, that our rights as a neutral will be ignored in the future, as in the past, if we are impotent to defend them. We should be able to defend them; and, being able to defend them, they will not be ignored or violated. Moreover, if our neutral rights are respected, as they will be if we are known to be able to defend them, we shall not be drawn into war. Thus, our commercial rights will

be safeguarded and war be avoided; and a capable navy will accomplish these two great national blessings. If that is not perfectly manifest, perfectly obvious to the dullest mind, I am unable to make it manifest.

Of course, if we become a belligerent nation, we are vitally interested in a capable navy. We are now at peace, the nations are at peace; and there is no present necessity to assert our neutral rights. Our policy is peace. We have no ambition to gratify by war. We do not covet the possessions of any nation. We meditate no attack upon any nation or any people. No nation washed by any sea need fear us or our Navy. We are solemnly committed by treaty to a peaceful, pacific solution of all international controversies.

That treaty will be kept by us—kept in letter and in spirit—and we hope it will be likewise kept by every signatory power, great and small.

It is not statesmanship, it is not the true spirit of America, to scoff and sneer at this great treaty ratified by the Senate of the United States. But, Mr. President, if war should come, what then? Upon our part it will be, in truth and in fact, a defensive war. I hesitate and regret even to contemplate such a misfortune; but if we should be attacked, we must be able to defend ourselves and keep the Stars and Stripes where it has ever been, triumphant in the sky.

If equipped and known to be equipped to defend ourselves on sea and land, war will not come upon us. No nation will be insane enough to attack us. I do not say that boastfully; I do not say it to offend; but I repeat and say that no nation washed by any sea will attack us if it be known that we shall be ready to put forth our power.

Yes; our policy is peace on earth with all nations, on land and on sea, "entangling alliances with none." We are midway between mighty oceans. We see the waters across which the Pilgrims ventured, "lone, wandering, but not lost," now the great highway of commerce. We see the waters first disturbed by Magellan, then a "gray and melancholy waste," now traversed by countless ships laden with products of our and alien lands. We would have these oceans plowed and furrowed by the keels of peaceful vessels, not reddened by the blood of war. We would be friendly rivals with other nations in commerce, in the arts and sciences, in every peaceful effort to advance the cause of righteous civilization.

No, Mr. President, no, gentlemen of the Senate, I do not forget the past, its lessons, its crimes, its follies, and I would not have my country forget the past.

I look down the ages and I, too, see sire and lad, matron and maid, go to death as to a banquet of love, for their country, for its altars and its fires. I see the wreck and ruin, the pain and agony, the horror and desolation, caused by wicked, unrighteous war, and I wonder whether man, created in God's image, will ever cease to be the fighting animal and dwell in peace and happiness on the earth given him. I do not know. I only hope.

But this I do know: A righteous, peace-loving nation, adequately armed to defend itself, is safe. Such a nation—and I would fain believe that ours is such—armed to defend itself, can look heaven and earth in the face without a blush and without a fear.

We have been repeatedly reminded of ancient, medieval, modern foreign wars, and told that it is more than foolish to enter into peace treaties. They who thus declaim against treaties forget that such treaties have stayed for long periods of time the bloody hand of war.

True, sir, treaties have been broken. Treaties may be broken; but he is less than a statesman who advises his country not to enter into treaties of peace.

We have been told of our own wars—our Revolutionary War, the War of 1812, the Mexican War, the war with Spain, and the World War, and we have had sad memories awakened by being reminded of our Civil War. Time has healed that wound. Brave men met brave men, and gallant soldiers stormed forts and heights by gallant soldiers defended. If America grieved over what she thought was the folly of some of her sons, yet she was proud of the valor of them all. Thank God we have long ago taken up Mason and Dixon's line and wrapped it around the hearts of our people. I love to believe that from the blue above the spirits of General Lee and General Grant reunited in death, look down upon their countrymen reunited forever.

They are reunited, sir, with one hope, with one altar, with one love, and, thus united, with one future; thus united, abhorring war and cherishing peace; thus united and standing among the nations "with malice toward none, with charity for all," they will see to it that the rights of America, on land and on sea, shall be guarded and preserved.

Why do I do myself the pleasure to say these words? It is to emphasize the fact that, as a united people, we are strong, and yet smitten with the love of peace with all the nations of the earth. There is no nation, great or small, east or west, or south or north, that has any reason to question our good faith or to fear because we think it is necessary to enlarge our naval force. We are at peace and would continue at peace with them all. But lest others may have hostile intent, lest others may harbor ambition for territorial expansion and world control, lest others break the peace and imperil our rights or our safety, lest others seek to drive us from the sea, out of that abundance of caution that Washington enjoined we should be able to defend ourselves against any force that may come against us. In time of peace I would insure its continuance, and peace with us will be continued if we have a Navy such as this bill is designed to provide for and maintain.

We can not call back yesterday. There is an Arabian maxim to this effect:

Four things come not back—the spoken word, the spent arrow, the past life, the lost opportunity.

Mr. BRUCE. Mr. President, I recall another old oriental saying:

Even God can not cancel the past.

Mr. SHORTRIDGE. That is a very appropriate thought. We can not call back yesterday, but we can hear, and we should hearken to the warning voice of history and heed the stern command of duty.

We hold in trust this Republic. If we be not recreant, if we be not decadent, if we be not impotent we shall keep our country safe and free, a righteous nation wedded to peace, a "government of the people, by the people, and for the people", an example, it may be an inspiration, for all the peoples of the earth.

Why hesitate, therefore? Why postpone? In time of peace let us prepare to insure peace. In time of our strength and peace let us provide for the continuance of our strength and peace.

I thank those who have done me the honor to remain while I have spoken. I trust no word has escaped me which is offensive to any who differs. I trust that nothing said during this debate by any of us will disturb any foreign country or cause the representative of any foreign country to think that we purpose increasing our Navy in the manner suggested by this bill as the result of any feeling of hostility, or as indicative of any hostile action on our part in the future.

Mr. BRUCE. Mr. President, I would like to ask the Senator a question before he takes his seat. Does he not think, because he looks at this matter from the same viewpoint as that entertained by many other Senators, that we have no disposition to match ship and ship, gun and gun with Great Britain in anything in the nature of naval competition, but that we are simply adopting a standard of prudence which Great Britain has prescribed for us by her actions?

Mr. SHORTRIDGE. I very fully entertain that view. To detain Senators for just a moment longer, I do not regard this bill as a step in the direction of competitive building or running a race. While I am not indifferent to other countries, I am only and forever thinking of my own. When I allude to the wide Pacific, when I call attention to Alaska, when I mention the Philippines, when I point to Samoa or the Panama Canal, or turn my eyes to look eastward across the Atlantic, all the while I am thinking of my country and what may happen to my country. I am not saying that any one of the nations in the directions suggested now contemplates attacking our country or its rights. But I am thinking of my country, and I want a capable, up-to-date, adequate navy, presumably and I hope in fact fully able to protect the United States of America.

We are a continent. We are great upon a continent, and we are great upon far extended territory. We are great upon the seas in the sense that our rights float upon the sea. I want no trouble with any of the nations which may be near or far from any of the possessions I have suggested. God knows I want no trouble with Mother England. We had two wars with her. The Senate will pardon me if I say that during all the discussion here in the Senate I have heard much about "wicked wars"; little, if anything, about righteous wars. I say there have been righteous wars.

Mr. BRUCE. There have been noble and holy wars.

Mr. SHORTRIDGE. Noble and holy and glorious wars, approved by Heaven and by all good men. I have always been careful, however, in denouncing war to characterize it as "the wicked wars, the unrighteous wars," where a nation has sought to overrun and oppress another or to rob it of its legitimate

rights. Far from my thought or my belief is it that we will have war with Great Britain. But if any such misfortune as that should overwhelm the world, then the words of the great man who came from the great State of Maryland represented by the great Senator will come true. I dare say that Maryland never produced a greater orator or more splendid champion of America than Henry Winter Davis. Let us not pursue the painful thought. But having said so much, speaking as we do the language that Shakespeare spoke, paying homage to her greatness and remembering her contributions to human civilization, I do not propose that Britannia shall rule the waves and drive Uncle Sam off the seas.

Mr. BRUCE. But the Senator has no idea that Great Britain entertains any such thought. I imagine that the Senator believes that we, with our enormous foreign commerce, ought to be governed by the same prudential considerations as those by which Great Britain wisely governs herself.

Mr. SHORTRIDGE. The Senator has expressed my thought in his last sentence.

Mr. SACKETT. Mr. President, I want to say a few words in regard to the pending bill, because it seems to me there are two significant facts represented in the bill which ought to have the consideration of the Senate. Those significant facts are, first, that the class of ships which is proposed to be built under this bill is the only class of naval craft that is used equally in time of war and in time of peace. The light cruiser has a mission, both in war and in peace, in the protection of the commerce of our country.

The second significant fact which the Senate ought to consider is that when we talk of a race in naval armament, we should remember that this class of ships, the cruiser, useful equally in peace as it is in war, is the only class of ships that Britain, the great rival naval power of the world, has built and is building in excess of the normal demands of the accepted 5-5-3 ratio when compared with other classes of craft in the United States Navy.

Those two significant facts, I believe, form the basis of a theme which it would be well for America, as a growing nation, with a growing world trade, to consider most carefully, and this theme forms the basis for the needs of this increased cruiser program and produces the need of its immediate construction.

I look back to the time when the war was ending, when the whole world was torn apart, and the credit of the nations was in jeopardy. I remember the way in which the British cabinet assisted its business interests in the immediate work of location of the great oil fields of the world. I bow with respect to the business acumen of that body of men which it seems had in view the ultimate exhaustion of the oil supplies of the United States; which also had in view the tremendous indebtedness which they had acknowledged to this country. These men saw that the control of the oil fields of the world would put Britain eventually in a position to supply that needed essential in this country's development, and through the tribute paid for oil assist themselves by making us join in paying the British debt to America.

When I look at their record of cruiser building, the building of the kind of ships of the navy most useful in times of peace; when I look at the needs of Great Britain in the establishment and development of her world trade, for she is a manufacturing nation, with less relative power of consumption at home than any other nation; when I think of this class of ships as already going into the far parts of the earth assisting her effort to regain the trade that had once been hers, I again acknowledge the business acumen of the British cabinet that could see in the development of that class of naval ships, for the protection of its enormous sea-borne commerce, the great hope of the British nation for reconstructing itself financially after the cataclysm of the war.

And what of America? Largely as a result of the war the foreign trade of America grew and developed, and since has further grown and developed during the time required for reconstruction by the other nations, until to-day its foreign export trade is greater than that of any other nation in the world.

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

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

Mr. SACKETT. I yield.

Mr. KING. I ask for information, because I do not wish to misunderstand the Senator. I understood the Senator to say that following the war Great Britain utilized the war vessels which had been constructed during the war for the purpose of carrying her trade and commerce throughout the world.

Mr. SACKETT. Not the war vessels for carrying the trade, but for developing the trade.

Mr. KING. I think the Senator upon reflection will reach the conclusion which the facts justify, namely, that Great Britain following the war very promptly scrapped 1,367,000 tons of her war vessels.

Mr. SACKETT. Yes.

Mr. KING. And subsequent to that scrapped 1,000,000 tons more.

Mr. SACKETT. Yes.

Mr. KING. The vessels which she utilized for trade and for carrying the trade and carrying her flag were the merchant ships which avoided and escaped the submarines and those which she has constructed since.

Mr. SACKETT. I agree with the Senator. I was not speaking of merchant ships at all. I was speaking of the number of cruisers which Great Britain had at the end of the war and which she has built since, the only class of naval armament in which she has gone ahead of the United States in the development of naval craft; that she had a reason for so doing; that she had a great world trade which had been injured and hurt as a result of the war; that the whole life of Great Britain is dependent upon that trade being built up and continued, because she is dependent financially upon the world trade; that protection of world trade is an assurance of the development of world trade, and that the ability of Great Britain to protect that trade with the one class of naval vessels which is useful equally in war and peace assures the opportunity for British merchants and British enterprise to develop an export trade all over the world. That is the point I am making.

Mr. KING. Mr. President, will the Senator yield further?

Mr. SACKETT. I yield.

Mr. KING. May I observe to the Senator, though doubtless he is as familiar as I am and perhaps more so, that immediately after the war all of the cruisers which Great Britain had and which antedated 1910 in their construction were relegated to the scrap heap?

Mr. SACKETT. Absolutely.

Mr. KING. And the only cruisers which she now has are about 46, from the *Comus* down to the *Audacious*, the former having been laid down in 1910, and the few which have been constructed during the past few years, aggregating about 10 or 11.

Mr. SACKETT. Sixty-four in all laid down and constructed.

Mr. KING. Nine out of the 64 have been retired absolutely. But the point I am trying to make is that the larger part of her cruisers, from the *Comus* down, those 3,000 tons plus up to 4,000 tons plus, as Mr. Bywater states, are patrol boats for North Sea service, and are not seaworthy. I have his quotation here, but I do not wish, of course, to project myself into the speech of the Senator. The point I am making is that the cruisers of Great Britain, the overwhelming majority in number, are small cruisers, more patrol boats than anything else, and do not serve, as I read the record, the purposes assigned to them by the able Senator.

Mr. SACKETT. I think the Senator will find that those British cruisers are to-day patrolling the lines of trade throughout the world. They are located often in foreign ports as their bases, but they serve as a signal of British protection over their world trade.

We have not anything like the number of their cruisers, and yet to-day the United States has a sea-borne trade greater than that of Great Britain. I want to put into the Record at this point some figures which have been given me by the Department of Commerce, which, perhaps, the Members of the Senate have not as yet contemplated. Taking the world trade of Great Britain and of the United States, and segregating that part of the world trade of both countries which is not dependent upon protection on the sea, which would mean, in the case of the United States, the trade with Canada and with Mexico, and in the case of Great Britain, the trade with central Europe, involving merely water carriage across the English Channel, it will be found that for 1927 the foreign trade of the United States, excluding that with Mexico and Canada, was \$7,491,594,000, while the foreign trade of the United Kingdom, excluding that with northwest and central Europe, was \$6,931,160,000. But when we discuss the need of naval vessels of the cruiser type for the protection of foreign trade, it is not so much the import trade which is important, but it is the export trade which means so much to the life of the country itself.

In exports America had, omitting the trade with Canada and Mexico, a business of \$3,919,695,000; while England had, including her export trade with Norway, Iceland, and Denmark, but excluding that with France, Germany, and Austria, a business of \$2,962,424,000, nearly a billion less. That is the comparison of the trade valuable to the development of the

respective countries which can be aided, assisted, and protected and built up by the use of a proper cruiser fleet. I leave to the "admirals of the Senate"—and they seem to be many in number—the value of such cruisers as an instrument of naval warfare; but I will not yield to the ideas of those same "admirals" as to the value of this cruiser program to American trade and what it means to the prosperity of the country.

Since the World War we have reached the time in the general progress of business in this country when in many lines we have approached the saturation point of demand, and still production is increasing. Not only is agriculture, not only is the bituminous-coal industry to-day suffering from an export surplus, but one after another of the great industries of this

country are approaching that condition. We have either got to slow down and make our production the equivalent of the domestic demand or we have got to induce the export of the various commodities which are now reaching the point of saturation by aiding in the development of our foreign trade.

I am going to offer for the RECORD, with the permission of the Senate, tables showing the distribution of our foreign trade. The tables are taken from the report of the Department of Commerce for 1927, and I ask that they may be included in the RECORD as a part of my remarks without the usual reading.

The PRESIDING OFFICER. Without objection, it is so ordered.

The tables are as follows:

Imports and exports of the United States, the United Kingdom, and Japan by geographic regions and by countries [Calendar year 1927. All values in thousands of dollars]

Countries	United States			United Kingdom			Japan		
	Imports	Exports	Total	Imports	Exports	Total	Imports	Exports	Total
Grand total.....	4,184,742	4,865,375	9,050,117	5,925,533	3,948,961	9,874,494	1,033,137	944,558	1,977,695
1. North America.....	985,458	1,253,027	2,238,485	1,382,983	550,363	1,933,346	350,821	410,925	761,746
a. Northern.....	484,499	845,307	1,329,806	1,253,028	484,757	1,737,785	345,787	408,298	754,085
United States.....				973,018	325,764	1,298,782	319,394	395,307	714,701
Canada.....	475,028	836,532	1,311,560	268,019	152,657	420,676	26,393	12,991	39,384
Newfoundland and Labrador.....	9,066	8,483	17,549	10,915	4,560	15,475			
Miquelon and St. Pierre Islands.....	58	280	338	1	1,757	1,758			
Greenland.....	247	12	359	175	19	194			
b. Southern.....	500,959	407,720	908,679	129,955	65,606	195,561	5,034	2,627	7,661
Mexico.....	137,815	109,148	246,963	26,878	10,877	37,755	9	600	609
Central America.....	40,430	76,348	116,778	21,995	12,984	34,979			
British Honduras.....	3,749	2,061	5,810	549	940	1,489			
Costa Rica.....	6,035	7,298	13,333	13,295	2,015	15,310			
Guatemala.....	10,179	10,632	20,811	345	2,151	2,496			
Honduras.....	9,311	8,487	17,798	6,292	2,701	8,993			
Nicaragua.....	4,227	6,950	11,177	959	1,256	2,215			
Panama.....	5,384	34,951	39,435	326	2,063	2,389			
Salvador.....	1,545	6,899	8,444	229	1,849	2,078			
West Indies and Bermudas.....	322,714	222,224	544,938	81,082	41,745	122,827	4,888	503	5,391
British.....									
Bermudas.....	1,107	3,774	4,881	10	2,073	2,083			
Barbados.....	496	1,616	2,112						
Jamaica.....	9,723	8,641	18,364	7,762	7,946	15,708			
Trinidad and Tobago.....	7,461	5,930	13,391	9,519	7,139	16,658			
Other British West Indies.....	3,862	5,750	9,612	14,691	8,170	22,861			
Cuba.....	256,788	155,383	412,169	32,116	10,585	42,701	4,888	503	5,391
Dominican Republic.....	11,026	18,871	29,897	9,772	1,436	11,208			
Dutch West Indies.....	29,933	6,431	36,364	16,210	2,711	18,921			
French West Indies.....	105	2,704	2,809	34	156	190			
Haiti.....	1,247	11,071	12,318	788	891	1,679			
Virgin Islands of the United States.....	968	2,053	3,021	5	49	54			
Porto Rico.....				175	589	764			
Other countries.....							137	1,524	1,661
2. South America.....	518,275	438,159	956,434	548,577	297,775	846,352	4,967	9,902	14,869
a. Caribbean.....	118,840	86,261	205,101	18,053	34,445	52,498			
Colombia.....	87,803	48,694	136,497	11,499	17,018	28,517			
British Guiana.....	981	1,501	2,482	4,010	5,859	9,869			
Surinam (Dutch Guiana).....	1,412	1,183	2,595	496	876	1,372			
French Guiana.....	46	139	185	53	10	63			
Venezuela.....	28,598	34,744	63,342	1,995	10,682	12,677			
b. East coast.....	312,075	278,666	590,741	420,305	222,272	642,577	1,090	5,111	6,201
Argentina.....	97,240	163,485	260,725	372,277	134,329	506,606	950	4,518	5,468
Falkland Islands.....		67	67	3,591	1,786	5,377			
Brazil.....	203,027	88,737	291,764	21,711	71,382	93,093	140	593	733
Paraguay.....	913	1,317	2,230	501	555	1,056			
Uruguay.....	10,895	25,060	35,955	22,225	14,220	36,445			
c. West coast.....	87,360	78,232	165,592	110,219	41,058	151,277	3,810	1,558	5,368
Bolivia.....	218	4,942	5,160	32,790	2,083	34,873			
Chile.....	61,857	37,889	99,746	36,249	26,332	62,581	3,730	978	4,708
Ecuador.....	5,194	5,531	10,725	1,197	2,117	3,314			
Peru.....	20,091	24,870	44,961	39,983	10,526	50,509	80	580	660
Other countries.....							67	3,233	3,300
3. Europe.....	1,276,466	2,313,782	3,590,248	2,307,626	1,472,534	3,780,160	183,827	70,116	253,943
a. Northwestern and central.....	1,050,866	1,976,378	3,027,244	1,811,767	1,131,567	2,943,334	175,407	65,814	241,221
Sweden.....	47,896	44,689	92,585	122,809	51,994	174,803	5,163	236	5,399
Norway.....	22,231	23,361	45,592	62,806	38,737	101,543	1,998	28	2,026
Iceland.....	92	202	294	1,874	2,978	4,852			
Denmark.....	4,145	58,605	62,750	242,939	51,429	294,368	400	658	1,058
United Kingdom.....	357,931	840,059	1,197,990				72,666	30,783	103,449
Irish Free State.....	1,597	10,882	12,479	210,346	221,474	431,820			
Belgium.....	72,234	116,216	188,450	225,984	122,952	348,936	6,788	1,046	7,834
France.....	167,800	228,781	396,581	308,563	204,850	513,413	12,948	25,623	38,571
Netherlands.....	87,242	148,220	235,462	216,232	126,748	342,980	1,888	1,606	3,494
Austria.....	10,611	4,364	14,975	11,845	13,753	25,598	1,355	130	1,485
Czechoslovakia.....	31,726	7,442	39,168	45,502	9,928	55,430	1,330	2	1,332
Hungary.....	941	1,753	2,694	1,995	5,031	7,026			
Germany.....	200,554	481,681	682,235	290,807	337,808	628,615	62,292	5,031	67,323
Switzerland.....	45,866	10,123	55,989	70,055	43,885	113,940	8,579	671	9,250

¹Includes Barbados.

Imports and exports of the United States, the United Kingdom, and Japan by geographic regions and by countries—Continued

Countries	United States			United Kingdom			Japan		
	Imports	Exports	Total	Imports	Exports	Total	Imports	Exports	Total
3. Europe—Continued.									
b. Northeastern	31,055	92,000	123,055	261,121	114,984	376,105	4,352	416	4,768
Estonia	432	918	1,350	10,950	4,151	15,101			
Finland	8,670	16,488	25,158	77,298	18,390	95,688			
Latvia	4,469	1,029	5,498	29,204	6,253	35,457			
Lithuania	520	218	738	1,898	1,226	3,124			
Poland and Danzig	4,825	9,261	14,086	39,414	29,997	69,411	3,590	4	3,594
Soviet Russia in Europe	12,139	64,086	76,225	102,357	54,967	157,324	762	412	1,174
c. Southwestern	149,753	219,495	369,248	197,500	156,661	354,161	3,836	2,233	6,069
Azores and Madeira Islands	1,814	1,946	3,760	1,158	2,102	3,260			
Gibraltar	53	1,450	1,503	78	4,214	4,292			
Italy	108,970	131,651	240,621	81,527	76,530	158,057	3,000	1,833	4,833
Portugal	4,565	10,672	15,237	22,965	21,023	43,988	199	3	202
Spain	34,351	73,776	108,127	91,772	52,792	144,564	637	397	1,034
d. Southeastern	44,792	25,909	70,701	37,238	69,322	106,560	143	1,398	1,541
Bulgaria	892	468	1,360	336	4,550	4,886			
Greece	29,646	15,028	44,674	15,071	23,953	39,024			
Malta, Gozo, and Cyprus Islands	226	1,112	1,338	1,903	8,516	10,419			
Rumania	649	4,925	5,574	11,563	13,573	25,136			
Turkey in Europe	12,394	3,380	15,774	5,995	12,088	18,083	143	1,398	1,541
Yugoslavia and Albania	985	996	1,981	2,370	6,642	9,012			
e. Other countries							90	255	345
4. Asia	1,256,757	559,605	1,816,362	769,015	783,980	1,552,995	413,847	400,394	814,241
a. Western	26,874	7,478	34,352	73,885	50,265	124,150			
Aden	3,090	587	3,647	1,489	3,431	4,920			
Arabia and Iraq	4,379	1,039	5,418	8,389	19,397	27,786			
Palestine and Syria	4,232	3,636	7,868	9,406	11,782	21,188			
Persia	7,527	1,569	9,096	45,978	11,757	57,735			
Turkey in Asia	7,676	647	8,323	8,623	3,898	12,521			
b. Southern and southeastern	657,887	184,687	842,574	593,693	586,183	1,179,876	229,238	159,618	388,856
British India	131,003	63,297	194,300	320,403	420,217	740,620	128,288	79,450	207,738
Ceylon	40,846	2,674	43,520	81,034	29,734	110,768			
British Malaya	277,784	13,624	291,408	105,495	73,927	179,422	17,007	17,390	34,397
Other British East Indies				1,986	1,314	3,300			
Netherland East Indies							49,200	39,152	88,352
Java and Madura	51,600	23,558	75,158	49,163	29,948	79,111			
Other Netherland East Indies	39,788	8,579	48,367	19,032	13,013	32,045			
French Indo-China	142	1,427	1,569	3,319	5,222	8,541	15,730	2,785	18,515
Philippine Islands	115,980	69,522	185,502	11,519	5,927	17,446	8,459	15,667	24,026
Siam	570	1,940	2,510	1,572	10,020	11,592	10,554	5,284	15,838
Other Asia	174	64	238	170	180	350			
c. Eastern	571,996	367,440	939,436	101,437	147,632	248,969	182,343	236,935	419,278
China	151,680	83,471	235,151	59,415	47,818	107,233	107,163	158,436	265,599
Hong Kong	14,785	18,866	33,651	2,320	24,337	26,657	758	31,541	32,299
Kwantung	2,688	6,698	9,386	(*)			62,794	43,271	106,065
Japan	402,105	257,570	659,675	39,697	74,910	114,607			
Chosen				5	467	472			
Soviet Russia in Asia	738	835	1,573				11,628	3,687	15,315
d. Other countries							2,267	3,841	6,108
5. Oceania	54,531	193,714	248,245	485,021	411,725	896,746	60,318	28,930	89,248
Australia	38,627	159,124	197,751	256,703	310,263	566,966	58,239	23,973	82,212
New Zealand	12,671	32,517	45,188	228,122	99,267	325,389	199	1,555	1,754
British Oceania	1,069	1,156	2,225	1,655	1,927	3,582			
French Oceania	2,164	917	3,081	112	112	224			
Other Oceania				419	156	575	1,880	3,372	5,252
6. Africa	93,255	107,088	200,343	409,163	410,426	819,589	17,258	24,290	41,548
a. Mediterranean	39,338	25,145	64,483	175,204	101,995	277,199	11,679	13,752	25,431
Algeria and Tunisia	4,650	6,855	11,505	16,769	9,723	26,492			
Egypt	33,292	11,182	44,474	139,153	71,727	210,880	11,679	13,752	25,431
Italian Africa	11	55	66	419	686	1,105			
Morocco	732	3,296	4,028	2,740	8,584	11,324			
Spanish Africa:									
Canary Islands	652	2,343	2,995	15,485	8,336	23,821			
Other Spanish Africa	1	1,414	1,415	638	2,939	3,577			
b. Other Africa	53,917	81,943	134,860	233,959	308,431	542,390	5,579	10,538	16,117
Ethiopia	28	18	46	1,075	83	1,158			
Belgian Congo	16,015	729	16,744	2,292	2,243	4,535			
British Africa:									
West	23,945	13,777	37,722	56,295	78,866	135,161			
South	8,742	52,486	61,228	114,172	165,597	279,769	513	5,519	6,032
East	1,614	4,843	6,457	47,325	27,549	74,875			
Liberia	362	756	1,118	297	1,007	1,304			
French Africa, n. e. s.:									
Madagascar	108	360	468	2,209	399	2,608			
Other French Africa	1,630	2,928	4,558	7,290	10,930	18,220			
Portuguese Africa:									
Mozambique	1,300	4,872	6,172	2,292	15,587	17,879			
Other Portuguese Africa	173	1,174	1,347	711	6,170	6,881			
Other countries							5,066	5,019	10,085
7. Miscellaneous				23,148	22,158	45,306	2,098		2,098
Whale fisheries				97	1	98			
Deep sea fisheries				6,379	10	6,389			
Channel Islands				16,672	22,147	38,819			
Not distributed							2,098		2,098

* Includes Soviet Russia in Asia.

† Includes Guam.

‡ Included in Japan.

§ Includes Hawaii.

NOTE.—The total trade of the United States, excluding that with Canada and Mexico, aggregated \$7,491,594,000.

Mr. SACKETT. Mr. President, the initiation and development of the foreign trade of the United States is a very delicate business operation. That trade is carried on at tremendous distances from the seat of government. It goes into many lands less developed and less protected than our own. It has to be fostered; it has to be advertised; it requires for its development the residence in foreign countries of many Americans in order to carry out the whole chain of distribution from the producer in this land to the consumer in others. Those engaged in the export trade have to invest large sums of money in order to bring about its full development, and it is only when business feels safe that business is willing to undertake so hazardous an enterprise. The great American foreign commerce, which came to us as a gift of the World War, can be maintained only by keeping open under all conditions the channels of foreign trade; it can be developed only when we are in a position to protect our people who must go to foreign countries in order to establish that trade which means so much to the prosperity and development of America.

Mr. SMITH. Mr. President—

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

Mr. SACKETT. I yield.

Mr. SMITH. If it is perfectly convenient, I should like to ask the Senator what proportion of our foreign trade is with Central and South America, if the Senator has the figures?

Mr. SACKETT. I can give the Senator from South Carolina the totals of our foreign trade with Central and South America. With Central America our imports amounted to \$40,430,000; our exports amounted to \$76,348,000. With the West Indies and the Bermudas our imports amounted to \$322,000,000 and our exports to \$222,000,000, a total of \$544,000,000.

In our South American trade imports amounted to \$518,000,000, in round figures, and our exports amounted to \$438,000,000. That is with the whole of South America. It is divided into the countries of the Caribbean, the east coast, and the west coast. The table shows the figures as to each country, and that is the reason I ask to have it printed in the RECORD, in order that it may be before the Senate.

Mr. SMITH. So our trade with South and Central America amounts to something approximating \$2,000,000,000?

Mr. SACKETT. It amounts to about \$1,000,000,000 for imports and \$900,000,000 for exports.

Mr. SMITH. But that trade, both ways, amounts approximately to \$2,000,000,000?

Mr. SACKETT. Yes. The point to which I want particularly to call attention of the Senate is the difficulty of maintaining and developing any business at long distance from headquarters, such as the central Government at Washington, unless those who are induced to enter into that business are assured that the business will continue unmolested. The class of vessels which we have now under consideration, apart entirely from their usefulness in time of war and their place as a part of the Grand Fleet, are equally valuable in times of peace to make that assurance of export business double sure.

I was amazed the other day to hear the Senator from Mississippi [Mr. HARRISON] on the floor of the Senate decry the use of the cruiser as an instrument of our naval preparedness. No State in the Union is more dependent upon the continuity of our export trade than is the State of Mississippi with its cotton. The history of the Civil War and the history of the late World War show that the fact that cotton could not seek its normal market across the sea caused more distress and damage to those who produced it than any other feature of the economic situation. We can not expect those who conduct the business of the United States of America in far-off foreign lands to risk their capital, to risk their enterprise in those distant countries unless there stands behind them the assurance of the continuity of trade, unless there stands behind them the assurance of the safety both of capital and labor.

There is no other class of naval craft in which we are to-day in competition with any nation on the earth. The race in armaments of which we hear so much is not a race in the interest of warfare; it is an economic race in the interest of foreign trade. Every one of the products of this country of which we produce a surplus must find an outlet in the markets of the world. I know of no class of products that need the foreign trade which is developed and protected by the use of cruisers in time of peace to a greater extent than do the agricultural products of this country. Unless the wheat which is grown in surplus quantities in America can get into the markets of the world we are going to have a surplus here that will destroy even the present value of that commodity. Unless cotton can be carried into the marts of the world there is no

need of producing the quantity of that commodity which is now grown upon our own soil.

Those of us who have been in a foreign port and have seen an American naval vessel enter the harbor can understand in a way how that vessel is in a sense a supersalesman for every American product which is exported. Her arrival becomes a prominent feature on the first page of the local newspaper; attention is drawn to America; comment is made of the increasing American trade, and in that way the great and valuable asset which we hold to-day is assisted and built up by the use of naval vessels in time of peace. It is a matter we do not want to treat lightly, for if we lose our foreign trade, if it is interrupted by wars between other nations—and it would be interrupted unless we had the naval vessels able to protect our own cargoes—that trade is gone for a long period.

Great Britain sees the advantage of protection and the assurance to her merchants engaged in foreign trade which cruisers furnish. Let us not be backward in recognizing that to-day there is an economic race between the two great exporting countries of the world.

I do not favor such an armament as might in any measure be regarded as promoting the likelihood of war between the two great English-speaking nations. The British Admiralty does not object to the building of the cruisers proposed by this bill to be constructed by the United States. The first lord has been quoted upon this floor to that effect, but we have heard coming from others in Great Britain violent objections that we were in a naval race for war purposes. Those objections, however, do not come from the one representative body of the English nation that would have a right to speak on war preparation. They come rather as a deterrent to the United States providing the very class of vessel which the English merchant knows is the one kind of vessel that can hinder the development of his world trade by maintaining the development of the world trade of the United States.

If we lose the ability to dispose of our surplus in the world market, we will find that loss having its effect upon the prosperity of this entire country. Without a world market we can not produce in the quantities to which we are entitled; but with a world market maintained and developed and protected, and with the assurance to the merchants who do the distribution work of that market that they have behind them the influence and the power of the United States, prosperity in this country is aided and confirmed.

CARLISLE COMMISSION CO.

Mr. FESS obtained the floor.

Mr. NYE. Mr. President, will the Senator from Ohio yield to me?

Mr. FESS. I yield.

Mr. NYE. I ask unanimous consent to report back favorably, from the Committee on Claims, without amendment, House bill 10774, for the relief of the Carlisle Commission Co., and I submit a report (No. 1612) thereon. I call the attention of the Senator from Missouri [Mr. REED] to this bill.

Mr. REED of Missouri. Mr. President, I am obliged to leave the floor of the Senate. I ask unanimous consent for the present consideration of the bill just reported by the Senator from North Dakota.

The PRESIDING OFFICER (Mr. McNARY in the chair). Does the Senator from Ohio yield for that purpose?

Mr. FESS. I do.

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

Mr. REED of Pennsylvania. Let it be read, or will the Senator from Missouri tell us what it is?

Mr. REED of Missouri. The bill is to pay a balance due on hay furnished during the war. The Government held back 20 per cent of the price, as they always held it back. They held it back for an indefinite period. The War Department has reported that every part of the contract was carried out and that these men are entitled to their money. The bill has been before the committee of the House, and has been approved. It is an absolutely straight out-and-out debt.

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

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

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury of the United States not otherwise appropriated, to the Carlisle Commission Co. the sum of \$38,403.43, with interest at 4 per cent from December 17, 1920, to reimburse the said Carlisle Commission Co. for losses incurred by it in the carrying out of certain war contracts

calling for the supplying of hay and straw and the furnishing of other services to the forage branch of the War Department, which sum represents the difference between the amount claimed by the Carlisle Commission Co. of \$218,903.43 which claim was approved by the War Department claims board, appeals section, on October 25, 1920, and the amount of \$180,500 being the sum actually paid the said company by the War Department.

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

Mr. REED of Missouri. I thank the Senator from Ohio.

THE FIFTEENTH DECENNIAL CENSUS

Mr. HARRIS. Mr. President—
The PRESIDING OFFICER (Mr. McNARY in the chair). Does the Senator from Ohio yield to the Senator from Georgia?
Mr. FESS. I yield.

Mr. HARRIS. The House bill on the calendar to provide for the fifteenth and subsequent decennial censuses has been objected to when the calendar was being considered by unanimous consent by the Senator from Maryland [Mr. BRUCE] because of an amendment which he wished to place in the bill requiring civil-service examinations of enumerators.

Mr. President, about 100,000 of these enumerators will be selected. Their employment will last for only a few days. Many will not stand the civil-service examinations, and in my judgment, we will not get as good men if this plan is insisted upon. I shall place in the RECORD statements from many of the census supervisors 10 years ago, showing the difficulty they had at that time. I also place in the RECORD the tests that are being required of all applicants, so that the Senator from Maryland and other Senators interested in the matter can see just what the Director of the Census is doing in regard to these appointments.

When I was Director of the Census Bureau the present director, Mr. Steuart, was associated with me, and he is one of the most efficient public officials I have known; he is doing everything necessary, and if we allow him to proceed in the way he recommends he will do this work very much better and cheaper than if we handicap him by insisting upon civil-service examinations for enumerators. I am a great believer in the civil service and oppose the spoils system ordinarily, but in this instance it will not be satisfactory.

Enumerators will have to be appointed for each township. Civil-service examinations could only be given in a few central locations. The distance many applicants would have to go for examination, and the consequent expense and loss of time, together with the uncertainty of appointment, would prevent people from taking a test for a job that would last for but 15 to 30 days. This, together with the general dislike for public examinations would keep many excellent prospects from applying, and result in failure to secure applicants in hundreds of districts. The examination would necessarily have to be given some weeks before the appointments would be made, and a considerable percentage of those passing the examination would have secured permanent appointment in the intervening time.

The PRESIDING OFFICER. Is there objection to printing in the RECORD the matter referred to by the Senator from Georgia? The Chair hears none.

The matter referred to is as follows:

COMMENTS TAKEN AT RANDOM FROM THE REPORTS OF VARIOUS SUPERVISORS IN REFERENCE TO PUBLIC TESTS WHICH WERE GIVEN BY THE SUPERVISORS BEFORE THE APPOINTMENT OF ENUMERATORS FOR THE CENSUS OF 1920

Thirteenth Pennsylvania: "Almost invariably those submitting the poorest tests did the best work."

First North Dakota: "Twelve hundred people wrote letters of inquiry, but after receiving the printed matter less than 100 took the examination."

Fourth Maine: "Many excellent people will not take the test for so short a job."

Seventh Massachusetts: "Many excellent enumerators were frightened off by test."

Fourth New York: "Some of my best people passed the poorest tests."

Eighth New York: "Many taking test November 1 had secured work by January 1."

Fifteenth New York: "Many can not pay railroad fare or take the time necessary to go to distant points. For this reason there were often no applicants from certain districts."

Eighth New Jersey: "Some of the best on paper were the worst shirkers in the field."

Third Pennsylvania: "Many enumerators were appointed without a test and these did the best work and proved the most satisfactory."

No supervisor should be required to have applicants take examination for so short a job. A pound of instructions is worth a ton of examination."

Third Ohio: "As a gauge of competency the test is practically a failure, as some of the best men will not take the examination for so short a job."

Eighth Ohio: "Best enumerators were obtained by having some responsible person recommend them."

Eighth Indiana: "I am opposed to the test. A competent person will not go through this for so short a job."

Third Illinois: "Only four came to public examination. Rest took it at home."

Fourth Missouri: "Supervisor should be allowed more latitude. People dread a public examination."

Tenth Mississippi: "People as a rule shy of examination unless they lead to something worth while."

Sixth Georgia: "Was forced to beg many to serve as enumerators."

Sixth Minnesota: "Public examination a failure. Applicants would not come so far."

First Iowa: "Failure for lack of applicants."

Fifth Iowa: "Public test proved impractical. Applicants, especially unsuccessful ones, were put to unnecessary expense."

First South Dakota: "Public test failure; lack of applicants."

Second Kansas: "Expense of coming to some central point and the dislike of all examinations keep away many good people."

Sixth South Carolina: "The average applicant will not attend a public examination."

Third Kentucky: "Many able, competent men will not take a test for so short a job."

Fifth Tennessee: "Could not secure applicants for public test."

Tenth Alabama: "People refused to take a competitive examination."

First Mississippi: "Method was a farce. Better enumerators could have been obtained in other ways."

Seventh Louisiana: "A man is needed who knows the roads and the farmers and how to handle them. Some of my worst work was done by men who passed fine examination and some of the best by men who failed."

Second Montana: "It required an unwarranted expenditure of money on the part of the applicant to take a public test."

Second Wyoming: "Public test not practicable owing to distance."

First New Mexico: "Most of them had no examination, and I could not persuade applicants to take them."

Sixth California: "No one will travel several miles to take a test for a 2-week job that he may not even get."

INSTRUCTIONS FOR FILLING OUT THE POPULATION SCHEDULE

1. Note: The following instructions form a part of the detailed instructions which have been prepared and are later to be furnished to the census enumerators for their guidance in the actual work of enumeration in November, 1920. They are given here for the information of applicants for appointment as census enumerators, and should be studied carefully, in connection with the illustrative example, and used in filling out the test schedule.

2. The census day: All returns on the population schedule should relate to the census day, November 1, 1920. Thus persons dying after November 1 should be enumerated, but persons born after November 1 should not be enumerated.

3. Who is to be enumerated in your district: All persons are to be enumerated, in general, at their "usual place of abode" on November 1, 1920. This means the place where they may be said to live or belong, or the place which is their home.

4. As a rule the usual place of abode is the place where a person regularly sleeps. Note, however, that where a man happens to sleep at the time of the enumeration may not be the place where he usually sleeps.

5. The following persons are to be enumerated with the families in your district, and inquiry regarding such persons must be made of every family:

- a. Members of the family absent on the census day, either in foreign countries or elsewhere in the United States on business or visiting.
- b. Children attending schools or colleges located in other districts.
- c. Members of the family who are ill in hospitals or sanatoriums.
- d. Servants, laborers, or other employees who live with the family, sleeping on the premises.
- e. Boarders or lodgers who have their usual place of abode in the house being enumerated.

6. Every dwelling, store, factory, warehouse, houseboat, and all other places of shelter in which it is possible for persons to reside must be visited and careful inquiry made for persons to be enumerated. Members of railroad, road, or other construction camps, lumber camps, convict camps, and persons on State farms must be enumerated, as well as all inmates of prisons, reformatories, jails, almshouses, insane hospitals, homes for the aged, institutions for orphans, blind, deaf, incurables, and feeble-minded, and soldiers' homes. Soldiers, sailors, and marines, and officers of the Army and Navy of the United States, as well as the resident civilian employees at military and naval stations or camps, must be enumerated at their places of duty.

ILLUSTRATIVE EXAMPLE of Completed Population Schedule

Form 15-B

DEPARTMENT OF COMMERCE—BUREAU OF THE CENSUS

Enumeration District No. 10-4

Sheet No.

State California Township or other division of county Alameda township

FIFTEENTH CENSUS OF THE UNITED STATES: 1929

Supervisor's District No. 4

J A

County Fresno Incorporated place Buena Vista village

POPULATION SCHEDULE

Name of institution _____ Ward of city _____

Enumerated by me on November 5, 1929

Robert J. Brown Enumerator.

PLACE OF ABODE	NAME				RELATION	TENURE	PERSONAL DESCRIPTION				EDUCATION			PLACE OF BIRTH			CITIZENSHIP				OCCUPATION			VETERANS	
	House number	Number of dwelling units in block	Number of family in block	Number of persons in family			Married	Single	Male	Female	Total	Years of school	College	University	Profession	Trade	Industry	Occupation	Code	Whether a veteran of the U. S. military or naval forces entitled for any war or expedition	Year of service	What war or expedition	Number of years in service		
																								PERSON	FATHER
Walnut Street	401	10	10	10	Head	O	M	No	M	W	59	M	Yes	Canada-French	Canada-French	Canada-French	1908	Ma	Yes	Cashier	Bank	Yes	World War	1	
					Wife					F	W	55	M	Yes	England	England	England	1910	Ma	Yes	Housework	Own home			2
					Son					M	W	10	S	No	Illinois	Canada-French	England			Yes	None				3
					Sister-in-law					F	W	40	D	Yes	England	England	England	1910	Pa	Yes	Bookkeeper	Grocery store			4
Lodge Avenue	405	15	15	15	Head	O	F	Yes	M	W	65	M	Yes	Ohio	Switzerland	Switzerland			Yes	Farmer	Truck farm	No		5	
					Wife					F	W	45	M	Yes	Michigan	Michigan	Michigan			Yes	Housework	Own home			6
					Boarder					M	W	25	S	Yes	France	France	France	1928	Al	No	Cook	Restaurant	No		7
					Head	O	F	No	F	W	59	W	2	Yes	Pennsylvania	Pennsylvania	Pennsylvania			No	Home supervision	Own home			8
Lodge Avenue					Daughter					F	W	28	M	Yes	Pennsylvania	New Jersey	Pennsylvania			Yes	Housework	Own home			9
					Son-in-law					M	W	35	M	Yes	France	France	France	1919	No	Yes	Commercial traveler	Hardware	No		10
					Grandson					M	W	8	S	Yes	New York	France	Pennsylvania				None				11
					Granddaughter					F	W	11	S		New York	France	Pennsylvania				None				12
					Servant					F	W	40	S	No	Virginia	Virginia	Virginia			Yes	Servant	Private family			13
					Head	E	No	M	W	80	S	Yes	Ireland	Ireland	Ireland	1928	Pa	Yes	Foreman	Coal mine	No				14
					Sister					F	W	28	S	Yes	Ireland	Ireland	Ireland	1927	Al	Yes	Stenographer	Insurance office			15
					Head	E	No	M	W	27	M	No	Maryland	Virginia	North Carolina			Yes	Laborer	Nursery	No			16	
					Wife					F	W	25	M	Yes	Delaware	Delaware	Maryland			Yes	Laundress	At home			17
					Son					M	W	17	S		Pennsylvania	Maryland	Delaware				None				18
														Here ends the enumeration of Buena Vista village.											19
																								20	

NARRATIVE

Robert J. Brown, the enumerator of district 10-4 in the 4th supervisor's district of California, began on Tuesday, November 5, 1929, the completion of the enumeration of the village of Buena Vista, being part of the township of Alameda, county of Fresno. He had enumerated 41 families of this village on previous days, having filled two sheets, making this sheet the third.

He began his work on this day at No. 201 Walnut Street, the 423 dwelling house in the order of visitation. The house was occupied by a single family, consisting of George F. Lassalle, his wife Rose, his son George F. Lassalle, Jr., and his wife's sister, Mrs. Emma O. Price. George F. Lassalle was born in Canada, of French-Canadian parents, in June, 1890, and came to the United States in 1905, becoming naturalized five years after his arrival. He is the cashier of the First National Bank and owns the house in which he lives, subject to a small mortgage. Mr. Lassalle was in the Marine Corps during the World War.

Rose Lassalle, the wife, was born in England of English parents, and will be 29 years old in February. She has had one child, George F. Jr., still living. She came to this country in 1919

and was naturalized in 1915. Mrs. Lassalle has no occupation other than attending to the duties of her household. She reads, writes, and speaks French, English, and German.

George F., the son, was born in October, 19 years ago, in Chicago, Ill. As result of fever when 2 years of age, he is not in good health and, owing to his physical condition, it has not been possible to teach him to read or write. He is able to speak the English language.

Mrs. Price was born in England 40 years ago last September. She married when quite young, but her husband having deserted her, she obtained a divorce and came to this country with her sister. She is now a bookkeeper in the grocery store of Smith, Brown & Jones, and has taken out her first papers for naturalization.

At house No. 203 Walnut Street there live Jacob Ruckle, his wife Mary M., and a boarder, Jean Marot. Miss Belle Olinzoga, 20 years old, of Denver, Colo., is making a short visit to her sister, Mrs. Ruckle.

Jacob's parents came from Switzerland in 1860 and settled in Ohio, where Jacob was born 65 years ago last May. He owns and operates a very prosperous truck farm, on which he employs several laborers. Both farm and house are free of any encumbrances.

This is the first farm schedule. He speaks and writes German, English, and French.

Mary M., Jacob's wife, who will be 44 years old the 15th of November, was born in Michigan, in the same village in which her father and mother were born. Mrs. Ruckle keeps the financial accounts of her husband in addition to doing the usual housework.

Jean Marot, unmarried, is a cook in the Dolanessen Restaurant. He is a young Frenchman, and reads, writes, and speaks only his native language. He came to this country in June, 1928, when just 24 years of age. His parents are still living in Lyon, France, where they as well as Jean were born. He is not naturalized.

Next to house No. 203 is a large building in course of construction. Turning around the corner into Lake Avenue there are several vacant lots, the first house being numbered 425 and occupied by two families.

The first and second floors of this house are occupied by Mrs. Eliza M. Justice, a widow, who owns the house, free of any encumbrance. Living with her is her daughter, Mary Hugo, and her husband Jules, their two children, William J., who was 8 years old on February 2 last, and Martha S., who will be 12 months old on November 4, and Lizzie Dunn, a servant.

Mrs. Justice was born in Pennsylvania, Independence Day, 1870, and lived there three years after her marriage. Her father and mother were also natives of that State. She graduated from the State normal school and married, when 25 years old, a native of the State of New Jersey. Mrs. Justice takes general charge of the home, although she does very little of the housework herself. Mary was born October 21, 1897.

Mary Justice and Jules Hugo, who is exactly three years older, were married in January, 1920, and to them three children have been born, two of whom are living. Mr. Hugo was born in France of French parents. He came to this country in 1919 and was naturalized in 1925. He is a traveling salesman for the hardware house of Roberts & Lee of New York. Prior to her marriage Mary was a teacher in the public schools, but her household duties now engage her attention, as there is too much work for the servant to do alone.

William J. Hugo was born in New York and is attending the fourth grade school. Martha S. Hugo was also born in New York.

Lizzie Dunn, the servant in the family of Mrs. Justice, is a Negro woman, who says she was 40 years of age on her last birthday, unmarried, and she and her parents were born in Virginia. She has a limited education, being able to read but not to write.

The third floor of house No. 425 is occupied by Jeremiah Mahoney and his sister Charlotte who rent their apartment from Mrs. Eliza M. Justice. Mr. Mahoney was 30 years old on his last birthday and Charlotte, 28. They are both single and were born in Ireland, where their parents were also born. Mr. Mahoney came to the United States in 1926 and has taken out his first papers for citizenship. Miss Mahoney did not come until the next year and has not yet taken out her citizenship papers. Both Mr. and Miss Mahoney are well educated. He is foreman in a coal mine and she is stenographer in an insurance office.

The next house, No. 427, is occupied by a Negro family of the name of Lawson. The family consists of Stephen, his wife, Lily M., and his son, Edward H. They rent their home. Stephen is 27, Lily, 22, and Edward H., was 4 on July 20. Stephen is a laborer in a nursery and can not read or write. Lily takes in washing. She has a common school education and can both read and write. Stephen was born in Maryland, his father was born in Virginia, and his mother in North Carolina. Lily and her father were born in Delaware, but her mother was born in Maryland. Their little son, Edward, was born in Pennsylvania. The Lawson house is the last house within the corporate limits of Buena Vista village.

TEST SCHEDULE—To be Filled by Applicant for Appointment as Census Enumerator

Form 15-4

DEPARTMENT OF COMMERCE—BUREAU OF THE CENSUS
FIFTEENTH CENSUS OF THE UNITED STATES: 1929
POPULATION SCHEDULE

Enumeration District No. _____
Supervisor's District No. _____

Sheet No. _____
A

State _____ Township or other division of county _____
County _____ Incorporated place _____

Name of institution _____ Ward of city _____

Enumerated by me on _____, 1929 _____, Enumerator.

PLACE OF ABODE				NAME of each person whose place of abode on November 1, 1929, was in this family <small>Enter surname last, then the given name and middle initial, if any Include every person living on November 1, 1929. Omit children born after November 1, 1929</small>	RELATION <small>Relationship of 14-16 persons to the head of the family</small>	TENURE			PERSONAL DESCRIPTION	EDUCATION	PLACE OF BIRTH			CITIZENSHIP	OCCUPATION	VETERANS											
Street, avenue, road, etc.	House number	Number of family in order of relation to head of family	Number of family in order of relation to head of family			Owned or leased	Owned or leased	Owned or leased			PERSON	FATHER	MOTHER			Male	Female	Male	Female	Male	Female	Male	Female				
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26		
1																										1	
2																											2
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INSTRUCTIONS

Read the instructions on the back of the Illustrative Example through carefully before attempting to fill out the test schedule or schedules. (There will be an additional test schedule for agriculture for enumerators in rural districts.) The reading of the instructions and the filling out of a certificate attesting thereto are required of all applicants for the position of enumerator. (See certificate on the other side of this sheet.)

The following paragraph should be carefully read before beginning work on the test.

From the information furnished in this narrative, and no other, you must make the entries on the above schedule. Do not sacrifice accuracy to speed; be sure you know the proper entry and where it should go before making it, so as to avoid erasing or interlining. Write legibly. Follow the instructions printed on the Illustrative Example. All work must be done in ink. No information as to how the test schedule should be filled out, other than the printed instructions, can be given. The schedule is to be filled out in your own handwriting, without any assistance from anyone.

Before returning the schedule, fill out the application and certificate on the other side of this sheet and have the indorsements filled out as indicated.

NARRATIVE

The enumerator for Jefferson Township, situated in Grant County, and designated as Enumeration District 27-3 in the 9th Supervisor's District of Indiana, began work on the morning of Friday, November 8, at 407 Wilson Street, in the town of Jackson. On the six previous days he had enumerated 250 families, occupying 230 dwellings, which had completely filled 19 sheets, making this the 11th. He had also enumerated 9 farms.

At 407 Wilson Street the enumerator saw Mr. Henry T. Dumond, a World War veteran, who said his family consisted of his wife, himself, and four children. He said he owned the house, on which there was a small mortgage; that he was cashier in the Farmers' Bank. He was born in Annapolis, Maryland, in December, 1857. His father was also born in Maryland but his mother was born in New York. Mrs. Dumond, whose given name is Elizabeth Anne, was born and educated in Indianapolis, Indiana. The children were born in the house where they are now living. Mrs. Dumond's mother was born in Scotland and her father in Illinois. She was 28 on her last birthday. The oldest son, John J., was 14 on his last birthday and was in his second year at high school. Little Henry was 9 on his last birthday and did not go to school. Anne Louise was born on June 20, 1927, and the baby, Joan, was

born on November 8, 1929. Mrs. Dumond keeps house and has a servant, but the servant goes home every night.

At 409 Wilson Street the servant said the lady of the house was out but that the husband, Rev. Wm. J. Allen, was in. The enumerator asked to see him. Mr. Allen was very glad to give the information, as he wanted his family correctly enumerated. He said his household consisted of himself, his wife, Margaret Ellen, his adopted son, Julius, and his mother-in-law, Mrs. Mary Lane Palmer. The servant also lived on the premises. Mr. Allen was born in Canada in September, 1873, but came to the United States in 1893 and was graduated from Bowdoin College in 1898. He became a citizen of the United States in 1900, when he was ordained as a minister. He said he was now pastor of the Congregational Church. His father and mother were born in England but came to Canada in 1873, where they are still living. His wife was born in Bath, Maine, in June, 1888, and graduated from the high school there. Her father was born in Massachusetts and her mother in Connecticut. Her mother's parents were born in northern Ireland. After her father's death 5 years ago her mother came to live with Mrs. Allen. Her mother was 65 on her last birthday. She was a great reader and very fond of letter writing. She made her home permanently with them and had general supervision of the house as Mrs. Allen was Secretary of the Y. W. C. A. and had to be away from home all day. Mr. and Mrs. Allen had a married daughter who lived in Boston. Julius, their adopted son, was 19 years of age and was away at college. Julius was born in Indiana and so wore his own pants. The servant's name

is Jane Brown. She was divorced from her husband 2 years ago; she was 25 on February 2 and can read but not write. She was born in Maryland and her father and mother were born there, too. Jane is colored but apparently has some slight mixture of other blood with the Negro blood. Mr. Allen lives in a paragon furnished by the church.

The occupants of the next house, No. 411, were a bachelor brother and an unmarried sister, John Andrew White, Jr., and Sarah Andrew White, and a roomer, Joseph Cortel. The enumerator saw Miss White, who lived with them, had died 5 days before on his last birthday. He was a retired physician. Both he and his parents were born in Yonkers, N. Y. His given name was John Andrew, too. Her mother was a French-Canadian by birth and had been dead several years. Her brother was the head of the family and owned the house free of debt. He was a building contractor and was 60 years old on his last birthday. He had graduated at the Manual Training High School in Chicago, Ill. Mr. White was a soldier in the Spanish American War and his father was a veteran of the Civil War. Miss White said she did not mind telling her age, that she was 32 on April 1, but she did not want the enumerator to tell her age to anyone, as the neighbors were curious to know whether she or her brother was the older. The enumerator assured her that all the information collected at the census was strictly confidential. Miss White said the roomer, Mr. Cortel, was 29 years old and unmarried. He was

born in New Jersey but he did not know where his parents were born, except that they were Americans too. She said he was a clerk in the drug store. Miss White keeps no help. At the end of the street is a farm, of 50 acres which is within the corporate limits of Jackson. It has 2 houses on it, both of which front on Oak Road. Citizens have tried to get the owner of the farm, John E. Mason, who lives in the big house, to subdivide the farm into building lots, but Mr. Mason says he and his father were born on the farm and he expects to die on it. He is proud of the fact that it has belonged to his family, free of encumbrance, for 100 years. His mother was born in Tennessee, and so, was his wife, whose name was Katherine Llewellyn before her marriage. Her father was born in Georgia and her mother in Wales. Mrs. Mason was 64 in June and Mr. Mason was 70 on November 7. He farms the land himself. He has one hired man, Jim Hunter, a Negro, who lives with his mulatto wife, Ella, in the small house on the far corner of the farm. While Jim pays an actual rent for the house, he renders service in place of rent. Jim and Ella are both 25 years of age, and can both read and write. Mrs. Mason having taught them. Mr. and Mrs. Mason are highly educated people. Jim was born in Indiana and his parents were born in Maryland, while Ella and her parents were born in Ohio. Ella works for Mrs. Mason, although Mrs. Mason does a good deal of home. Mrs. Mason's niece, Mary Llewellyn Wilson, 16 years old, of St. Louis, Mo., is spending two months with her aunt. This farm completes the enumeration of the town of Jackson.

APPLICATION FOR APPOINTMENT AS A CENSUS ENUMERATOR

I, _____, hereby apply for appointment as a census enumerator at the Fifteenth Census and certify that this application is in my own handwriting.

NOTE.—A definite answer is required to each of the following questions. If in any case the space provided is not sufficient, use a separate sheet of paper and refer to the question by number.

1. Are you a citizen of the United States? _____
2. If a naturalized citizen, when and where were you naturalized? _____
3. In what place do you live? (a) State _____ (b) County _____
(c) City or town _____ (d) Ward (if any) _____
4. How long have you been a resident of this place? _____
5. What is your sex? _____ 6. Color? _____ 7. Age at last birthday? _____
8. Where were you born? _____
9. Were you ever in the U. S. military or naval service? _____
10. Date enlisted _____
11. Date of honorable discharge _____
12. In what company and regiment, or on what vessel? (Do not give service in militia) _____
13. What is your education? (State last school attended, as eighth grade, second year high school, etc., or explain in any other convenient way.) _____
14. Do you speak English? _____
15. Do you speak any language other than English? _____ 16. If so, what language or languages? _____
17. What is your present occupation? _____
18. What is your profession or business experience? (State briefly, and if at present an officeholder, name the office you hold.) _____
19. Have you ever been employed on census work or in the collection of any kind of statistical information? _____
20. If so, in what capacity and for how long? _____
21. If as an enumerator, for what place or district? _____
22. Are you physically capable of a full discharge of the duties of a census enumerator? _____
23. In case you were to be appointed as an enumerator, what would be your first, second, and third choice of territory? 1 _____
2 _____ 3 _____

CERTIFICATE OF APPLICANT

I HEREBY CERTIFY that the answers to each of the foregoing questions are true to the best of my knowledge and belief; that I have carefully read the Instructions on the back of the Illustrative Example of Completed Population Schedule; and that the test schedule on the other side of this sheet has been filled out in my own handwriting without assistance from any person or persons.

Signature of applicant _____

Sign your first name in full, your middle initial, and your surname in full. If female, prefix "Miss" or "Mrs."

Post office _____ State _____

Street and number _____

Date _____, 1929.

INDORSEMENTS

Instructions.—Indorsements must be secured from two representative citizens of the community in which the applicant resides. The signers of the indorsements must be at least 21 years of age, and acquainted with applicant not less than one year. Indorsements *will not be accepted* from any person who is in any way related to the applicant.

INDORSEMENT NO. 1

I HEREBY CERTIFY that _____ is a thoroughly trustworthy and honest person, of good habits, and, in my opinion, fully capable of discharging the duties of a Census Enumerator, if appointed. I have been personally acquainted for _____ years with said applicant, who is *not related* to me in any way.

(Name)

(Business)

(Address)

Date _____, 1929.

INDORSEMENT NO. 2

I HEREBY CERTIFY that _____ is a thoroughly trustworthy and honest person, of good habits, and, in my opinion, fully capable of discharging the duties of a Census Enumerator, if appointed. I have been personally acquainted for _____ years with said applicant, who is *not related* to me in any way.

(Name)

(Business)

(Address)

Date _____, 1929.

Form 15-4

DEPARTMENT OF COMMERCE
BUREAU OF THE CENSUS
FIFTEENTH CENSUS

POPULATION

APPLICATION FOR APPOINTMENT
AS
CENSUS ENUMERATOR

(Applicant will write full name, post-office address, and date of application in the spaces below)

Name _____

City or town _____

County _____

State or Territory _____

Date _____

(Not to be filled by applicant)

Supervisor's District No. _____

District of _____

Enumeration District No. _____

NOTE.—This application and test schedule must be filled out and returned promptly. Any false statement made by an applicant will render him ineligible for appointment.

7. Classes not to be enumerated in your district: The following persons should not be enumerated with the families in your district, even though they may happen to be there at the time of your visit:

- a. Students whose homes are not in this district.
- b. Persons temporarily visiting with the family.
- c. Transient inmates of hospitals or sanatoriums. *Inmates, however, who have no other place of abode must be enumerated at the institutions.*
- d. Servants or other persons employed by the family but not sleeping on premises.
- e. Officers and crews of foreign vessels.

THE HEADING OF THE SCHEDULE

8. Fill out the spaces at the top of each page above the heavy black line before entering any names on that page. Enter in the place provided the State, county, supervisor's district number, and enumeration district number; township or other division of county, and incorporated place, if any.

9. Township or other division of county: Write not only the name or number by which the division of the county is known, but also the name of the class (as township, town, precinct, district, ward, beat, etc.) to which it belongs. For example: Center Township (Center alone is not enough); Washington Town; Austin precinct; precinct 10, etc.

10. Name of incorporated place: Give both the proper name of the incorporated place and the name of the class by which it is known (as city, town, village, or borough). For example: Mount Pleasant City, Newton Borough, etc.

THE BODY OF THE SCHEDULE

11. Column 1. Street, avenue, road, etc.: This column applies to cities and all other localities where the streets or roads are known by names, or numbers, or letters. Write the names of the street, avenue, place, alley, or road lengthwise, in the manner shown on the illustrative example.

12. The places at which you begin and end work on any street are to be marked by heavy lines in ink (—) across the first and second columns. (See illustrative example, line 7.)

13. Column 2. House number: Write the house number, if there is one, opposite the name of the first person enumerated in the house.

14. Column 3. Number of dwelling house in order of visitation: In this column the first dwelling house you visit should be numbered as "1," the second as "2," and so on until the enumeration of your district is completed. The number should always be entered *opposite the name of the first person enumerated in each dwelling house*, and should not be repeated for other persons or other families living in the same house. (See illustrative example, line 8, and omission of number at line 14 for second family in the same house.)

15. Column 4. Number of family in order of visitation: In this column number the families in your district in the order in which they are enumerated, entering the number *opposite the name of the head of each family*, as shown on the illustrative example. Thus the first family you visit should be numbered as "1," the second as "2," and so on, until the enumeration of your district is completed.

16. Column 5. Name of each person enumerated: Enter the name of every person whose usual place of abode on November 1, 1929, was with the family or in the dwelling place for which the enumeration is being made.

17. Order of entering names: Enter the members of each family in the following order, namely: Head first, wife second, then children (whether sons or daughters) in the order of their ages, beginning with the oldest, and lastly, all other persons living with the family, whether relatives, boarders, lodgers, or servants. Be sure to get every member of the household. Do not omit the babies or adopted children, or the sons and daughters away at school or college.

18. How names are to be written: Enter first the last name or surname, then the given name in full, and the initial of the middle name, if any. Where the surname is the same as that of the person in the preceding line do not repeat the name, but draw a horizontal line (—) under the name above, as shown in the illustrative example.

19. Column 6. Relationship to head of family: Designate the head of the family, whether husband or father, widow, or unmarried person of either sex, by the word "Head"; for other members of a family write *wife, son, daughter, father, mother, grandson, daughter-in-law, uncle, aunt, nephew, niece, boarder, lodger, servant, etc.*, according to the particular relationship which the person bears to the head of the family.

20. Column 7. Home owned or rented: This question is to be answered only opposite the name of the *head* of each family. If the home is *owned* write "O"; if the home is *rented*, write "R." Make no entries in this column for the other members of the family.

21. If a dwelling is occupied by more than one family it is the home of each of them, and the question should be answered for each family in the dwelling.

22. Owned homes: A home is to be classed as *owned* if it is owned wholly or in part by the head of the family living in the home, or by the wife of the head, or by a son, or a daughter, or other *relative* living in the same house with the head of the family. It is not necessary

that full payment for the property should have been made or that the family should be the sole owner.

23. Rented homes: Every home not owned, either wholly or in part, by the family living in it should be classed as *rented*, whether rent is actually paid or not.

24. Column 8. If owned, free or mortgaged: This question applies only to those homes classed in column 7 as owned homes and not to rented homes. Write "M" for mortgaged and "F" for owned free.

25. All owned homes which are not fully paid for, or upon which there is any encumbrance in the form either of a mortgage or of a lien upon which judgment has been had in a court, are to be reported as mortgaged.

26. Column 9. Does this family live on a farm? Write "Yes" in this column, opposite the name of the head of the family, if the family is living on a farm (as defined in the agricultural instructions), including the families of both farm operators and farm laborers. All persons who live on a farm, whether they work there or not, are to be counted in the farm population. Write "No" in this column if the family is not living on a farm.

27. Column 10. Sex: Write "M" for male and "F" for female.

28. Column 11. Color or race: Write "W" for white; "Neg" for Negro; "In" for Indian; "Ch" for Chinese; "Jp" for Japanese; "Fil" for Filipino; "Hin" for Hindu; "Kor" for Korean. For a person of any other race, write the race in full in this column.

29. A person having any percentage of Negro blood is to be returned as a Negro. Both black and mulatto persons are to be returned as Negroes, without distinction.

30. Column 12. Age at last birthday: This question calls for the age in completed years at last birthday. Remember, however, that the age question, like all other questions on the schedule, relates to November 1, 1929. Thus a person whose exact age on November 1, the census day, is 17 years, 11 months, and 25 days, should be returned simply as 17, because that is his age at last birthday prior to November 1, although at the time of your visit he may have completed 18 years.

31. Ages of children: Take particular pains to get the exact ages of children. In the case of a child not 5 years old, the age should be given in completed months, expressed as twelfths of a year. Thus the age of a child 3 months old should be entered as $\frac{3}{12}$, a child 7 months old as $\frac{7}{12}$, a child 1 year and 3 months old as $1\frac{3}{12}$, a child 3 years and 4 months old as $3\frac{4}{12}$, etc. If a child is not yet a month old, enter the age as $\frac{0}{12}$. But note again that this question should be answered with reference to November 1. For instance, a child who is just a year old on the 5th of November, 1929, should nevertheless be returned as $1\frac{1}{12}$, because that is its age in completed months on November 1.

32. Column 13. Single, married, widowed, or divorced: Write "S" for a single or unmarried person; "M" for a married person; "Wd" for widowed (man or woman); and "D" for divorced.

33. Column 14. Attended school any time since September 1, 1929: Write "Yes" for a person who attended school, college, or any educational institution at any time since September 1, 1929, and "No" for any person of school age—5 to 20 years—who has not attended school since that date. For persons below or above school age, leave the column blank, unless they actually attended school.

34. Column 15. Whether able to read and write: Write "Yes" for a person 10 years of age and over who can read and write in any language, whether English or some other, and "No" for such person who can not both read and write in some language. For persons under 10 years of age, leave the column blank.

35. Column 16. Place of birth of person: If the person was born in the United States, give the State or Territory in which born. The words "United States" are not sufficiently definite. A person born in what is now West Virginia, North Dakota, South Dakota, or Oklahoma should be reported as so born, although at the time of his birth the particular region may have had a different name. Do not abbreviate the names of States and Territories.

36. If the person was born outside the United States, enter the country in which born, as Belgium, France, Hungary, Italy, Lithuania, Norway, Poland, Serbia, Sweden, Denmark, China, Japan, etc., as the case may be.

37. Do not return a person as born in Great Britain but indicate the particular country, as England, Scotland, Wales, etc. Distinction must be made between Northern Ireland and Irish Free State.

38. French Canadians should be distinguished from other Canadians. For a French-speaking person born in Canada, enter Canada-French; for all other persons born in Canada, enter Canada-English (even though they may not actually speak English).

39. If a person was born in Cuba or Porto Rico, so state, and do not write West Indies.

40. If a person was born abroad, but of American parents, write in column 16 both the birthplace and *Am. cit.*—that is, American citizen. If the person was born at sea, write *At sea*.

41. Spell out the names of countries, and *do not abbreviate* in any case.

42. Columns 17 and 18. Place of birth of parents: Enter in columns 17 and 18, respectively, the State or country in which were born the father and the mother of the person whose own birthplace was entered in column 16. In designating the birthplace of the parents, follow the same instructions as for the person himself (see pars. 35 to 41). In case, however, a person does not know the State or Territory of birth of his father (or mother), but knows that he (or she) was born in the United States, write "United States" rather than "unknown."

43. Column 19. Year of immigration to the United States: This question applies to all foreign-born persons, male and female, of whatever age. It should be answered, therefore, for every person whose birthplace was in a foreign country. (See column 16.) Enter the year in which the person came to the United States. If he has been in the United States more than once, give the year of his first arrival.

44. Column 20. Naturalized or alien: This question applies to all foreign-born persons, male and female, of whatever age. It should be answered, therefore, for every person whose birthplace was in a foreign country, as follows:

45. For a foreign-born person (male or female), 21 years of age and over, write—

"Na" (for naturalized), if he or she has become a full citizen, either by taking out second or final papers of naturalization, or, while he or she was under the age of 21 years, through the naturalization of either of the parents, generally the father. (See par. 46.)

"Pa" (for papers), if he or she has declared intention to become an American citizen and has taken out "first papers."

"Al" for (alien), if he or she has taken no step toward becoming an American citizen.

46. A foreign-born child under 21 years of age is to be reported with the same citizenship (naturalized or alien) as the father (or mother if he or she has no father), unless such child has taken out first papers, in which case write "Pa." Note that a person must be at least 18 years of age to take out first papers.

47. Column 21. Whether able to speak English: Write "Yes" for a person 10 years of age and over who can speak English, and "No" for such person who can not speak English. For persons under 10 years of age, leave the column blank.

48. Column 22. Trade or profession: An entry should be made in this column for every person enumerated. The entry should be either (1) the occupation pursued—that is, the word or words which most accurately indicate the particular kind of work done by which the person enumerated earns money or a money equivalent, as *physician, carpenter, dressmaker, salesman, newsboy*; or (2) *none* (that is, no occupation). The entry *none* should be made in the case of all persons who follow no gainful occupation.

49. Persons retired or temporarily unemployed: Care should be taken in making the return for persons who on account of old age, permanent invalidism, or otherwise are no longer following an occupation. Such persons may desire to return the occupations formerly followed, which would be incorrect. If living on their own income, or if they are supported by other persons or institutions, the return should be *none*. On the other hand, persons out of employment when visited by the enumerator may state that they have no occupation, when the fact is that they usually have an occupation but merely happen to be idle or unemployed at the time of the visit. In such cases the return should be the occupation followed when the person is employed.

50. Persons having two occupations: If a person has two occupations, return only the more important one—that is, the one from which he gets the more money. If you can not learn that, return the one at which he spends the more time.

51. Column 23. Industry: An entry should be made in this column in all cases where the entry in column 22 has been that of an occupation. But where the entry in column 22 is *none*, leave column 23 blank. The entry, when made, should be the name of the industry or business in which this person works, as *coal mine, dry-goods store, bank*. Never enter in this column such indefinite terms as *mine, store, "Jones & Co."*, etc. (See also examples in par. 64.)

52. Women doing housework in their own homes: In the case of a woman doing housework in her own home or supervising such work done by servants, and having no other employment, enter in column 22 "Housework" or "Home supervision," as the case may be, and in column 23 "Own home."

53. Where a woman not only looks after her own home, but also has employment outside or does work at home for which she receives payment, the outside work or gainful employment should ordinarily be reported as her occupation, unless this takes only a very small fraction of the woman's time, in which case she should be returned as indicated in paragraph 52.

54. If two or more women do housework in the home and have no other employment, make the entry, as directed, for each one. It is not intended, however, that grown daughters or relatives living in the family and simply helping with the housework for a short time each day should be given the occupational designation "Housework" or

"Home supervision." For such persons the entry in column 22 should be "None," and column 23 should be left blank.

55. Women doing housework for wages: A woman doing housework for wages should be returned in column 22 as *housekeeper, servant, cook, or chambermaid*, as the case may be; and the entry in column 23 should state the kind of place where she works, as *private family, hotel, or boarding house*.

56. If a woman, in addition to doing housework in her own home, regularly earns money by some other occupation, whether pursued in her own home or outside, that occupation should be returned in columns 22 and 23. For instance, a woman who regularly takes in washing should be reported as *laundress* or *washerwoman*, followed in column 23 by *at home*.

57. Children working for parents: Children who work for their parents at home merely on general household work, on chores, or at odd times on other work, should be reported as having no occupation. Those, however, who somewhat regularly assist their parents in the performance of work other than household work or chores should be reported as having an occupation.

58. Avoid general or indefinite terms: Give the occupation and industry precisely. For example, return a worker in a coal mine as *foreman—coal mine; laborer—coal mine; teamster—coal mine*; etc., as the case may be.

59. The term "laborer" should be avoided if any more precise designation can be secured, as *foreman, inspector, watchman*, etc. Where the term "laborer" is used, be careful to state accurately the industry or business in column 23.

60. Avoid in all cases the use of the word "mechanic," but give the exact occupation, as *carpenter, painter, machinist*, etc.

61. Distinguish carefully between retail and wholesale merchants, as *retail merchant—dry goods; wholesale merchant—dry goods*.

62. An employee in a store engaged in selling goods should be called a *salesman*, and not a clerk. A *stenographer, typewriter, bookkeeper, or cashier*, etc., should be reported as such, and not as a clerk.

63. Distinguish a traveling salesman from a salesman in a store; the former preferably should be reported as a *commercial traveler*.

64. Illustrations of how to return occupations:

COLUMN 22	COLUMN 23	COLUMN 22	COLUMN 23
Civil engineer.....	Railroad.	Salesman.....	Dry goods store.
Carpenter.....	Shipyard.	Janitor.....	Apartment house.
Blacksmith.....	Own shop.	Locomotive engineer..	Steam railroad.
Cook.....	Hotel.	Lawyer.....	General practice.
Servant.....	Private family.	Teamster.....	Farm.
Cashier.....	Bank.	Agent.....	Insurance.
Laborer.....	Coal mine.	Spinner.....	Silk mill.
Stationary engineer....	Lumber mill.	Clerk.....	Bank.
Teacher.....	Public school.	Mixer.....	Bakery.
Machinist.....	Steel mill.	Trimmer.....	Bookbindery.
Housework.....	Own home.	Home supervision....	Own home.

65. Column 24. Veterans: Write "Yes" for a man who is an ex-service veteran of any United States war or expedition, and "No" for a man who is not a veteran. No entry is to be made in this column for males under 21 years of age or for females of any age whatever.

66. Column 25. What war or expedition: Where the answer in column 24 is "Yes," give the name of the war or expedition in which the man served, as World War, Spanish-American War, Civil War, Philippine insurrection, Boxer rebellion, Mexican expedition, etc.

67. Column 26. Number of farm schedule: If the head or any member of the family operates a farm, enter in this column the number of the agricultural schedule filled out for that farm. Make this entry opposite the name of the member of the family operating the farm.

Mr. BRUCE. Mr. President, will the Senator from Ohio yield to me for just a moment?

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Maryland?

Mr. FESS. For what purpose?

Mr. BRUCE. To reply, in two or three sentences, to what has been said by the Senator from Georgia.

Mr. FESS. I can not yield for a speech, Mr. President.

Mr. BRUCE. I was not asking the Senator to yield for a speech, but simply that I might make a very brief reply to the Senator from Georgia.

Mr. FESS. I will yield to the Senator, but not for a speech.

Mr. BRUCE. I thank the Senator.

I simply wanted to say that I do not think that the Senator from Georgia has exhibited exactly his usual fairness in making the statement that he did a few moments ago. The Senator well knows that the census of 1910 was taken pursuant to such methods as my amendment proposes. That is to say, it was taken in some respects by a corps of field agents selected in conformity with the merit system of appointment. It is generally admitted, so far as my reading goes, that that was one of the most accurate and satisfactory censuses ever taken in the history of the country.

CONSTRUCTION OF CRUISERS

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 11526) to authorize the construction of certain naval vessels, and for other purposes.

Mr. FESS. Mr. President, I hold in my hand a letter from a retired bishop of the Methodist Episcopal Church who has written upon the subject of the cruiser bill, and who makes a very clear statement of the position of those who are opposed to it. It appears that his view is that the cruiser bill is starting a rivalry on the sea that we thought had been ended by the Washington conference; and it also appears that his view is that we will not feel entirely safe unless we have ship for ship, gun for gun, and so forth.

I am of the opinion that the bishop has made a pretty clear statement of the view of those who up to this stage have been opposing the cruiser bill. In fact, the early part of the propaganda was in opposition to both the bill and the time limit. The more recent propaganda is dropping opposition to the bill, and is now directed specifically to the time limit. I do not mean that all persons who had opposed the bill are withdrawing their opposition; but at this time the vocal opposition, so far as I get it, is to the time limit.

Our colleague from Kentucky [Mr. SACKETT] dealt with what I regard as the most concrete single fact in the argument, and that is the growing friction that can not be avoided in two great countries that are bound to be, to an increasing extent, rivals in their foreign commerce. In what I am about to say with regard to Great Britain I want it distinctly understood that there is not any Member of the Senate who has a greater admiration for what she has accomplished than I have. In fact, most of my intellectual life has been spent in reading history, especially our own history, with a background of that of Great Britain; and when I speak of these facts they are not intended to be offensive in the least. Certainly that is not my purpose.

It is well known that about 80 per cent of the activity of the British Empire is devoted to overseas trade. That trade has been built up over a period of about 200 years; and Great Britain's achievement up to this time has been the wonder of civilization. Her coaling stations are so located that to-day one of her freighters with her bunkers filled with coal can scarcely be found in any civilized part of the globe from which that freighter can not reach a British coaling station before the coal is exhausted. Great Britain has her naval stations or bases so placed that she commands every sea upon which commerce floats. She has an open port in every country where trade is going on, and, in addition, she has command of most of the cables. Besides this, to meet this demand for trade on the sea, she has a merchant marine that to-day carries a large part of our own trade, a good portion of which at least we ought to carry ourselves.

In this organization for overseas trade Great Britain finds her chief activity; and while she is now suffering with a great unemployment problem with which every American has sympathy, she looks for relief of that problem to the increase of this her chief activity of overseas trade.

As the Senator from Kentucky [Mr. SACKETT] said, Great Britain's foreign trade has now reached the enormous figure of \$10,000,000,000 annually; but she has been building up that trade for 200 years and during the last few years it has grown by leaps and bounds. On the other hand, only a fraction of the activity of the United States is devoted to foreign commerce; but, while it has been growing only a short time, the overseas commerce of the United States is rapidly approaching the figure of Great Britain and in less than five years without doubt will easily pass it.

I am reminded of the eloquent words of Mr. Gladstone in 1873 in an article that appeared in the North American Review, where, speaking of the two countries engaged in trade, he made this statement:

Oh, brave mother! Oh, braver daughter! You have passed us in a canter.

And then he made that remarkable utterance that has been quoted a thousand times:

As the British constitution is the most subtle instrument, so the American Constitution is the most wonderful instrument ever stricken off by the brain or purpose of man at any one time.

That statement was made after his comment upon the rapid growth of the United States; and when we remember that but a fraction of the activities of the American Republic are devoted to a foreign commerce that in time is going far to outrun that of the mother country, and that a large percentage of the mother country's activity is devoted to her foreign commerce, there is not any question but that in the future there will be

more or less friction between the two great friends belonging to the Anglo-Saxon race. I do not mean that that friction will result in war; farthest from it. I have no conception that the friction will ultimately lead us to war; but there is the promise of friction that may give us some concern.

My beloved colleague [Mr. BURTON], who never speaks without being heard and appreciated on two continents, a moment ago made the statement that it is perfect folly to think of a strained relation that might lead to war between Great Britain and the United States. He said it is a farce. I am rather of the opinion that while that is an extreme statement, it has some basis; but I do not want Senators to forget that in 1914, 1915, 1916, and 1917 we had our chief dispute, not alone with Germany, but with Britain, our great friend.

I happened to be a member of the Foreign Affairs Committee of the House at the time, and the two things that were disturbing us as a Nation were, first, the incursions upon our rights by German submarines, and, second, the restrictions upon our rights by the British Admiralty. I was asked at that time to compile for the committee the documents detailing the dispute between us and Germany in regard to the submarines, and, on the other hand, the documents detailing the dispute between us and Britain in regard to restraints of trade.

Mr. President, I hold in my hand now a document of 200 pages, all devoted to the orders of the British council, and our protests, officially signed by the two Secretaries of State, Mr. Bryan and Mr. Lansing. These protests were vigorous, in language which sometimes looked as if it approached the belligerent.

One of the reasons for the difficulty was the freedom with which the mother country, the United Kingdom of Great Britain, would change the rule as to what were items of contraband. We were proceeding under international law, and Article XXVIII fixes the articles that are permitted not to be contraband. The provision was:

The following may not be declared contraband of war:

The word "may" in international law is equivalent to a command.

"Raw cotton." Yet cotton was made contraband.

"Wool." Wool was made contraband.

"Silk." That was omitted.

"Jute." As I recall, that was not put on the list.

Flax was, hemp was, and here is a list, printed in this volume, of three and a half pages of items put on the contraband list, not included originally under international law. We protested on the ground that the action in putting various articles on the list of contraband was totally in violation not only of international agreement but in violation, distinctly, of neutral rights on the sea, with special reference to our own country. That was one of the sources of constant friction, and was the occasion for many of these protests.

At one time the protests went to such an extent that we passed a resolution to protect foreign trade, that was not only aimed at Germany, but at any other country that was belligerent. In that resolution we gave to the President, by act of this body in conjunction with the House, the power to use the Army and the Navy to protect our rights. That was in 1915.

The point I raise is that, with the inevitable friction that will grow out of more or less dispute in time of war, it is not safe to say that we are wholly exempt from any danger of war.

Mr. ROBINSON of Arkansas. Mr. President, will the Senator yield?

Mr. FESS. I yield.

Mr. ROBINSON of Arkansas. The Senator will also recall that the Congress passed what is known as the armed neutrality act, expressly authorizing merchant ships to arm for their own protection while engaged in the commerce of the United States.

Mr. FESS. I remember that very distinctly.

Mr. ROBINSON of Arkansas. The passage of that act came some months prior to our entry into the war.

Mr. FESS. Yes; that is true. What I want to impress upon the Members of the Senate is that, while nations are friendly, and are organized against war, we are not certain that in times of stress questions will not arise, and that they might eventuate into difficulty.

There is another consideration which I think is worthy of our thought at this time. The United States has always shown her faith in trying to induce nations to limit their armaments below the point where there would be danger of aggression. That has been one of the ambitions of this Nation.

When President Wilson was in the thickest of the fight, one of his cardinal principles, major in its purpose, was to induce the nations to agree upon some basis for a limitation of armaments, not alone as a saving from the burdens of war but especially to lessen the chances of war. One of the specific provisions of the

covenant of the League of Nations was to set in motion the machinery ultimately to result in a limitation of armament on land and sea. It is certainly obvious to everyone who has followed the efforts of the League of Nations that that has been one of the special activities the special committees of the league have been working on. They have had several conferences on it.

Mr. ROBINSON of Arkansas. The preparatory commission has been unable to agree even on a program for disarmament for consideration by the League of Nations.

Mr. FESS. A very pertinent remark, which is accurate. In addition to what the league has been attempting, the United States was willing to undertake to lead in limitation of arms, and in connection with the Army we did not feel that it was necessary for us to wait for Europe to join us. We proceeded to reduce our Army, as every Member of the Senate knows. When the recommendation was made for a rather large Army, something over 500,000, we cut it to 180,000 at the very first session of Congress after the war. Then, when we considered it subsequently, we cut it a second time to 150,000, and finally we have gotten it down to a very low point of 127,000. During this time we have not been waiting for Europe to join us, but we have been making our purpose clear that it would be our wish that they should join in the same movement.

Europe came with this sort of a proposal, that unless a security treaty could be effected whereby nations which might be invaded would have the help of other nations in case of invasion, they must not be required to reduce their armies; and in the failure to secure those treaties the armies were not reduced, although we proceeded, showing our good faith, in the limitation of our Army to the minimum.

I recall that the Cannes conference of 1920, I think it was, or 1921, recommended a form of limitation of security, with four nations joining—Great Britain, France, Italy, and Belgium. But France rejected the proposal, after a change of ministry, when Briand was superseded by Poincaré.

Then, after that, came what we know as the Genoa conference. But the nations failed to get together because of dispute over what was to be done with the Russian delegates, a dispute between the former allies and the former central powers.

That was followed by the notable Geneva conference which published the Geneva protocol. That consisted of the nations mentioned before and a fifth member, namely, Japan; but because of a dispute over shipping Britain rejected the proposed agreement. So that up to 1925 there were four efforts in Europe to induce conferences to reach a plan of limitation, and every one of them failed.

Then came the Locarno conference. There was a proposal of a security treaty, and it was signed and ratified. When that was done there was an effort to get another conference to move in the direction of general limitation, and we know what the result was. Nothing has been done in the way of the limitation of armies, although a lack of a security treaty was given as a reason why there was not any limitation. From 1925 to this time, instead of the nations limiting their armies, the armies are gradually increasing in size.

It is rather a hopeless, vain effort on the part of peace-loving people to seek to have the dangers of war reduced, it seems to me. The United States has about lost any hope that its dream may come true.

In 1927 a conference was called in Geneva, first in February, then later in midsummer, along about July, and ending, I think, in August. That was the famous conference in which our effort to induce the naval powers to complete what the naval limitation conference held here at Washington did not complete.

Mr. ROBINSON of Arkansas. Mr. President, the Senator has omitted to state that in that conference only three naval powers were willing to join. The other principal naval powers even refused to participate.

Mr. FESS. I thank the Senator for correcting the omission. France and Italy withdrew, and refused to go on, and it was left to the United States, Britain, and Japan.

Mr. ROBINSON of Arkansas. And they could not agree upon any program or agenda for consideration in the conference, or plan of limitation, and the conference wholly failed.

Mr. FESS. That is true, it was a total failure. My colleague [Mr. BURTON], who was in Europe at the time of that conference, not at the conference, but close to where it was held, and following what it was doing, admitted, speaking of it a moment ago, that it was a total failure.

Mr. ROBINSON of Arkansas. Later, when the preparatory commission of the League of Nations was attempting to form a program for consideration with respect to the limitation of naval armament, two of the great powers, France and Great

Britain, entered into an agreement which was known to be repugnant to the United States, namely, an agreement to contemplate a limitation as to large cruisers, and practically no limitation as to small cruisers, and no limitation as to submarines.

Mr. FESS. That is correct.

Mr. ROBINSON of Arkansas. Great Britain wanted a very large number of small cruisers suitable for her purpose, her naval bases being scattered throughout the seas, and small cruisers being deemed especially adapted to the protection of British commerce, while she was anxious to limit the larger cruisers, with the greater capacity for navigation. France was utterly unwilling to enter into any effective limitation as to submarines. So, up until the present time, with every nation in the world professing its readiness to limit armament, and with all the executives of the principal nations calling or joining in conferences for that purpose, nothing whatever has been accomplished, and while we have stood still with respect to the building of cruisers, the other nations have gone forward as if a competition actually existed.

Mr. FESS. I thank the Senator for saying what I was going to say.

Mr. ROBINSON of Arkansas. I apologize to the Senator for anticipating him.

Mr. FESS. He said it a good deal better than I would have said it. It is the thing I had in mind and I was ready to make the statement that in view of our efforts and our successive failures—not successful, but successive failures—in trying to induce the powers to agree on limitation, what is the common-sense view for a Senator to take to-day facing this problem? When we had it up before and the conference of 1927, which the Senator just mentioned, was in the offing, I opposed going on with the cruiser program, and especially the time limit, because I thought that certainly there would be a disposition on the part of those two countries with which we had had agreements in Washington back in 1922 to go on and apply to the cruisers or auxiliary ships the ratio that had been applied to capital ships in 1922.

I opposed going on with the cruiser program at that time for that reason. And yet that conference was held, our proposals were rejected, and anybody who will read the proceedings of either that conference or of the council of the League of Nations in their efforts to secure disarmament and see the complications that arose and who would still have any hope of securing an agreement without our being in a position to command it, has more confidence than I have. As a Senator who was opposed to the cruiser program when we were awaiting a conference on limitation that was yet to meet, with that conference adjourned after the rejection of our plan, and remembering the manner in which our proposal had been spurned, I do not hesitate for a second to say that it seems to me that there is no alternative for me as a responsible Senator in this body.

It is not because we want to be warlike. We will use every effort and every ounce of influence that we have to induce those countries to agree to a ratio. The ratio agreed to in 1922 limiting capital ships, was applauded around the world; and yet people did not observe that that was only a partial limitation. When we found that the capital ships were limited and all nations respected the limitation, we also found that other nations immediately began to build auxiliary cruisers; so that with our standing still, our disparity in defense was soon as great as it had been in capital ships before we began the building program. With those countries, parties to the limitation agreement for a ratio of 5-5-3, now in the midst of the program of building while we are standing still, instead of the ratio being 5-5-3, we are a poor third in the form of auxiliary battleships that will put us to as much of a disadvantage as if it were in battleships.

With that situation facing us, with the assurance that there is no desire on the part of those countries to meet the ratio, there is only one thing for me to do, if I follow my best judgment. We have asked Great Britain to reduce a certain tonnage, permitting us to go up to a certain tonnage. We originally proposed 100,000 tons increased tonnage for us, and asked Great Britain to reduce 143,000 tons. Britain refused to do it. I am not in position to charge it against her for not doing it. It may be that her overseas situation would require it. If she can not come down for any reason, then should we not go up, or should we rest in the belief that only those who are unprepared to defend themselves are safe?

I can not rest on any such basis as that, and it is not because our Nation is warlike, because it is not warlike. I defy anybody to show where America has ever been the aggressor.

She has not been. This country is the most altruistic country in the history of the world. In 1898 we were in a war which we tried to avoid with Spain, with no great test in the contest. When the war was ended this Nation turned Cuba over to her own control, under our regulation for a time to give her opportunity to establish herself, and then she was given full control of her own affairs. While we did not have any basis or obligation to do what we did to Spain in the matter of the Philippines, we turned and made her a gift of \$20,000,000. Is there any aggression there?

See what we did in the Panama Canal matter. We built the canal. We expended \$400,000,000 to build it. The world wanted us to keep it open, open in time of war not only to merchant ships but to warships; and, although some people think it was doubtful wisdom, we even put every nation of the world on an equality with ourselves to use that canal as we use it, on the theory that we were marrying the oceans for the trade of the world and not for our own protection. I defy history to show a record of greater cosmopolitan philanthropy than that.

I recall what every Senator recalls, the Boxer difficulty. In 1900, when the time was ripe for China to be carved up and the armies of Europe were located in China, had it not been for the President of the United States, China would have been carved up; but we stated that if there shall be any indemnity, that indemnity is not to be at the expense of the integrity of China. We took the millions of dollars that were our portion of the indemnity and returned them to China for the purposes of education. It was not only the President but it was the American Congress that wanted to do it.

And yet we are charged with being aggressive, charged with being a Shylock, charged with being a dollar Nation that loves nothing but the dollar. That charge is not true. It is not well founded.

Our Nation, on the other hand, has no desire to interfere with any other nation's rights. All we want is to have the same open field in the pursuit of our development, without interfering with any other people, that other nations claim for themselves. In view of the fact that it is just as inevitable as that we are here that the growing commerce of the future will produce friction, it is not unwise for us to be put in the same position of parity to defend ourselves in case of dispute. It is not conceivable, under the modern impetus of science and communication, where all the world is but a neighbor to-day, that these ancient civilizations, these seething populations which up to date have little consuming power, will always remain so. Just as certain as that we are here the millions of China and the millions of India and the hundreds of thousands of population that have heretofore not been productive in a great sense and therefore not consumptive will, under the impetus of new principles of industry introduced, become not only great producers, but will become great consumers.

It is as certain as that the sun will rise that there will be great trade between the Occident and the Orient, that now is in its infancy, and the United States and Great Britain are the two countries that will be engaged in that trade, and while I do not think that rivalry between the two nations will inevitably reach war, yet I am sure it will inevitably reach the point of friction. It is bound to do that. It is not a case of war preparation for us to be anxious to get Britain, our competitor, to agree to be on about the same basis of defense as we are.

When we speak about the peace pact we must all remember that it exempts self-defense, and as Britain increased her contraband list in time of the World War on the basis of self-defense, who is it in this Chamber that can logically claim the time might not come that Britain would insist that our growing merchant marine is impinging upon her self-defense, because as we take from her she might claim we are increasing her problems of unemployment and the maintenance of her integrity. I do not claim that that will happen, but it might happen.

So, Mr. President, looking the thing over from one end to the other, speaking as a man who has always stood for movements for peace, and certainly as peaceable as it is possible for one to be, I think the only common-sense view to take of the measure is that if we can not get our competitor to come down to our ratio by our going up a little, then we are left with no alternative except to go up to her basis. That is not in the interest of war. That is in the interest of peace, for a peaceful nation is never so secure from war as when it is in a position to command its peace. For that reason I shall not only vote for the cruiser bill but I shall vote to retain the time-limit provision in the cruiser bill.

Mr. SMITH. Mr. President, it is late. I had intended to speak at some length on a phase of the question which has not yet been discussed, but hoping that I may be able to have some-

thing to say during the time limit on debate, I shall content myself this afternoon with calling attention to certain elements which are involved in the question of the development of our trade and in our national defense.

I think perhaps it may have been psychologically—if I may use that term—unwise for us to have brought up the question of the construction of these cruisers so soon after the action of this body in ratifying by a very large vote the Kellogg peace treaty. We may believe that the building of the proposed additional number of cruisers is not incompatible with our sincerity in ratifying the peace treaty, but our action is susceptible of a very sinister construction by those who have not our viewpoint and may not believe as we believe. I should have preferred at least to have deferred action on this question until such time as certain indicated conferences and meetings had taken place and we had ascertained the result. However, the question is here; it is before us, and is to be decided.

For one I do not see that the construction of these cruisers and the purpose for which we openly and aboveboard avow we are constructing them in any way conflicts with the immemorial stand of America in reference to war. As the Senator from Ohio [Mr. BURTON] has said—and I think the statement is not subject to successful contradiction—we have never been since the establishment of this Republic an aggressor, and are not so even in this attempt adequately to protect our commerce abroad. That effort has my hearty support; but there is a phase of the question affecting the manner in which we are proposing to provide for what is termed "national defense" which has not been brought to the attention of the Senate.

I asked the Senator from Kentucky [Mr. SACKETT] if he had the figures as to our export and import trade with South and Central American countries. According to what he stated, and to my previous information, that trade represents about one-third of our total import and export business; yet, Mr. President, in view of the conditions that exist, it is a startling thing to find that on 3,000 miles of the Atlantic seaboard we have not a single facility either for defense or for the care and protection of vessels of the merchant marine and their convoys, the cruisers and other naval vessels which might be called upon to safeguard our world-wide commerce. South of Cape Hatteras to the Mexican border—a distance of approximately 3,000 miles—there is not a single Government facility equipped to take care of either a merchant ship or of a cruiser if disaster should overtake them either in the Gulf of Mexico, the South Atlantic, or the Caribbean Sea.

In case of need they would have to be towed more than a thousand miles around the most dangerous point on our whole Atlantic seaboard—Cape Hatteras, known as the "boneyard of the Atlantic."

I wish to call the attention of the Senate to certain facts furnished me by the Navy Department. I have a letter from the Chief of Naval Operations of the United States Navy, in which he states:

Referring to the information which you have requested, for use in connection with the speech which you expect to make on the cruiser bill, I am inclosing an outline chart of the world which shows the various United States and British naval facilities in the West Indies and vicinity.

The actual coast-line distance from Cape Hatteras to the Mexican border is 2,845 miles.

I want this statement and those figures emphasized and put in italics in the report that will be made of what I am saying.

The actual coast-line distance from Cape Hatteras to the Mexican border is 2,645 miles; the actual distance from Cape Hatteras to Portsmouth, N. H., is 530 miles.

Amounts appropriated for public works at east coast navy yards from the 1st of July, 1919, to the 30th of June, 1929, were as follows:

(a) North of Hatteras, \$6,511,370.

A distance, remember, of 530 miles.

(b) South of Hatteras, \$1,215,000.

The only navy yard south of Hatteras in existence to-day is at Charleston, S. C., and he informs me that—

The navy yard at Charleston, S. C., is not at present equipped to build a 10,000-ton light cruiser, such as is contemplated in the present cruiser bill. It is estimated that it would cost about \$2,000,000 to equip the Navy yard for this purpose.

North of Hatteras we have 7 navy yards and 18 dry docks, costing approximately \$1,000,000,000. I desire to put in the RECORD the figures as to the annual expenditure on those yards and dry docks. From the time of the establishment of these stations to June 30, 1928, during the whole history of our so-called program of national defense, including preparation for invasion

and the defense of our coast, there has been expended along 530 miles of seacoast \$852,976,000.

There is a map which I have caused to be hung on the rear wall of the Senate Chamber, to which I desire to direct the attention of Senators. From Cape Hatteras to the Mexican border [indicating on map] a distance of approximately 3,000 miles, we have expended in all the history of our preparedness measures, in all the history of our program of defense, \$82,000,000.

Mr. WHEELER. Mr. President, have not some of the battleships and cruisers of the Navy been named after some of the States and cities of the South?

Mr. SMITH. I think that has been done, and for that we are profoundly thankful, but they scrapped the one which was named after Charleston, and returned the silver service that the State of South Carolina had presented in recognition of having a battleship named after the State.

I desire, however, to call attention to another fact. Let Senators bear in mind that a billion dollars has been expended on 530 miles of coast line and \$82,000,000 on 3,000 miles.

Mr. WHEELER. That emphasizes how much is thought of the section of the country from which the Senator comes; that is all.

Mr. SMITH. Exactly.

Mr. President, we talk about national defense; we are about to spend a quarter of a billion dollars in building additional cruisers as aids, it is said, to the development of our commerce, and where is it proposed to spend this enormous sum of money? There was a controversy on the floor of the Senate the other day as to whether it was not proper, in recognition of the rights of all the people, to divide the building of the proposed cruisers on a basis of 50-50, so that half of them could be constructed by private yards and the other half by navy yards, showing that we were recognizing the right of distribution in the expenditure of this vast sum of money, and in order that financially the benefit might accrue more equitably to the people in various sections of the United States, even in a matter involving adequate defense.

Mr. WHEELER. Mr. President—

Mr. SMITH. I yield to the Senator from Montana.

Mr. WHEELER. Is it not a fact that one of the reasons some are giving is that they want to build the cruisers in that way so that they can take up the slack and make times more prosperous in some of the States where unemployment exists?

Mr. SMITH. Mr. President, you and I know that such a thing could not possibly have occurred had not up to the present time the question of our national defense been a question of sectional pork barrelism. Any great government having the responsibility of providing an adequate national defense would not otherwise have congested in 530 miles of seacoast practically the entire amount appropriated for the purpose of adequately equipping and defending our coast line.

Mr. WHEELER. Is there not a navy yard in South Carolina?

Mr. SMITH. Let me read some figures as to that. I can state them in the rough. Of all the navy yards, only one, that at Charleston, is in a stand-by condition. A certain commission was appointed for the purpose of investigating what navy yards could be economically abandoned. That commission named about three, and preeminent among those three was the only one from Cape Hatteras to the Mexican border.

I am not standing here alone selfishly pleading that this manifest political method of providing for national defense may be wiped out; but as the great Republican Party during the 60 years of its existence has proclaimed itself to be the great national party and has claimed that in an unsectional manner and unselfishly it is trying adequately to meet the responsibilities of a national party, how does it happen that, including about two navy yards on the long western coast and one down below Cape Hatteras, we have in the aggregate on the great coasts on the west, on the south, and on the southeast, approximating 5,000 miles, about three facilities for taking care of naval vessels as against eight in the 500 miles north of Cape Hatteras, on which there have been expended a billion dollars?

Mr. WHEELER. I assume now, since the South went Republican at the last election, that some of the cruisers will be built at the Charleston Navy Yard, and some new navy yards will be provided in the South.

Mr. SMITH. Mr. President, every speech made here has been based on the right and proper and patriotic ground that with the rapid development of the facilities and resources of this country, our commerce is expanding likewise; that ultimately we will become the granary and the predominant manufacturing center of the world; that no matter how rapidly our population may increase, it can not increase faster than our manufactured and agricultural and stock production. We have not even touched the border of the possibilities of America's industries,

both natural and artificial; and what have we done to prepare, in the first place, for the outgoing of this wonderful commerce that is now in process of development? It does not take a prophet to see what 10 or 15 years may bring forth. What have we done to facilitate the export of this vast volume of goods that is piling up?

What happened in the World War?

Mr. BROOKHART. We sold our Government ships; I remember that.

Mr. SMITH. The Senator says we sold our Government ships. Yes; that was a part of the program. But during the World War, when it became evident that we were going to send millions of men abroad, and we not only had to feed and protect and equip and transport them but we had in the main to provide for feeding and sustaining the European armies that we had joined with to save the world for democracy, what happened?

Every Senator here knows that the North Atlantic ports were so congested that the loaded cars could not be gotten in, nor the empties out. Actually, there was coal on coal cars in the port of New York that had the November snow on it along in March and April. The ships could not get sufficient coal for their bunkers. The foodstuffs piled up, as Senators all know, and vast quantities of them were lost. Why? Because we had developed only that little coterie of congested ports, and it was the neck of a bottle that was totally unable to take care of the vast volume of business that was necessary to meet the exigencies of the case.

Immediately the cry came to make available the ports down in the South Atlantic and the Gulf of Mexico, not subject to be frozen during the winter, but open the year around. Provision was made to install the proper facilities at Wilmington. A great yard was projected at Philadelphia, known as Hog Island, and one of practically equal size at Charleston, S. C.

Mr. WHEELER. It was properly named Hog Island, was it not?

Mr. SMITH. From all indications, perhaps it was. For some reason, however, after the soundings had been taken and the excavations made and the foundations prepared for the great dry dock at Charleston, that is as far as it ever went; but all of those that had been projected in the North Atlantic section, even after the war was over, ultimately went through.

Mr. BROOKHART. Does the Senator object now to building cruisers to keep those places filled all the time?

Mr. SMITH. It is not a question of that. I am calling attention at this juncture to the fact that, no matter how many cruisers we may build, any trouble in the South Atlantic, the Gulf of Mexico, or the Caribbean Sea will entail the possible loss of a vessel, or an unconscionable expense to tow it from there around the bone yard of the Atlantic, where the shoals run out for more than 200 miles, and cause a dangerous sea even in the most profound calm. It is necessary to tow around that part of the coast in order to get vessels into these facilities, the only ones provided. If enemy vessels were down here, our whole shipping would be at their mercy so far as any convenient place to repair any damage that may be done is concerned.

Now, what does this part of our country face?

The South Atlantic and the Gulf face the Caribbean Sea, the Isthmus of Panama, and the much-spoken-of Nicaraguan canal, the only possible highways of commerce between the Orient and American shores. Nature has provided that the gateway shall be across this isthmus, cutting off the disastrous and dangerous trip around Cape Horn, the whole length of the South American coast. Nature, with the ingenuity of man, has provided that this isthmus may be opened up, and vessels may pass through. Then they are in the South Atlantic, the Caribbean, or the Gulf, and there is not a facility or any accommodation whatever within 1,500 miles of this great gateway of commerce where vessels engaged in war may be repaired.

All of us know that if ever there comes a war of aggression against America, the battle will be fought in and around those gateways to the Orient. We all know it; and yet we have not a facility south of Hatteras by which we could protect the commerce that comes through those gateways, or that seeks any repairs once the vessels are through.

The Navy Department has furnished me a map which I should like to show to those who are interested in this matter. There is a feature of it to which I wish to call attention.

Here is our coast-line, beginning at Portsmouth, N. H., running around, going down through the Gulf of Mexico; and here is the South American continent. Of course this will cut off any vessels coming from the Orient. Will you observe that nest of eggs. Those are the navy yards and dry docks on the Atlantic seaboard.

Mr. BROOKHART. All of those are right up close around Wall Street; are they not?

Mr. SMITH. Right in one little spot, here are eight.

Mr. WHEELER. Those are close to Maine, New Hampshire, and Massachusetts?

Mr. SMITH. To be sure. This map was furnished to me by the Navy Department. Those are all there are. If you will notice, England has more respect for her trade down there than we have for ours. Look at the coaling and naval stations that the foreigners have in and around that neck of the woods.

Mr. BROOKHART. Let me suggest to the Senator that if the southern Senators will join those of us from the Northwest, we will clean out that nest of eggs.

Mr. SMITH. Mr. President, I want to call attention now to just one little matter that is significant. A Senator told me this morning—I do not want this to be considered a criticism of the efficiency of Senators, or their equipment for discharging their senatorial duties—that he had heard it said that you had to carry some water along in tubs and buckets in order to have water enough to get into Charleston. Mark you, he said that when every man who knows enough about his country to be here pretending to represent it knows that there is not a finer harbor on all the Atlantic seaboard than the harbor of Charleston. She did have an unfortunate physical difficulty in what is called the bar; but the Government, years ago, built what are known as jetties, and the erosion of the tide coming in and going out, confined to the small space between the jetties, has so deepened the channel that I myself, in the last few years, have seen the American fleet come in and go out of that harbor under its own steam.

Mr. WHEELER. I think they had reference to Newport News, down in Virginia.

Mr. SMITH. Let us not stir that up right now. I would rather have that held in abeyance for a while.

Mr. SWANSON. Mr. President, I did not catch the Senator's remark.

Mr. SMITH. The Senator need not inject it now.

The dry dock at Charleston is the only one on the South Atlantic. The dock formerly at New Orleans was a floating dock, and it has been sold. The one at Pensacola was also disposed of and carried up North somewhere. Some of the cruisers we now have—those of the old type that have the old-fashioned curved bow and stern—could come into the Charleston dry dock and be repaired; but these new cruisers, though not very much greater in length, have no curvature at bow and stern. They are perfectly straight. Therefore one of these cruisers coming to that dry dock could not be accommodated, because the dry dock was built with terraces or steps to accommodate the old curvature.

I want to make one more observation before I close for the day. When the Senate convenes on Monday, if I am physically able, I will endeavor to finish what I have to say in reference to this matter; but I should like those who have been listening to me to give their attention at this time to this statement:

The engineers made a survey of this dock at the Charleston yard, and they found that by extending the back end of it 35 or 40 feet, at a cost of \$300,000, it would accommodate these new cruisers. That yard, as everyone knows, is the best-equipped yard in the country for the character of work it does and can do. I shall take occasion on Monday to read the testimony of admirals and other naval officers who have had occasion to use that yard as to the excellence of its work; but in view of the pendency of this cruiser bill I asked for an extension of 30 feet. It did not require the building of any caissons. All that would be necessary would be to shut the floodgate, pump out the water, and have the constructors extend the dock 30 feet. Then it would accommodate any of the cruisers or any of the battleships of our Navy; but in spite of the recommendation of officers of the Navy, there is not a word in the naval bill looking toward that small addition to the only facilities of the kind on our coast south of Hatteras!

Mr. WHEELER. But we are going to build all these ships either in New England or at Newport News. Why should we go down and help build up the navy yard at Charleston?

Mr. SMITH. I am not pleading for Charleston alone, Mr. President.

Mr. SWANSON. Mr. President, if the Senator will yield a moment, I am tired of the Senator from Montana always talking about the Chesapeake Bay. I wish to say that in the early days a survey was made by the English Crown of all its North American possessions, in an endeavor to find the best place for the location of a navy yard, and it was located at Norfolk, on the Chesapeake Bay, bordering on Hampton Roads. No report has ever been made by any board seeking to abolish this navy yard on Chesapeake Bay, which is the best body of water in the world. I am tired of people always minimizing the importance of that bay. The Senator does not know anything about what a good body of water is. He ought to do down there. We treat

mountain people nicely when they go there, and if he will come down, we will show the Senator what a real body of water is.

Mr. HEFLIN. Mr. President, the Senator from Virginia should take the Senator from Montana over there and show it to him.

Mr. SWANSON. I will some time. The Senator from Montana thinks Hamptons Roads are macadam roads. He does not know it is a body of water. He has been disturbed, thinking we were building ships on macadam roads. He does not know what Hampton Roads is.

Mr. BROOKHART. Mr. President, I would like to ask the Senator from Virginia, while all that is true, what is the matter with South Carolina?

Mr. SWANSON. I wish to say that when an effort has been made to abolish the navy yard at Charleston, I have made every effort to have it retained. I have joined in abolishing no navy yard like that at Charleston. The Senator will recall that several times efforts have been made to reduce the activities down there. I know full well that if we ever got into a war and Charleston Harbor had been closed, we would spend more in six months to bring it back than all it had cost up to that time.

Mr. BROOKHART. Then why does not the Senator join us, and we will start something to put South Carolina and Florida and that section of the country on the map?

Mr. SWANSON. When the time comes, the Senator from Iowa would vote against any increase for South Carolina, nine times out of ten, at least.

Mr. SMITH. Mr. President, I do not like to have the Charleston Navy Yard, in South Carolina, made conspicuous as being the only possible place where there could be a navy yard. There are as many facilities for navy yards and naval construction south of Hatteras as there are north of Hatteras. Why have they not been put in those places? Does any man on this floor believe that the defense of this country, and the necessity for maintaining our commerce, could best be served by putting within 500 miles every navy yard and dry dock the Government constructed? Does he believe that that was the result of calm, considerate judgment in reference to the best development of the country and its best defense?

Mr. FRAZIER. Mr. President, I think that if the Senator from South Carolina should ask any of the North Atlantic representatives, they would tell him that the North Atlantic States are the only part of the Union that is any good any way.

Mr. SMITH. Mr. President, the action to which I have referred seems indefensible. We can not get rid of the fact that it smacks of criminal neglect of the public welfare for private purposes. We know that, and if I am to commit myself to a broad scheme of national defense, it must not be such as to indicate that I have been a party to a certain section's benefit, without an adequate return to the entire American people.

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

Mr. SMITH. I yield.

Mr. WHEELER. Does the Senator think that if we are going to have war with England, as several gentlemen have intimated, we made a very serious mistake when we did not fortify all the boundary line along North Dakota and Montana and Washington, and the rest of those Northern States, against Canada?

Mr. SMITH. I am predicating what I say upon the basis that the argument and the contention for these cruisers has been founded on the necessity for the protection in time of war of our merchant marine and our exports and imports on the seas, and also to provide an adequate defense in case of war or emergency. I am taking that broad ground. What are the facts? The facts are that we are still continuing to congest all of our activities in a little bight of the coast 500 miles long, leaving 4,000 miles absolutely defenseless, without any facility whatsoever for taking care of this huge sum of money we are going to put into these cruisers, sending them out on the high seas, the South Atlantic, the Gulf of Mexico, the Caribbean, the very gateway of all of our oriental commerce in those waters. We are to send them out, and in case of any accident allow them to limp around or be towed thousands of miles to very inconvenient places.

Mr. FRAZIER. Mr. President, they are also neglecting 3,000 miles of international boundary between Canada and the United States, are they not?

Mr. SMITH. We are talking about cruisers; we are talking about water defense; and I am not taking cognizance of the land forces. I am talking about the absurd position in which this Congress and the preceding Congresses have put themselves, when a party called a national party and standing for equal national defense congests in one little bight of the coast all those facilities.

Mr. BROOKHART. Mr. President, I want to call the Senator's attention to the fact that in that respect the Republican Party has been about as generous to the North as to the South, because we have over a thousand miles of water front along the border of Canada, with not even a motor boat to protect it, and we have had it that way for considerably over a hundred years. We have more commerce going through the Sault Ste. Marie Canal than goes through either the Suez or the Panama Canal, and, as I recollect it, it is twice as much as goes through both of them, or something like that. So the Republican Party have not been very generous toward the North, too; they have spent no money there.

Mr. SMITH. Oh, when it comes to a question of millions of dollars, they become cannibalistic; they eat themselves, as they did when that was a sparsely settled territory.

I am simply calling attention to the absurd position in which we find ourselves, boasting of our desire to adequately defend our country, boasting of the fact, and I agree that we ought to do what is proper for our defense. It is our duty, as Senators and Representatives, to see that our country, with its vast wealth, its unlimited opportunities, shall not be offered as a temptation to any nation or nations of the earth, that step by step with our development should go, *pari passu*, our defense arrangements.

Mr. President, I shall vote for measures looking to proper defense. I believe that we have no right to leave unprotected the priceless treasures of this Nation, not only our resources, but our form of government. I shall vote to do it. But I will not vote to make a laughing stock of the manner in which we go out to do it, and to put all of our efforts in one little isolated community, and leave the great sweep of our coast without a single facility for adequate defense.

Mr. President, I am not feeling well, and had no business to-day attempting to call attention to these absurdities right at our doors. On Monday, if I have an opportunity, I want to call attention to the fact which all must recognize, that the great Mississippi River, starting with our inland seas, bisects our Continent, and pours into the Gulf of Mexico, the greatest waterway on earth. Yet nowhere around is any facility for the development of commerce, or for the protection of the commerce that would come down naturally and ultimately will come down the Mississippi and the Mississippi Valley to the South Atlantic and Gulf ports, because, as the population gets denser and we get more standardized, and the struggle for existence gets sharper, this absurd thing of carrying across country and over mountains and up and down grades the commerce of the valley will cease, and all of these people will take advantage of that great waterway, and this will be the great commercial export and import center of this country. It is the natural logic of physical conditions.

I will continue, if I have an opportunity, on Monday, with a vast amount of details which I want to bring out before I shall have closed what I have to say.

Mr. TYSON. Mr. President, the hour is very late, and I give notice that on Monday, at the convening of the Senate, I shall address myself to the pending cruiser bill.

Mr. JONES. Mr. President, some Senators construe the unanimous-consent agreement, which was entered into with reference to the bill, to preclude the consideration after 4 o'clock of any amendment except the amendments then pending. I think it ought to be understood that the unanimous-consent agreement would permit the discussion under the 10-minute rule of any amendment that may be proposed before 4 o'clock. But in view of the difference of opinion, some Senators have asked that the unanimous-consent agreement may be modified so that amendments offered before 4 o'clock, even though they may not be technically pending, may be considered after 4 o'clock under the 10-minute limit. I understand under the rule that, in order to modify the unanimous agreement, I must give one day's notice, so I propose to give the notice and I shall ask that the matter come up on Monday.

The PRESIDING OFFICER (Mr. McNARY in the chair). The Chair will state to the Senator from Washington that that rule applies only when there is a definite time set for a vote, but not where there is merely a limitation of debate.

Mr. JONES. Then I ask that the proposed modification of the unanimous-consent agreement may be read.

The PRESIDING OFFICER. The proposed modification of the unanimous-consent agreement will be read.

The CHIEF CLERK. It is proposed to modify the unanimous-consent agreement by providing that amendments introduced before 4 o'clock shall be treated as pending at and after 4 o'clock.

The PRESIDING OFFICER. Is there objection to the proposed modification?

Mr. BRUCE. Mr. President, I do not understand the proposal. Is it the idea that amendments may be offered after 4

o'clock and that then there will be time allowed to consider and discuss them?

Mr. JONES. No; it is proposed that amendments may be offered before 4 o'clock and, even though they may not be actually pending, that they may be considered after 4 o'clock under the 10-minute rule. No amendment may be proposed after 4 o'clock.

Mr. BURTON. Mr. President, will the Senator from Washington yield?

Mr. JONES. I yield.

Mr. BURTON. I should like to ask what is to be done in this situation. Suppose an amendment is proposed before 4 o'clock which, if successful, would necessitate the introduction of another amendment or, if defeated, would make it desirable to introduce another amendment. What would be done in that case. Would such an amendment be entirely excluded from consideration?

Mr. JONES. They would be excluded under the unanimous consent agreement already made.

Mr. NORRIS. Mr. President, I would like to make a suggestion to the Senator. It will be a physical impossibility for more than one amendment to be pending at the same time. Everybody concedes that. An amendment pending at 4 o'clock, if every Senator took advantage of the 10-minute rule, might prohibit or prevent any other amendment from being offered. The Senator from Ohio has very well suggested that some amendment may be agreed to that would make necessary some other change in another amendment. I think we ought to modify the agreement by striking out the words "and no amendment shall be proposed after 4 o'clock p. m. on said day."

Mr. SWANSON. Mr. President, I do not see how a unanimous-consent agreement can be altered at this hour by unanimous consent. A great many Senators who agreed to the unanimous consent agreement are not here now. It can be done Monday, but I would object until Monday when more Senators will be present.

Mr. NORRIS. I have no objection to taking it up Monday, but it is perfectly apparent that we can not offer an amendment when one is pending. I suppose the Senator's change would make all amendments that have now been offered and that are printed possible of consideration under the rule. Is that the intention?

Mr. JONES. All that may be offered before 4 o'clock.

Mr. NORRIS. For instance, I offered an amendment the other day, but it is not a pending amendment.

Mr. JONES. No; but it would be under my proposal.

Mr. NORRIS. I would not want to be prevented from offering that amendment. We are liable to get into the very difficulty which the Senator from Ohio has suggested. It is not going to hurt anyone if we take that clause out. I suppose if that had been suggested the other day the Senator from Kansas [Mr. CURTIS] would have willingly taken that language from his proposed agreement.

Mr. HALE. Mr. President, I would like to hear what the proposal is. I was not in the Chamber when it was read.

Mr. JONES. I gave notice that on Monday I would propose to modify the unanimous-consent agreement. I had not looked at the rule and I had the impression that notice had to be given to modify the unanimous-consent agreement, but the Chair says that I am in error. My proposal was simply to provide that amendments which may be offered before 4 o'clock may be treated as pending.

Mr. HALE. I think that was the intention of the agreement.

Mr. JONES. I think so myself. Of course, the situation suggested by the Senator from Ohio is liable to arise, that we might have an amendment proposed before 4 o'clock which would have to be amended itself, but, under the unanimous-consent agreement, such an amendment to that amendment could not be proposed after 4 o'clock.

Mr. SWANSON. My recollection is that the unanimous-consent agreement provides that no amendments are to be proposed after a certain hour, when the debate is limited to 10 minutes. I think the Senator from Nebraska has usually insisted on that, and I think very properly so. For instance, a Senator might come here with a surprise amendment which no one had ever heard or thought of, and had no opportunity to discuss, and we might be forced to vote on it without any opportunity to consider it.

Mr. NORRIS. It could not be done under this unanimous-consent agreement because debate is allowed.

Mr. SWANSON. It does not give much time to discuss such an amendment fully. We had one case, I remember, where an amendment was brought in and everybody knew very little about it, and as a consequence of that incident we have usually put into such agreements such a provision as the Senator has now suggested. I do not remember definitely the occasion of which I

speaking. I think the Senator from Nebraska usually insisted on this provision more than anyone else, and I agreed with him.

Mr. NORRIS. The Senator is partially mistaken. I have always insisted that instead of limiting debate absolutely we should cut down the length of the speeches and let the debate terminate itself.

Mr. SWANSON. I am not willing to have an amendment brought in here after 4 o'clock by surprise when nobody knows anything about it.

Mr. NORRIS. Nobody wants it to be done.

Mr. SWANSON. Then what is the suggestion?

Mr. NORRIS. My suggestion to the Senator from Washington was to meet the very logical objection of the Senator from Ohio by striking out the last clause in the unanimous-consent agreement.

Mr. SWANSON. Then we could debate any amendment we please, but we could not speak more than 10 minutes on it?

Mr. NORRIS. Yes.

Mr. SWANSON. I have no objection to modifying it so that it is clearly the intention that any amendment to an amendment can be offered after 4 o'clock.

Mr. NORRIS. That would take care of it. That would obviate the difficulty to a great extent.

Mr. SWANSON. I suggest that we let it go over until Monday.

Mr. JONES. Very well; there is no hurry about it.

The PRESIDING OFFICER. The proposed modification of the unanimous-consent agreement will lie on the table until Monday.

DEFORESTED AMERICA (S. DOC. NO. 216)

Mr. CAPPER. Mr. President, I have a very valuable paper here entitled "Deforested America," by Maj. George P. Ahern. It contains very valuable information as to the problem of deforestation in this country, and I ask unanimous consent that it be printed as a Senate document.

The PRESIDING OFFICER. Without objection, it is so ordered.

INDEPENDENT OFFICES APPROPRIATIONS

The PRESIDING OFFICER laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 16301) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1930, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. WARREN. I move that the Senate insist on its amendments, agree to the conference asked by the House, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. WARREN, Mr. SMOOT, Mr. JONES, Mr. OVERMAN, and Mr. GLASS conferees on the part of the Senate.

THE TARIFF

The PRESIDING OFFICER laid before the Senate the following concurrent resolution from the House of Representatives (H. Con. Res. 48), which was read:

Resolved, etc., That, in accordance with paragraph 3 of section 2 of the printing act approved March 1, 1907, the Committee on Ways and Means of the House of Representatives be, and is hereby, empowered to have printed 2,500 additional copies of the consolidated hearings held before the committee relative to "Tariff readjustment, 1929" during the current session.

Mr. SHIPSTEAD. Mr. President, I ask unanimous consent for the immediate consideration of the concurrent resolution.

The PRESIDING OFFICER. Is there objection?

Mr. ROBINSON of Arkansas. Have the hearings been printed?

Mr. SHIPSTEAD. The concurrent resolution relates to the hearings up to date. It has just come over from the House, with an urgent request that it be passed immediately.

Mr. ROBINSON of Arkansas. I have no objection to the consideration of the concurrent resolution.

The concurrent resolution was considered and agreed to.

WAR DEPARTMENT APPROPRIATIONS

Mr. REED of Pennsylvania. Mr. President, the hour is very late, and I know that Senators do not want to stay here for a long consideration of the Army appropriation bill. It was my thought, however, that we might take it up and dispose of some of the amendments upon which there is no question whatever. If the Senate will permit us to spend 10 or 15 minutes in the consideration of the bill, I will agree to postpone consideration of any amendment about which there may be question, or to go back on Monday, when we take the bill up again, and have

reconsidered any amendment which any Senator may then object to. I think with that understanding there can be no prejudice to anyone in acting on any amendment to-day.

I ask unanimous consent that the unfinished business may be temporarily laid aside, and that the Senate proceed to the consideration of House bill 15712, making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1930, and for other purposes.

Mr. GEORGE. Mr. President, I understand that the Senator would not ask for the passage of the bill this afternoon, even though we should finish the amendments?

Mr. REED of Pennsylvania. Oh, no. I shall ask that we postpone consideration of amendments to which I know there is objection, and on Monday or Tuesday, or whenever we take the bill up again, I shall agree, at the request of any Senator, to ask for a reconsideration of any action taken to-day.

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

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 15712) making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1930, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. REED of Pennsylvania. I ask unanimous consent that the formal reading of the bill be dispensed with, and that the bill first be read for action on the committee amendments.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. REED of Pennsylvania. I ask also that the secretary may be authorized to correct the totals at the conclusion of the consideration of the bill.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will proceed to read the bill.

The Chief Clerk proceeded to read the bill.

The first amendment of the Committee on Appropriations was, under the subhead "Contingencies of the Army," on page 7, line 5, after the word "proper," to strike out "and for examination of estimates of appropriations in the field, \$12,000" and insert "\$10,000," so as to read:

For all contingent expenses of the Army not otherwise provided for and embracing all branches of the military service, including the office of the Chief of Staff; for all emergencies and extraordinary expenses, including the employment of translators and exclusive of all other personal services in the War Department or any of its subordinate bureaus or offices in the District of Columbia, or in the Army at large, but impossible to be anticipated or classified, to be expended on the approval or authority of the Secretary of War, and for such purposes as he may deem proper, \$10,000.

The amendment was agreed to.

The next amendment was, under the subhead, "General Staff Corps—Contingencies, Military Intelligence Division," on page 8, line 3, after the word "information," to strike out "\$55,000" and insert "\$62,480," so as to read:

For contingent expenses of the Military Intelligence Division, General Staff Corps, and of the military attachés at the United States embassies and legations abroad, including the purchase of law books, professional books of reference, and subscriptions to newspapers and periodicals; for cost of maintenance of students and attachés; for the hire of interpreters, special agents, and guides, and for such other purposes as the Secretary of War may deem proper, including \$5,000 for the actual and necessary expenses of officers of the Army on duty abroad for the purpose of observing operations of armies of foreign states at war, to be paid upon certificates of the Secretary of War that the expenditures were necessary for obtaining military information, \$62,480, to be expended under the direction of the Secretary of War.

The amendment was agreed to.

The next amendment was, on page 10, after line 5, to insert:

JUDGE ADVOCATE GENERAL'S DEPARTMENT

OFFICE OF THE JUDGE ADVOCATE GENERAL

Settlement of War Claims, act of 1928: For every expenditure requisite for and incident to the work of the War Department in connection with the settlement of war claims as authorized by the act entitled "An act to provide for the settlement of certain claims of American nationals against Germany, Austria, and Hungary, and of nationals of Germany, Austria, and Hungary, against the United States and for the ultimate return of all property held by the Alien Property Custodian," approved March 10, 1928, including the authorized traveling expenses of commissioned officers and other employees, rent in the District of Columbia and in foreign countries, the employment of personal services in the District of Columbia and elsewhere, without regard to the civil service laws and regulations or to the classification act of 1923, as amended, printing, binding, photographing, stationery,

office supplies and equipment, and such other expenses as may be necessary and proper for carrying out the provisions of the act herein referred to, \$100,000, together with the unexpended balance of the appropriation of \$160,000 made for this purpose in the second deficiency act, fiscal year 1928, approved May 29, 1928.

The amendment was agreed to.

The next amendment was, under the subhead "Finance Department—Pay, etc., of the Army," on page 11, line 7, before the word "pay," to insert "pay of officers, National Guard, \$100"; in line 13, before the word "aviation," to insert "pay of enlisted men of National Guard, \$100"; and on page 12, line 5, after the word "available," to strike out "\$6,611,033" and insert "\$6,636,033," so as to read:

For pay of officers of the line and staff, \$32,082,469; pay of officers, National Guard, \$100; pay of warrant officers, \$2,053,872; aviation increase to commissioned and warrant officers of the Army, \$1,585,508; additional pay to officers for length of service, \$8,626,302; pay of enlisted men of the line and staff, not including the Philippine Scouts, \$51,410,547; pay of enlisted men of National Guard, \$100; aviation increase to enlisted men of the Army, \$528,210; pay of enlisted men of the Philippine Scouts, \$1,040,390; additional pay for length of service to enlisted men, \$3,049,453; pay of the officers on the retired list, \$7,749,121; increased pay to retired officers on active duty, \$168,650; pay of retired enlisted men, \$11,484,253; increased pay and allowances of retired enlisted men on active duty, \$6,152; pay of retired pay clerks, \$5,062; pay of retired veterinarians, \$1,785; pay of not to exceed 65 civil-service messengers at \$1,200 each at headquarters of the several Territorial departments, corps areas, Army and corps headquarters, Territorial districts, tactical divisions and brigades, service schools, camps, and ports of embarkation and debarkation, \$77,340; pay and allowances of contract surgeons, \$51,756; pay of nurses, \$850,660; pay of hospital matrons, \$600; rental allowances, including allowances for quarters for enlisted men on duty where public quarters are not available, \$6,636,033.

The amendment was agreed to.

The next amendment was, on page 12, line 15, after the word "mounts," to strike out "\$210,000" and insert "\$250,000," so as to read:

additional pay to officers below the grade of major required to be mounted and who furnish their own mounts, \$250,000.

The amendment was agreed to.

The next amendment was, on page 12, line 16, after the words "in all," to change the appropriation for pay, etc., of the Army from \$133,550,368 to "\$136,615,568."

Mr. REED of Pennsylvania. Mr. President, that is a misprint, and therefore I move to amend the committee amendment to make it read "\$133,615,538."

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 12, line 16, amend the committee amendment by striking out "\$136,615,568" and inserting in lieu thereof "\$133,615,538."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment of the Committee on Appropriations was, on page 12, line 18, after the word "fund," to strike out the colon and the following provisos:

Provided, That the number of horses owned by any officer of the Army occasioning any public expense, including extra compensation, shall be reduced to one on July 1, 1929, and no appropriation contained in this act shall be available for any expense on account of a Government-owned horse used by any officer who has a privately owned mount occasioning public expense, including extra compensation, except in the case of an officer serving with troops whose privately owned mount may be sick or injured, and except in the case of an officer away from his regular post of duty: *Provided further*, That during the fiscal year 1930 the sum herein appropriated for pay of officers shall not be available for the pay of any persons initially appointed or commissioned in any of the promotion-list branches of the Regular Army after June 30, 1929, except (1) from graduates of the United States Military Academy, (2) from warrant officers and enlisted men of the Regular Army, and (3) persons appointed or commissioned in accordance with law in the Army Air Corps.

The amendment was agreed to.

The next amendment was, under the subhead "Expenses of courts-martial," on page 14, line 13, before the word "and," to insert "retiring boards" so as to read:

For expenses of courts-martial, courts of inquiry, military commissions, retiring boards, and compensation of reporters and witnesses attending same, contract stenographic reporting services and expenses of taking depositions and securing other evidence for use before the same, \$80,000.

The amendment was agreed to.

The next amendment was, on page 14, line 21, after the word "than," to strike out "\$25" and insert "\$50," and on page 15,

at the end of line 3, to strike out "\$110,000" and insert "\$170,000," so as to read:

APPREHENSION OF DESERTERS, ETC.

For the apprehension, securing, and delivering of soldiers absent without leave and of deserters, including escaped military prisoners, and the expenses incident to their pursuit; and no greater sum than \$50 for each deserter or escaped military prisoner shall, in the discretion of the Secretary of War, be paid to any civil officer or citizen for such services and expenses; for a donation of \$10 to each prisoner discharged otherwise than honorably upon his release from confinement under court-martial sentence involving dishonorable discharge, \$170,000.

The amendment was agreed to.

The next amendment was, under the subhead "Quartermaster Corps," on page 19, line 16, after the word "reports," to strike out "\$9,945,194" and insert "\$10,069,129," so as to read:

Regular supplies of the Army: Regular supplies of the Quartermaster Corps, including their care and protection; stoves required for the use of the Army for heating offices, hospitals, barracks, and quarters, and recruiting stations, and United States disciplinary barracks; also ranges, stoves, coffee roasters, and appliances for cooking and serving food at posts in the field and when traveling, and repair and maintenance of such heating and cooking appliances; authorized issues of candles and matches; for furnishing heat and light for the authorized allowance of quarters for officers, enlisted men, and warrant officers, including retired enlisted men when ordered to active duty, contract surgeons when stationed at and occupying public quarters at military posts, officers of the National Guard attending service and garrison schools, and for recruits, guards, hospitals, storehouses, offices, the buildings erected at private cost, in the operation of the act approved May 31, 1902 (U. S. C. p. 219, sec. 1346), and buildings for a similar purpose on military reservations authorized by War Department regulations; for sale to officers, and including also fuel and engine supplies required in the operation of modern batteries at established posts; for post bakery and bake-oven equipment and apparatus; for ice for issue to organizations of enlisted men and offices at such places as the Secretary of War may determine, and for preservation of stores; authorized issues of soap, toilet paper, and towels; for the necessary furniture, textbooks, paper, and equipment for the post schools and libraries, and for schools for noncommissioned officers; for the purchase and issue of instruments, office furniture, stationery, and other authorized articles for the use of officers' schools at the several military posts; for purchase of commercial newspapers, market reports, etc.; for the tableware and mess furniture for kitchens and mess halls, each and all for the enlisted men, including recruits; for forage, salt, and vinegar for the horses, mules, oxen, and other draft and riding animals of the Quartermaster Corps at the several posts and stations and with the armies in the field, for the horses of the several regiments of Cavalry and batteries of Artillery and such companies of Infantry and Scouts as may be mounted, and for remounts and for the authorized number of officers' horses, including bedding for the animals; for seeds and implements required for the raising of forage at remount depots and on military reservations in the Hawaiian, Philippine, and Panama Canal Departments, and for labor and expenses incident thereto, including, when specifically authorized by the Secretary of War, the cost of irrigation; for the purchase of implements and hire of labor for harvesting hay on military reservations; for straw for soldiers' bedding, stationery, typewriters and exchange of same, including blank books and blank forms for the Army, certificates for discharged soldiers, and for printing department orders and reports, \$10,069,129, of which amount not exceeding \$3,000,000 shall be available immediately for the procurement of fuel for the service of the fiscal year 1930.

The amendment was agreed to.

The next amendment was, in the item for "Incidental expenses of the Army," on page 21, line 20, after the numerals "\$3,898,496," to strike out the colon and the following proviso:

Provided, That no appropriation contained in this act shall be available for any expense incident to the employment of a greater number of officers, enlisted men, or civilian employees in connection with work incident to the assurance of adequate provision for the mobilization of matériel and industrial organizations essential to war-time needs than were so employed during the fiscal year ending June 30, 1929.

The amendment was agreed to.

The next amendment was, on page 23, line 13, after the words "in all," to change the amount of the appropriation for Army transportation from \$16,802,731 to \$16,843,882.

The amendment was agreed to.

The next amendment was, on page 23, line 21, after the word "for," to strike out "transportation of" and insert "transporting children of Army personnel to and from school, and," so as to read:

No money appropriated by this act shall be expended for the hire, operation, maintenance, or repair of any motor-propelled vehicle which shall be employed wholly or in part for personal, social, or similar use,

except such use as is prescribed by order for transporting children of Army personnel to and from school, and Army personnel in connection with the recreational activities of the Army.

The amendment was agreed to.

The next amendment was, under the subhead "Horses for Cavalry, Artillery, Engineers, etc.," on page 24, at the end of line 25, to strike out "\$397,500" and insert "\$480,000," so as to read:

For the purchase of horses within limits as to age, sex, and size to be prescribed by the Secretary of War for remounts for officers entitled to public mounts, for the United States Military Academy, and for such organizations and members of the military service as may be required to be mounted, and for all expenses incident to such purchases (including \$150,000 for encouragement of the breeding of riding horses suitable for the Army, in cooperation with the Bureau of Animal Industry, Department of Agriculture, including the purchase of animals for breeding purposes and their maintenance), \$480,000.

The amendment was agreed to.

The next amendment was, under the subhead "Military posts," on page 26, line 3, after the word "made," to insert a colon and the following proviso:

Provided further, That no part of the sums appropriated or authorized to be contracted for in this paragraph shall be available for construction at Scott Field, Ill.

Mr. REED of Pennsylvania. Mr. President, I ask that the consideration of this amendment may be deferred.

The PRESIDING OFFICER. It will be deferred.

The next amendment of the Committee on Appropriations was, under the subhead "Barracks and quarters and other buildings and utilities," on page 26, line 24, after the word "sewage," to strike out "\$11,648,041" and insert "\$11,650,784," so as to read:

For all expenses incident to the construction, installation, operation, and maintenance of buildings, utilities, appurtenances, and accessories necessary for the shelter, protection, and accommodation of the Army and its personnel and property, where not specifically provided for in other appropriations, including personal services, purchase and repair of furniture for quarters for officers, warrant officers, and noncommissioned officers, and officers' messes and wall lockers and refrigerators for Government-owned buildings as may be approved by the Secretary of War, care and improvement of grounds, flooring and framing for tents, rental of buildings and grounds for military purposes and lodgings for recruits and applicants for enlistment, water supply, sewer and fire-alarm systems, fire apparatus, roads, walks, wharves, drainage, dredging channels, purchase of water, and disposal of sewage, \$11,650,784;

The amendment was agreed to.

The next amendment was, on page 26, line 24, to strike out the following proviso:

Provided, That not more than 19 procurement-planning offices may be maintained during the fiscal year 1930, and not more than 1 such office may be maintained in any city. Where space was occupied in a public building on December 31, 1928, wholly or in part for procurement-planning work, no appropriation contained in this act shall be available for renting space for procurement-planning work in a city where such public space was so occupied:

The amendment was agreed to.

The next amendment was, under the subhead "Air Corps, Army," on page 34, line 16, after the word "aircraft," to strike out "\$33,359,409" and insert "\$36,239,643," so as to read:

For creating, maintaining, and operating at established flying schools and balloon-school courses of instruction for officers, students, and enlisted men, etc., \$36,239,643.

Mr. REED of Pennsylvania. I ask that the consideration of this amendment may be deferred.

The PRESIDING OFFICER. It will be deferred.

The next amendment was, on page 34, line 24, after the word "or," to strike out "lighter-than-air craft" and insert "observation balloons"; on page 35, line 3, after the word "exceeding," to strike out "\$3,267,000" and insert "\$3,848,376"; and in line 7, after the word "than," to strike out "\$17,439,280" and insert "\$19,738,138," so as to make the proviso read:

Provided, That not to exceed \$3,026,199 from this appropriation may be expended for pay and expenses of civilian employees other than those employed in experimental and research work; not exceeding \$50,000 may be expended for the procurement of helium, of which sum such amounts as may be required may be transferred in advance to the Bureau of Mines; not exceeding \$2,255,930 may be expended for experimental and research work with airplanes or observation balloons and their equipment, including the pay of necessary civilian employees; no part thereof may be expended for the production of lighter-than-air equipment; not exceeding \$3,848,376 may be expended

for improvement of stations, hangars, and gas plants for the Regular Army and for such other markings and fuel-supply stations and temporary shelter as may be necessary; not less than \$19,738,138 shall be expended for the production or purchase of new airplanes and their equipment, spare parts, and accessories, of which not to exceed \$2,250,000 shall be available for the payment of obligations incurred under the contract authorization for these purposes carried in the War Department appropriation acts for the fiscal year 1928 and 1929; and not more than \$6,000 may be expended for settlement of claims (not exceeding \$250 each) for damages to persons and private property resulting from the operation of aircraft at home and abroad when each claim is substantiated by a survey report of a board of officers appointed by the commanding officer of the nearest aviation post and approved by the Chief of Air Corps and the Secretary of War.

The amendment was agreed to.

The next amendment was, on page 36, line 13, after the word "purchase," to strike out the comma and "maintenance, repair, or upkeep of any airplane acquired after July 1, 1929," and insert "of any airplane ordered after the approval of this act," so as to make the further proviso read:

Provided further, That none of the money appropriated in this act shall be used for the purchase of any airplane ordered after the approval of this act which is equipped or propelled by a Liberty motor or by any motor or airplane engine purchased or constructed prior to July 1, 1920.

The amendment was agreed to.

The next amendment was, under the subhead "Medical and Hospital Department," on page 38, line 11, after the name "Medical Department," to strike out "\$1,246,571" and insert "\$1,265,000," so as to read:

For the manufacture and purchase of medical and hospital supplies, including disinfectants, for military posts, camps, hospitals, hospital ships and transports, for laundry work for enlisted men and Army nurses while patients in a hospital, and supplies required for mosquito destruction in and about military posts in the Canal Zone; for the purchase of veterinary supplies and hire of veterinary surgeons; for expenses of medical supply depots; for medical care and treatment not otherwise provided for, including care and subsistence in private hospitals of officers, enlisted men, and civilian employees of the Army, of applicants for enlistment, and of prisoners of war and other persons in military custody or confinement, when entitled thereto by law, regulation or contract: *Provided,* That this shall not apply to officers and enlisted men who are treated in private hospitals or by civilian physicians while on furlough; for the proper care and treatment of epidemic and contagious diseases in the Army or at military posts or stations, including measures to prevent the spread thereof, and the payment of reasonable damages not otherwise provided for for bedding and clothing injured or destroyed in such prevention; for the pay of male and female nurses, not including the Army Nurse Corps, and of cooks and other civilians employed for the proper care of sick officers and soldiers, under such regulations fixing their number, qualifications, assignments, pay, and allowances as shall have been or shall be prescribed by the Secretary of War; for the pay of civilian physicians employed to examine physically applicants for enlistment and enlisted men and to render other professional services from time to time under proper authority; for the pay of other employees of the Medical Department; for the payment of express companies and local transfers employed directly by the Medical Department for the transportation of medical and hospital supplies, including bidders' samples and water for analysis; for supplies for use in teaching the art of cooking to the enlisted force of the Medical Department; for the supply of the Army and Navy Hospital at Hot Springs, Ark.; for advertising, laundry, and all other necessary miscellaneous expenses of the Medical Department, \$1,265,000.

The amendment was agreed to.

The next amendment was, on page 38, line 14, after the name "Germany," to strike out the colon and the following additional proviso:

Provided further, That civilian employees of the Army shall be required to pay not less than cost prices for Army medical supplies purchased by them pursuant to the provisions of the act approved April 23, 1904 (U. S. C. p. 215, sec. 1236.)

The amendment was agreed to.

The next amendment was, under the subhead "United States Military Academy—Pay of Military Academy," on page 47, line 24, after the numerals "\$4,000," to insert "constructing quartermaster in addition to his regular pay, \$1,000," and on page 48, at the end of line 2, to strike out "\$49,830" and insert "\$50,830," so as to read:

Permanent establishment: For eight professors, \$30,159; chaplain, \$4,000; constructing quartermaster in addition to his regular pay, \$1,000; additional pay of professors for length of service, \$11,579; subsistence allowance of professors, \$4,092; in all, \$50,830.

The amendment was agreed to.

The reading was continued to line 4, page 50.

Mr. REED of Pennsylvania. On page 50, line 2, there is a misprint in the date. The proper date is "February 18, 1928." I offer that amendment in behalf of the committee.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 50, line 2, strike out the numerals "28" and insert the numerals "18," so as to read "February 18, 1928."

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the subhead "Militia Bureau—National Guard—Arming, equipping, and training the National Guard," on page 51, line 13, to increase the appropriation for compensation of help for care of materials, animals, and equipment, from \$2,328,553 to \$2,453,375.

The amendment was agreed to.

The next amendment was, on page 51, at the end of line 18, to strike out "\$9,501,800" and insert "\$9,871,780," so as to read:

For expenses, camps of instruction, field and supplemental training, including medical and hospital treatment authorized by law, and the hire (at a rate not to exceed \$1 per diem), repair, maintenance, and operation of motor-propelled passenger-carrying vehicles, \$9,871,780.

The amendment was agreed to.

The next amendment was, on page 51, at the end of line 22, to strike out "\$317,500" and insert "\$375,000," so as to read:

For expenses, selected officers and enlisted men, military service schools, including medical and hospital treatment authorized by law, \$375,000.

The amendment was agreed to.

The next amendment was, on page 51, at the end of line 24, to strike out "\$79,500" and insert "\$122,200," so as to read:

For pay of property and disbursing officers for the United States, \$122,200.

The amendment was agreed to.

The next amendment was, on page 52, line 8, after the name "National Guard," to strike out "\$320,000" and insert "\$351,000," so as to read:

For travel of officers and noncommissioned officers of the Regular Army in connection with the National Guard, \$351,000: *Provided*, That not to exceed \$2,000 of this sum shall be expended for travel of officers of the War Department General Staff in connection with the National Guard.

The amendment was agreed to.

The next amendment was, on page 52, line 20, after the name "National Guard," to insert "and the appropriation for 'Arms, uniforms, equipment, etc., for field service, National Guard,'" so as to read:

When approved by the Secretary of War 10 per cent of each of the foregoing amounts under the appropriation for "Arming, equipping, and training the National Guard," and the appropriation for "Arms, uniforms, equipment, etc., for field service, National Guard," shall be available interchangeably for expenditure on the objects named, but no one item shall be increased by more than 10 per cent.

The amendment was agreed to.

The next amendment was, under the subhead, "Organized Reserves," on page 54, line 19, after the word "training," to strike out "\$2,635,623" and insert "\$2,845,966," so as to read:

Officers' Reserve Corps: For pay and allowances of members of the Officers' Reserve Corps on active duty for not exceeding 15 days' training, \$2,845,966.

The amendment was agreed to.

The next amendment was, on page 54, at the end of line 25, to strike out "\$473,577" and insert "\$506,557," so as to read:

For mileage, reimbursement of actual traveling expenses, or per diem allowances in lieu thereof as authorized by law, \$506,557.

The amendment was agreed to.

The next amendment was, on page 55, line 55, to change the total appropriation for the Officers' Reserve Corps from \$3,838,678 to \$4,082,001.

The amendment was agreed to.

The next amendment was, on page 56, line 3, after the word "exceed," to strike out "\$519,662" and insert "\$752,757"; in line 21, to strike out "\$1,656,351" and insert "\$2,396,561"; and in the same line, after the amount just inserted, to strike out the comma and "and in addition thereto there is hereby made available for this purpose the sum of \$224,750 of funds received during the fiscal year 1930 from the purchase by enlisted men of the Army of their discharges," so as to read:

Headquarters and camps: For establishment, maintenance, and operation of divisional and regimental headquarters and of camps for training of the Organized Reserves; for miscellaneous expenses incident to the administration of the Organized Reserves, including the maintenance and operation of motor-propelled passenger-carrying vehicles; for the actual and necessary expenses, or per diem in lieu thereof, at rates authorized by law, incurred by officers and enlisted men of the Regular Army traveling on duty in connection with the Organized Reserves; for reimbursement for the use, including upkeep and depreciation costs, of supplies, equipment, and matériel furnished in accordance with law from stocks under the control of the War Department, except that not to exceed \$752,757 of this appropriation shall be available for expenditure by the Chief of the Air Corps for the production and purchase of new airplanes and their equipment, spare parts, and accessories; for transportation of baggage, including packing and crating, of reserve officers on active duty for not less than six months; for medical and hospital treatment, continuation of pay and allowances not to exceed six months, and transportation when fit for travel to their homes of members of the Officers' Reserve Corps and Enlisted Reserve Corps of the Army injured in line of duty while on active duty under proper orders or while voluntarily participating in aerial flights in Government-owned aircraft by proper authority as an incident to their military training, and for the preparation and transportation to their homes and burial expenses of the remains of members of the Organized Reserves who die while on active duty, as provided in section 4 of the act of June 3, 1924 (U. S. C. p. 183, sec. 369; p. 185, secs. 451, 452; p. 186, secs. 453-455), \$2,396,561.

The amendment was agreed to.

The next amendment was, under the subhead "Citizens' Military Training, Reserve Officers' Training Corps," on page 59, after line 17, to strike out "for medical and hospital treatment, subsistence until furnished transportation, and transportation when fit for travel to their homes of members of the Reserve Officers' Training Corps injured in line of duty" and insert "for medical and hospital treatment until return to their homes and further medical treatment after arrival at their homes, subsistence during hospitalization and until furnished transportation to their homes, and transportation when fit for travel to their homes of members of the Reserve Officers' Training Corps who suffer personal injury in line of duty while en route to or from and," so as to read:

For the procurement, maintenance, and issue, under such regulations as may be prescribed by the Secretary of War, to institutions at which one or more units of the Reserve Officers' Training Corps are maintained, of such public animals, means of transportation, supplies, tentage, equipment, and uniforms as he may deem necessary, including cleaning and laundering of uniforms and clothing at camps; and to forage, at the expense of the United States, public animals so issued, and to pay commutation in lieu of uniforms at a rate to be fixed annually by the Secretary of War; for transporting said animals and other authorized supplies and equipment from place of issue to the several institutions and training camps and return of same to place of issue when necessary; for purchase of training manuals, including Government publications and blank forms; for the establishment and maintenance of camps for the further practical instruction of the members of the Reserve Officers' Training Corps, and for transporting members of such corps to and from such camps, and to subsist them while traveling to and from such camps and while remaining therein so far as appropriations will permit or, in lieu of transporting them to and from such camps and subsisting them while en route, to pay them travel allowance at the rate of 5 cents per mile for the distance by the shortest usually traveled route from the places from which they are authorized to proceed to the camp and for the return travel thereto, and to pay the return travel pay in advance of the actual performance of the travel; for reimbursement for the use, including upkeep and depreciation costs, of supplies, equipment, and matériel furnished in accordance with law from stocks under the control of the War Department; for pay for students attending advanced camps at the rate prescribed for soldiers of the seventh grade of the Regular Army; for the payment of commutation of subsistence to members of the senior division of the Reserve Officers' Training Corps, at a rate not exceeding the cost of the garrison ration prescribed for the Army, as authorized in the act approved June 3, 1916, as amended by the act approved June 4, 1920 (U. S. C. 184, sec. 387); for medical and hospital treatment until return to their homes and further medical treatment after arrival at their homes, subsistence during hospitalization and until furnished transportation to their homes, and transportation when fit for travel to their homes of members of the Reserve Officers' Training Corps who suffer personal injury in line of duty while en route to or from and while at camps of instruction under the provisions of section 47a of the national defense act approved June 3, 1916, as amended (U. S. C. 185, sec. 441); and for the cost of preparation and transportation to their homes and burial expenses of the remains of members of the Reserve Officers' Training Corps who die while attending camps of

instruction as provided in section 4 of the act approved June 3, 1924 (U. S. C. 186, sec. 455); and for the cost of maintenance, repair, and operation of passenger-carrying vehicles, \$2,667,917:

The amendment was agreed to.

The next amendment was, under the subhead "Citizens' Military Training Camps," on page 62, line 18, after the words "blank forms," to strike out "for medical and hospital treatment, subsistence until furnished transportation, and when fit for travel, travel allowances at 5 cents per mile to their homes of members of the citizens' military training camps injured in line of duty while attending" and insert "for medical and hospital treatment until return to their homes, further medical treatment after arrival at their homes, subsistence during hospitalization, and, when fit for travel, travel allowances at 5 cents per mile to their homes of members of the citizens' military training camps injured in line of duty while en route to or from and while at," so as to read:

For furnishing, at the expense of the United States, to warrant officers, enlisted men, and civilians attending training camps maintained under the provisions of section 47d of the national defense act of June 3, 1916, as amended by the act of June 4, 1920 (U. S. C. 185, sec. 442), uniforms, including altering, fitting, washing, and cleaning when necessary, subsistence, and transportation, or in lieu of such transportation and of subsistence for travel to and from camps travel allowances at 5 cents per mile, as prescribed in said section 47d; for such expenditures as are authorized by said section 47d as may be necessary for the establishment and maintenance of said camps, including recruiting and advertising therefor, and the cost of maintenance, repair, and operation of passenger-carrying vehicles; for reimbursement for the use, including upkeep and depreciation costs, of supplies, equipment, and matériel furnished in accordance with law from stocks under the control of the War Department; for gymnasium and athletic supplies (not exceeding \$15,000); for mileage, reimbursement of traveling expenses, or allowance in lieu thereof as authorized by law, for officers of the Regular Army and Organized Reserves, traveling on duty in connection with citizens' military training camps; for purchase of training manuals, including Government publications and blank forms; for medical and hospital treatment until return to their homes, further medical treatment after arrival at their homes, subsistence during hospitalization, and, when fit for travel, travel allowances at 5 cents per mile to their homes of members of the citizens' military training camps injured in line of duty while en route to or from and while at camps of instruction under the provisions of section 47a and section 47d of the national defense act approved June 3, 1916 (U. S. C. 185, secs. 441, 442), as amended, and for the cost of preparation and transportation to their homes and burial expenses of the remains of civilians who die while attending camps of instruction, as provided in section 4 of the act approved June 3, 1924 (43 Stat. 365); in all, \$2,742,158.

The amendment was agreed to.

The next amendment was, under the subhead "Ordnance equipment for rifle ranges for civilian instruction," on page 65, line 22, after the word "law" to strike out "\$123,750, and, in addition, not to exceed \$75,250 of funds received during the fiscal year 1930 from the purchase by enlisted men of their discharges" and insert "\$209,000," so as to read:

For arms, ammunition, targets, and other accessories for target practice, for issue and sale in accordance with rules and regulations prescribed by the National Board for the Promotion of Rifle Practice and approved by the Secretary of War, in connection with the encouragement of rifle practice, in pursuance of the provisions of law, \$209,000.

The amendment was agreed to.

The next amendment was, under the subhead "Shiloh National Military Park," on page 73, line 2, after the numerals "\$35,000," to insert a semicolon and "for repairs of roads, \$23,750; in all, \$58,750," so as to read:

For continuing the establishment of the park; compensation of superintendent of the park; clerical and other services; labor; historical tablets; maps and surveys; roads; purchase and transportation of supplies, implements, and materials; foundations for monuments; office and other necessary expenses, including maintenance, repair, and operation of one motor-propelled passenger-carrying vehicle, \$35,000; for repairs of roads, \$23,750; in all, \$58,750.

The amendment was agreed to.

The next amendment was, under the subhead "National monuments," on page 74, line 13, after the words "Tomb of the Unknown Soldier," to strike out "For payment of the cost of the accepted design, including all working drawings, for completing the Tomb of the Unknown Soldier in the Arlington National Cemetery, as authorized by the public resolution approved July 3, 1926 (44 Stat. 914-915), \$3,500" and insert "For every expenditure requisite for or incident to the pay-

ment of the cost of the accepted design, including all working drawings and supervision of erection, and cost of the memorial, for completing the Tomb of the Unknown Soldier in the Arlington National Cemetery, as authorized by the public resolution approved July 3, 1926 (44 Stat. 914-915), \$47,500, to remain available until expended: *Provided*, That in carrying into effect the provisions of said public resolution the Secretary of War is authorized to do all the things necessary to accomplish this purpose, by contract, with or without advertising, under such conditions as he may prescribe, including the engagement, by contract, of services of such architects, sculptors, artists, or firms or partnerships thereof, and other technical and professional personnel as he may deem necessary without regard to civil-service requirements and restrictions of law governing the employment and compensation of employees of the United States," so as to read:

Tomb of the Unknown Soldier: For every expenditure requisite for or incident to the payment of the cost of the accepted design, including all working drawings and supervision of erection, and cost of the memorial, for completing the Tomb of the Unknown Soldier in the Arlington National Cemetery, as authorized by the public resolution approved July 3, 1926 (44 Stat. 914-915), \$47,500, to remain available until expended: *Provided*, That in carrying into effect the provisions of said public resolution the Secretary of War is authorized to do all the things necessary to accomplish this purpose, by contract, with or without advertising, under such conditions as he may prescribe, including the engagement, by contract, of services of such architects, sculptors, artists, or firms or partnerships thereof, and other technical and professional personnel as he may deem necessary without regard to civil-service requirements and restrictions of law governing the employment and compensation of employees of the United States, and when an appropriation shall have been made therefor, there may be constructed, in accordance with detailed plans and estimates to be prepared under the direction of the Secretary of War, approaches and surroundings, approximately 480 feet by 220 feet, together with the necessary adjacent roadways, to the Tomb of the Unknown Soldier, in the Arlington National Cemetery, Va., all to be in harmony with design for the Tomb of the Unknown Soldier accepted by the Secretary of War and approved by the Arlington Cemetery Commission, the American Battle Monuments Commission, and the Fine Arts Commission.

Tablet at the site of the Battle of Kettle Creek, Ga.: For every expenditure requisite for or incident to the payment of the cost of erecting a tablet or marker on the site of the Battle of Kettle Creek, Ga., in accordance with the provisions of the act approved May 23, 1928 (45 Stat. 718), \$2,500.

The amendment was agreed to.

The next amendment was, on page 76, after line 15, to insert:

Old Fort Niagara, N. Y.: For repair, restoration, and rehabilitation of the two blockhouses, the bake house, the magazine, and the French barracks, at Old Fort Niagara, N. Y., including construction of a rest room adjacent to the "castle," and the restoration and construction of the old French drawbridge, \$25,000, to be expended only when matched by an equal amount by donation from local interests for the same purpose, which amount the Secretary of War is authorized to expend.

The amendment was agreed to.

The next amendment was, under the subhead "Construction and maintenance of roads, bridges, and trails, Alaska," on page 78, line 22, after the word "amended," to strike out "\$500,000" and insert "\$1,000,000," and in the same line, after the word "immediately," to insert a comma and the words "and to include \$1,000 compensation to the president of the Board of Road Commissioners for Alaska, in addition to his regular pay and allowances," so as to read:

For the construction, repair, and maintenance of roads, tramways, ferries, bridges, and trails, Territory of Alaska, to be expended under the direction of the Board of Road Commissioners described in section 2 of an act entitled "An act to provide for the construction and maintenance of roads, the establishment and maintenance of schools, and the care and support of insane persons in the District of Alaska, and for other purposes," approved January 27, 1905, as amended (U. S. C. 1584, secs. 321-337), and to be expended conformably to the provisions of said act as amended, \$1,000,000, to be available immediately, and to include \$1,000 compensation to the president of the Board of Road Commissioners for Alaska, in addition to his regular pay and allowances.

The amendment was agreed to.

The next amendment was, under the subhead "Flood control," on page 81, line 14, to strike out "\$1,000,000" and insert "\$400,000," so as to read:

Flood control, Sacramento River, Calif.: For prosecuting work of flood control in accordance with the provisions of the flood control act approved March 1, 1917 (U. S. C. 1090, sec. 703), as modified by the flood control act approved May 15, 1928 (45 Stat. 534), \$400,000.

Mr. REED of Pennsylvania. Mr. President, the amendment just read on page 81, line 14, I ask may be deferred until later; and I make the same request with regard to the amendment from lines 15 to 22 on the same page. The Senators from California wish to be heard on those amendments.

The PRESIDING OFFICER. The amendments will be passed over.

Mr. HARRIS. Mr. President, I understand the lighter-than-air craft item has gone over?

Mr. REED of Pennsylvania. The item relating to lighter-than-air craft has gone over.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the heading "National Home for Disabled Volunteer Soldiers," beginning at the top of page 82, to strike out:

Central Branch, Dayton, Ohio: Current expenses: For pay of officers and noncommissioned officers of the home, with such exceptions as are hereinafter noted, and their clerks, weighmasters, and orderlies; chaplains, religious instruction, and entertainment for the members of the home, printers, bookbinders, librarians, musicians, telegraph and telephone operators, guards, janitors, watchmen, fire company, and property and materials purchased for their use, including repairs; articles of amusement, library books, magazines, papers, pictures, musical instruments, and repairs not done by the home; stationery, advertising, legal advice, payments due heirs of deceased members: *Provided*, That all receipts on account of the effects of deceased members during the fiscal year shall also be available for such payments; and for such other expenditures as can not properly be included under other heads of expenditures, \$89,000;

Subsistence: For pay of commissary sergeants, commissary clerks, porters, laborers, bakers, cooks, dishwashers, waiters, and others employed in the subsistence department; food supplies purchased for the subsistence of the members of the home and civilian employees regularly employed and residing at the branch, freight, preparation, and serving; aprons, caps, and jackets for kitchen and dining-room employees; tobacco; dining-room and kitchen furniture and utensils; bakers' and butchers' tools and appliances, and their repair not done by the home, \$470,000;

Household: For furniture for officers' quarters; bedsteads, bedding, bedding material, and all other articles, including repairs, required in the quarters of the members and of civilian employees permanently employed and residing at the branch; fuel; water; engineers and firemen, bathhouse keepers, janitors, laundry employees, and for all labor, materials, and appliances required for household use, and repairs, if not required by the home, \$203,000;

Hospital: For pay of medical officers and assistant surgeons, matrons, druggists, hospital clerks and stewards, ward masters, nurses, cooks, waiters, readers, drivers, funeral escort, janitors, and for such other services as may be necessary for the care of the sick; burial of the dead; surgical instruments and appliances, medical books, medicine, liquors, fruits, and other necessaries for the sick not purchased under subsistence; bedsteads, bedding, and all other special articles necessary for the wards; hospital furniture, including special articles and appliances for hospital kitchen and dining room; carriage, hearse, stretchers, coffins; and for all repairs to hospital furniture and appliances not done by the home, \$370,000;

Transportation: For transportation of members of the home, \$1,000;

Repairs: For pay of chief engineer, builders, blacksmiths, carpenters, painters, gas fitters, electrical workers, plumbers, tinsmiths, steam fitters, stone and brick masons, and laborers, and for all appliances and materials used under this head; and repairs of roads and other improvements of a permanent character, \$85,000: *Provided*, That no part of the appropriation for repairs for any of the branch homes shall be used for the construction of any new building;

Farm: For pay of farmer, chief gardener, harness makers, farm hands, gardeners, horseshoers, stablemen, teamsters, dairymen, herders, and laborers, tools, appliances, and materials required for farm, garden, and dairy work; grain and grain products, hay, straw, fertilizers, seed, carriages, wagons, carts, and other conveyances; animals purchased for stock or work (including animals in the park); gasoline; materials, tools, and labor for flower garden, lawn, park, and cemetery; and construction of roads and walks, and repairs not done by the home, \$25,000;

In all, Central Branch, \$1,243,000.

For "Current expenses," "Subsistence," "Household," "Hospital," "Transportation," "Repairs," and "Farm," at the following branches, including the same objects respectively specified herein under each of such heads for the Central Branch, namely:

Northwestern Branch, Milwaukee, Wis.: Current expenses, \$69,000;

Subsistence, \$310,000;

Household, \$149,000;

Hospital, \$295,000;

Transportation, \$500.

Repairs, \$63,000;

Farm, \$17,000;

In all, Northwestern Branch, \$903,500.

Eastern Branch, Togus, Me.: Current expenses, \$58,500;

Subsistence, \$124,000;

Household, \$107,000;

Hospital, \$75,000;

Transportation, \$500;

Repairs, \$35,000;

Farm, \$26,000;

In all, Eastern Branch, \$426,000.

Southern Branch, Hampton, Va.: Current expenses, \$65,000;

Subsistence, \$270,000;

Household, \$130,000;

Hospital, \$169,000;

Transportation, \$1,000;

Repairs, \$50,000;

Farm, \$16,000;

In all, Southern Branch, \$701,000.

Western Branch, Leavenworth, Kans.: Current expenses, \$71,600;

Subsistence, \$269,000;

Household, \$148,000;

Hospital, \$150,000;

Transportation, \$500;

Repairs, \$81,000;

Farm, \$25,000;

In all, Western Branch, \$745,100.

Pacific Branch, Santa Monica, Calif.: Current expenses, \$80,000;

Subsistence, \$505,000;

Household, \$145,000;

Hospital, \$400,000;

Transportation, \$1,000;

Repairs, \$70,000;

Farm, \$30,000;

In all, Pacific Branch, \$1,231,000.

Marion Branch, Marion, Ind.: Current expenses, \$58,000;

Subsistence, \$270,000;

Household, \$105,000;

Hospital, \$319,000;

Transportation, \$1,000;

Repairs, \$60,000;

Farm, \$20,000;

In all, Marion Branch, \$833,000.

Danville Branch, Danville, Ill.: Current expenses, \$69,000;

Subsistence, \$240,000;

Household, \$124,000;

Hospital, \$117,000;

Transportation, \$500;

Repairs, \$54,000;

Farm, \$16,000;

In all, Danville Branch, \$620,500.

Mountain Branch, Johnson City, Tenn.: Current expenses, \$62,000;

Subsistence, \$285,000;

Household, \$95,000;

Hospital, \$235,000;

Transportation, \$500;

Repairs, \$52,000;

Farm, \$31,000;

In all, Mountain Branch, \$760,500.

Battle Mountain Sanitarium, Hot Springs, S. Dak.: Current expenses, \$45,000;

Subsistence, \$120,000;

Household, \$80,000;

Hospital, \$115,000;

Transportation, \$500;

Repairs, \$24,000;

Farm, \$6,500;

In all, Battle Mountain Sanitarium, \$391,000.

When approved by the Board of Managers, 10 per cent of each of the foregoing amounts for the support of the National Home for Disabled Volunteer Soldiers shall be available interchangeably for expenditure on the objects named, but the total for each home shall not be increased by more than 10 per cent.

For clothing for all branches; labor, materials, machines, tools, and appliances employed and for use in the tailor shops and shoe shops or other home shops in which any kind of clothing is made or repaired, \$178,000.

Board of Managers: President, \$4,000; secretary, \$500; general treasurer, who shall not be a member of the Board of Managers, \$5,000; chief surgeon, \$4,500; assistant general treasurer, \$3,500; inspector general, \$3,500; clerical services for the offices of the president, general treasurer, chief surgeon, and inspector general, \$19,500; clerical services for managers, \$2,700; traveling expenses of the Board of Managers, their officers and employees, including officers of branch homes when detailed on inspection work, \$14,000; outside relief, \$100; legal services, medical examinations, stationery, telegrams, and other incidental expenses, \$1,700; in all, \$59,000.

Total, National Home for Disabled Volunteer Soldiers, \$8,091,600.

And in lieu thereof to insert:

Central Branch, Dayton, Ohio: Current expenses: For pay of officers and noncommissioned officers of the home, with such exceptions as are hereinafter noted, and their clerks, weighmasters, and orderlies; chaplains, religious instruction, and entertainment for the members of the home, printers, bookbinders, librarians, musicians, telegraph and telephone operators, guards, janitors, watchmen, fire company, and property and materials purchased for their use, including repairs; articles of amusement, library books, magazines, papers, pictures, musical instruments, and repairs not done by the home; stationery, advertising, legal advice, payments due heirs of deceased members: *Provided*, That all receipts on account of the effects of deceased members during the fiscal year shall also be available for such payments; and for such other expenditures as can not properly be included under other heads of expenditures, \$104,500;

Subsistence: For pay of commissary sergeants, commissary clerks, porters, laborers, bakers, cooks, dishwashers, waiters, and others employed in the subsistence department; food supplies purchased for the subsistence of the members of the home and civilian employees regularly employed and residing at the branch, freight, preparation, and serving; aprons, caps, and jackets for kitchen and dining-room employees; tobacco; dining-room and kitchen furniture and utensils; bakers' and butchers' tools and appliances, and their repair not done by the home, \$492,500;

Household: For furniture for officers' quarters; bedsteads, bedding, bedding material, and all other articles, including repairs, required in the quarters of the members and of civilian employees permanently employed and residing at the branch; fuel; water; engineers and firemen, bathhouse keepers, janitors, laundry employees, and for all labor, materials, and appliances required for household use, and repairs, if not repaired by the home, \$228,000;

Hospital: For pay of medical officers and assistant surgeons, matrons, druggists, hospital clerks and stewards, ward masters, nurses, cooks, waiters, readers, drivers, funeral escort, janitors, and for such other services as may be necessary for the care of the sick; burial of the dead; surgical instruments and appliances, medical books, medicine, liquors, fruits, and other necessaries for the sick not purchased under subsistence; bedsteads, bedding, and all other special articles necessary for the wards; hospital furniture, including special articles and appliances for hospital kitchen and dining room; carriage, hearse, stretchers, coffins; and for all repairs to hospital furniture and appliances not done by the home, \$500,000;

Transportation: For transportation of members of the home, \$1,000;

Repairs: For pay of chief engineer, builders, blacksmiths, carpenters, painters, gas fitters, electrical workers, plumbers, tinsmiths, steam fitters, stone and brick masons, and laborers, and for all appliances and materials used under this head; and repairs of roads and other improvements of a permanent character, \$103,000: *Provided*, That no part of the appropriation for repairs for any of the branch homes shall be used for the construction of any new building;

Farm: For pay of farmer, chief gardener, harness makers, farm hands, gardeners, horseshoers, stablemen, teamsters, dairymen, herders, and laborers; tools, appliances, and materials required for farm, garden, and dairy work; grain and grain products, hay, straw, fertilizer, seed, carriages, wagons, carts, and other conveyances; animals purchased for stock or work (including animals in the park); gasoline; materials, tools, and labor for flower garden, lawn, park, and cemetery; and construction of roads and walks, and repairs not done by the home, \$37,000;

In all, Central Branch, \$1,466,000.

For "Current expenses," "Subsistence," "Household," "Hospital," "Transportation," "Repairs," and "Farm," at the following branches, including the same objects respectively specified herein under each of such heads for the Central Branch, namely:

Northwestern Branch, Milwaukee, Wis.: Current expenses, \$84,000;

Subsistence, \$314,000;

Household, \$165,500;

Hospital, \$440,000;

Transportation, \$500;

Repairs, \$73,000;

Farm, \$22,000;

In all, Northwestern Branch, \$1,099,000.

Eastern Branch, Togus, Me.: Current expenses, \$73,000;

Subsistence, \$135,500;

Household, \$117,500;

Hospital, \$112,000;

Transportation, \$500;

Repairs, \$44,000;

Farm, \$31,000;

In all, Eastern Branch, \$513,500.

Southern Branch, Hampton, Va.: Current expenses, \$82,000;

Subsistence, \$286,000;

Household, \$141,000;

Hospital, \$252,000;

Transportation, \$1,000;

Repairs, \$67,000;

Farm, \$24,000;

In all, Southern Branch, \$853,000.

Western Branch, Leavenworth, Kans.: Current expenses, \$89,100;

Subsistence, \$286,000;

Household, \$168,000;

Hospital, \$220,000;

Transportation, \$500;

Repairs, \$82,700;

Farm, \$30,000;

In all, Western Branch, \$876,300.

Pacific Branch, Santa Monica, Calif.: Current expenses, \$93,000;

Subsistence, \$509,000;

Household, \$167,000;

Hospital, \$535,000;

Transportation, \$1,000;

Repairs, \$82,000;

Farm, \$38,000;

In all, Pacific Branch, \$1,425,000.

Marion Branch, Marion, Ind.: Current expenses, \$71,400;

Subsistence, \$271,000;

Household, \$111,000;

Hospital, \$394,000;

Transportation, \$1,000;

Repairs, \$63,000;

Farm, \$23,000;

In all, Marion Branch, \$934,400.

Danville Branch, Danville, Ill.: Current expenses, \$82,600;

Subsistence, \$252,000;

Household, \$138,500;

Hospital, \$162,000;

Transportation, \$500;

Repairs, \$60,000;

Farm, \$20,000;

In all, Danville Branch, \$715,600.

Mountain Branch, Johnson City, Tenn.: Current expenses, \$84,000;

Subsistence, \$291,000;

Household, \$104,000;

Hospital, \$311,000;

Transportation, \$500;

Repairs, \$60,500;

Farm, \$35,000;

In all, Mountain Branch, \$886,000.

Battle Mountain Sanitarium, Hot Springs, S. Dak.: Current expenses, \$60,000;

Subsistence, \$124,000;

Household, \$83,300;

Hospital, \$180,000;

Transportation, \$500;

Repairs, \$26,000;

Farm, \$8,500;

In all, Battle Mountain Sanitarium, \$482,300.

When approved by the Board of Managers, 10 per cent of each of the foregoing amounts for the support of the National Home for Disabled Volunteer Soldiers shall be available interchangeably for expenditure on the objects named, but the total for each home shall not be increased by more than 10 per cent.

For clothing for all branches; labor, materials, machines, tools, and appliances employed and for use in the tailor shops and shoe shops or other home shops in which any kind of clothing is made or repaired, \$187,000.

Board of Managers: President, \$4,000; secretary, \$500; general treasurer, who shall not be a member of the Board of Managers, \$7,000; chief surgeon, \$6,000; assistant general treasurer, \$5,000; inspector general, \$5,000; clerical services for the offices of the president, general treasurer, chief surgeon, and inspector general, \$22,320; clerical services for managers, \$2,700; traveling expenses of the Board of Managers, their officers and employees, including officers of branch homes when detailed on inspection work, \$14,000; outside relief, \$100; legal services, medical examinations, stationery, telegrams, and other incidental expenses, \$1,700; in all, \$68,320.

Total, National Home for Disabled Volunteer Soldiers, \$9,506,420.

Mr. FESS. Mr. President, should not that amendment go over?

Mr. REED of Pennsylvania. The amendment seems to be very long, but it is simply to take care of the increase in pay of the employees at soldiers' homes as required by the Welch Act. It has the approval of the Budget Bureau and of the War Department.

The PRESIDING OFFICER. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

The PRESIDING OFFICER. That completes all the committee amendments, except those which have been reserved for future consideration.

The reading of the bill was concluded.

Mr. REED of Pennsylvania. I understand there is a desire to have a brief executive session.

Mr. BINGHAM. Mr. President, will the Senator withhold the motion to proceed to the consideration of executive business for a moment?

Mr. REED of Pennsylvania. Yes.

Mr. BINGHAM. There is an amendment which I desire to propose, on page 34, line 21, with regard to the procurement of helium. I move to strike out the words "of which sum such amounts as may be required may be transferred in advance to the Bureau of Mines."

The object of the amendment is merely to enable the Army to purchase helium as cheaply as it may be offered, whether by the Bureau of Mines or by private parties, and not to force it to purchase it at the Bureau of Mines, as is the interpretation of the present language in the bill.

The PRESIDING OFFICER. Is there objection to the amendment proposed by the Senator from Connecticut?

Mr. HARRIS. Mr. President, the Senator from Connecticut, perhaps, was not in the Chamber when the Senator from Pennsylvania, in charge of the bill, stated that any amendment to which there should be objection would be passed over to be considered later.

Mr. BINGHAM. I understand that there is no objection to this amendment.

Mr. HARRIS. I have no objection to the amendment myself.

Mr. REED of Pennsylvania. The amendment suggested by the Senator from Connecticut has nothing whatever to do with the question of the maintenance of Scott Field, about which the Senators from Illinois are naturally interested. I myself see no objection to the amendment.

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

The amendment was agreed to.

Mr. VANDENBERG. Let me ask the Senator if any of the amendments to the bill have relation to Selfridge Field by way of reducing the appropriation?

Mr. REED of Pennsylvania. There is no amendment reported by the committee which reduces the allotment to Selfridge Field.

Mr. VANDENBERG. I thank the Senator for the information.

EXECUTIVE SESSION

Mr. REED of Pennsylvania. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened; and (at 5 o'clock and 20 minutes p. m.) the Senate adjourned until Monday, February 4, 1929, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate February 2 (legislative day of January 31), 1929

UNITED STATES ATTORNEY

Charles R. Hollingsworth to be United States attorney, district of Utah.

UNITED STATES COAST GUARD

William J. Kossler to be lieutenant commander.
Gordon P. McGowan to be lieutenant (junior grade) (temporary).

COAST AND GEODETIC SURVEY

To be junior hydrographic and geodetic engineers (with relative rank of lieutenants (junior grade) in the Navy)

Henry James Healy.
John Holman Brittain.
Walter Joseph Chovan.
George Alvin Nelson.
Wilbur Ryel Porter.

To be aides (with relative rank of ensign in the Navy)

Clifton James Wagner.
Roswell Clarence Bolstad.
Arthur Newton Stewart.
James Nutty Jones.

APPOINTMENTS IN THE ARMY

Archibald Campbell to be Assistant The Adjutant General with the rank of brigadier general.

APPOINTMENTS BY TRANSFER

Capt. Ernest Cleveland Bomar, Ordnance Department.
Kenneth Rowntree to be captain, Coast Artillery Corps.

APPOINTMENTS BY PROMOTION

William Adalbert Sproule to be colonel, Veterinary Corps.
Walter Fraser to be colonel, Veterinary Corps.
Robert Bruce McBride to be colonel.
Henry Carlos Rexach to be lieutenant colonel.
William Thomas Carpenter to be lieutenant colonel.

Benjamin Mart Bailey to be lieutenant colonel.
Ambrose Robert Emery to be lieutenant colonel.
Abraham Tabachnik to be major.
William Robert Stewart to be major.
Leander Russell Hathaway to be major.
Alfred Isaac Puryear to be captain.
Clyde Henry Plank to be captain.
Joel DeWitt Pomerens to be captain.
Daniel Bern Floyd to be captain.
Joseph Cuthbert Dolan to be captain.
Otis McCormick to be first lieutenant.
Wendell Blanchard to be first lieutenant.
Thomas Du Val Roberts to be first lieutenant.
Clinton Frederick Robinson to be first lieutenant.
Frederic Allison Henney to be first lieutenant.
David Jerome Ellinger to be first lieutenant.
Francis John Clark to be first lieutenant.
Leonard Lawrence Bingham to be first lieutenant.
Floyd Allen Mitchell to be first lieutenant.
Samuel Vance Krauthoff to be first lieutenant.
Joseph Peter Shumate to be first lieutenant.

POSTMASTERS

ALABAMA

James W. Snipes, Florala.
Elizabeth H. Siddall, Girard.
Sister M. Loreta, Holy Trinity.
Allen R. Byrd, Luverne.
Jesse D. Newton, Odenville.
John F. Morton, Tuscaloosa.
Evelyn E. Morgan, Uniontown.

CONNECTICUT

Fred T. Koehler, Windsor Locks.

IDAHO

Eudora D. Blood, Dover.

NEW MEXICO

George A. Titsworth, Capitan.

SOUTH CAROLINA

Robert L. Edmunds, Sumter.

TENNESSEE

Matthew C. Bratten, Liberty.
John G. Holmes, Trezevant.

HOUSE OF REPRESENTATIVES

SATURDAY, February 2, 1929

The House met at 12 o'clock noon.

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

Thou who art the Mighty One, Master of all forces and the Lord of men and angels, we most humbly acknowledge Thy claims and the right of Thy sovereignty as Lord of Lords and King of Kings. We praise Thee for a Father in Heaven who is a refuge for His children on earth. Thy merciful hand is always reaching out toward us, challenging every other one. May we clasp it. Thou wilt lift us out of weakness into strength, out of sin into goodness, and out of death into life. Oh, urgently persuade us that life is too precious and the world too fair for us to darken them with the clouds of selfishness and neglect. Thou who art so worthy to be worshipped, adored, and served come with us; make every morning a rose dawn and every evening a heavenly calm. In the holy name of our Savior. Amen.

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

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Craven, its principal clerk, announced that the Senate had passed with an amendment, in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 14151. An act to provide for the establishment of a Coast Guard station at or near the mouth of the Quillayute River, in the State of Washington.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 4818. An act for the relief of hay growers in Brazoria, Galveston, and Harris Counties, Tex.

S. 5339. An act to enable the Rock Creek and Potomac Parkway Commission, established by act of March 4, 1913, to make slight changes in the boundaries of said parkway by excluding

therefrom and selling certain small areas and including other limited areas, the net cost not to exceed the total sum already authorized for the entire project.

PENSIONS

Mr. ELLIOTT. Mr. Speaker, I call up the conference report on the bill (H. R. 14800) granting pensions and increase of pensions to certain soldiers, sailors, and marines of the Civil War and certain widows and dependent children of soldiers, sailors, and marines of said war, and ask for its immediate consideration.

The Clerk read the title of the bill.

Mr. ELLIOTT. Mr. Speaker, I ask unanimous consent that the statement on the part of the managers be read in lieu of the report.

The SPEAKER. Without objection, the Clerk will read the statement.

There was no objection.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 14800) granting pensions and increase of pensions to certain soldiers, sailors, and marines of the Civil War and certain widows and dependent children of soldiers, sailors, and marines of said war, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, and agree to the same.

Amendment numbered 54: That the House recede from its disagreement to the amendment of the Senate numbered 54, and agree to the same with an amendment as follows: On page 17 of the engrossed amendments strike out lines 5 to 8, inclusive; on page 22 of the said engrossed amendments strike out lines 21 to 23, inclusive; on page 31 of the said engrossed amendments strike out lines 3 to 5, inclusive; and the Senate agree to the same.

W. T. FITZGERALD,
RICHARD N. ELLIOTT,
ARTHUR H. GREENWOOD,

Managers on the part of the House.

ARTHUR R. ROBINSON,
PETER NORBECK,
PETER G. GERRY,

Managers on the part of the Senate.

STATEMENT

The managers on the part of the House on H. R. 14800 state, by the way of explanation, that 2,935 House bills were included in said omnibus pension bill when it was reported to the House, December 5, 1928. The bill was called up in the House and passed December 14, 1928, and 21 amendments were offered striking out the names of proposed beneficiaries who had died since the bill was reported on December 5, 1928. The 2,914 House bills were considered by the Senate Committee on Pensions and favorably reported back to the Senate with amendments, the amendments being names of 52 proposed beneficiaries who had died since the passage of the bill in the House. They added to the House bill as an amendment 171 private Senate bills, and it was over the differences of opinion that existed in 5 of these bills that the House asked for a conference, and after carefully reviewing these cases the managers mutually agreed to restore 2 of the 5 cases, striking out 3 Senate bills and making a total of 168 private Senate bills amended to the House bill. The House lost no bills other than the ones they requested to be struck out because the proposed beneficiaries had died.

W. T. FITZGERALD,
RICHARD N. ELLIOTT,
ARTHUR H. GREENWOOD,

Managers on the part of the House.

The conference report was agreed to.

On motion of Mr. ELLIOTT, a motion to reconsider the vote by which the conference report was agreed to was laid on the table.

APPROPRIATIONS FOR DEPARTMENT OF AGRICULTURE

Mr. DICKINSON of Iowa. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 15386) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1930, and for other purposes, with Senate amendments, disagree to the Senate amendments, ask for a conference, and that conferees be appointed.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Iowa? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. DICKINSON of Iowa, WASON, SUMMERS of Washington, BUCHANAN, and SANDLIN.

PERMISSION TO ADDRESS THE HOUSE

Mr. HOLADAY. Mr. Speaker, I ask unanimous consent that on next Thursday, immediately after the reading of the Journal and the disposition of matters on the Speaker's table, I may be allowed to address the House for 30 minutes on certain matters that have been inserted in the CONGRESSIONAL RECORD challenging the honesty and the integrity of all the newspaper correspondents of Washington, of the Department of Agriculture, and of the Bureau of Standards.

The SPEAKER. The gentleman from Illinois asks unanimous consent that on next Thursday, after the reading of the Journal and the disposition of matters on the Speaker's table, he may address the House for 30 minutes on the subject referred to. Is there objection?

There was no objection.

CRUISER BUILDING

Mr. GARDNER of Indiana. Mr. Speaker, the Indiana State Legislature now in session has passed a joint resolution indorsing and urging the passage of the cruiser bill. I ask unanimous consent to extend my remarks in the RECORD by inserting that resolution in the RECORD.

The SPEAKER. The gentleman from Indiana asks unanimous consent to extend his remarks in the RECORD by inserting a resolution recently passed by the Legislature of Indiana on the subject of the cruiser bill. Is there objection?

There was no objection.

Mr. GARDNER of Indiana. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following joint resolution passed by the Legislature of the State of Indiana:

STATE OF INDIANA,
DEPARTMENT OF STATE.

To all to whom these presents shall come, greeting:

I, Otto G. Fifield, secretary of state of the State of Indiana, and being the officer who under the constitution and laws of said State is duly constituted the custodian of the public records of the State of Indiana and the keeper of all books and papers thereto pertaining, and being empowered to authenticate exemplifications of the same, do hereby certify that an exemplified copy, carefully compared by me with the original of the same now in my official custody as secretary of state, and found to be a full, true, and correct copy of enrolled concurrent resolution indorsing and urging the passage of the cruiser bill now pending in Congress, is as follows, to wit:

"SECTION 1. *Be it resolved by the House of Representatives of the State of Indiana (the State Senate concurring),* That the General Assembly of the State of Indiana hereby indorses and approves of the cruiser bill now pending in Congress, and recommends and urges that this bill be promptly enacted into law, and that the cruiser-building program be entered upon at once and carried to a speedy conclusion.

"SEC. 2. The secretary of state is hereby directed to transmit a certified copy of this resolution at once to the President of the United States Senate, to the Speaker of the National House of Representatives, and to each of the Senators and Representatives in Congress from the State of Indiana."

JAMES M. KNAPP,
Speaker of the House of Representatives.

EDGAR D. BUSH,
President of the Senate.
Approved, January 23, 1929.

HARRY G. LESLIE,
Governor of the State of Indiana.

Filed January 23, 1929, 11.15 a. m.

OTTO G. FIFIELD,
Secretary of State.

And I hereby further certify that the herein exemplification is in due form and made by me as the proper officer, and is entitled to have full faith and credit given it in every court and office within the United States.

In witness whereof I have herunto set my hand and affixed the seal of the State of Indiana, at the city of Indianapolis, this 30th day of January, A. D. 1929.

[SEAL.]

OTTO G. FIFIELD,
Secretary of State.

UNITED STATES OF AMERICA,
STATE OF INDIANA,
Executive Department.

To all to whom these presents shall come, greeting:

I, Harry G. Leslie, Governor of the State of Indiana, do hereby certify that Otto G. Fifield, who signed the foregoing certificate, was at the

time of signing the same, and is now, secretary of state of the State of Indiana, duly elected and qualified to that office, and that full faith and credit are due his official attestations; and further that he is the custodian of the manuscripts containing the enrolled acts and joint resolutions of the General Assembly of the State of Indiana, and authorized by law to furnish, on demand, to any person, a duly certified copy of all or any part of any law or act on file, or deposited, pursuant to law, to be kept in his office, and of which a copy may be properly given; that the foregoing attestation is in due form and by the proper officer; that, under the constitution I am the keeper of the seal of state of the State of Indiana; and that, under the laws, all copies of any records, deeds, laws, acts, official bonds, registers, and papers, or such parts thereof as shall be necessary, deposited by authority of law, to be kept in his office, duly certified by the secretary of state and sealed with the State seal, shall, in all cases, be evidence equally and in like manner as the originals.

In witness whereof I hereunto set my hand and caused the seal of the State of Indiana to be affixed. Done at the city of Indianapolis, this 30th day of January, 1929.

[SEAL.]

By the governor:

HARRY G. LESLIE, *Governor.*

OTTO G. FIFIELD,
Secretary of State.

STATE OF INDIANA,
DEPARTMENT OF STATE.

To all to whom these presents shall come, greeting:

I, Otto G. Fifield, secretary of state of the State of Indiana, hereby certify that Harry G. Leslie, who signed the immediately foregoing certificate, was at the time of signing the same, and is now, Governor of the State of Indiana, duly elected and qualified, and that as such, full faith and credit is, and ought to be, given to his official acts and proceedings; that, under the constitution of the State of Indiana, the governor is the keeper of the seal of the State of Indiana.

And I further certify that the foregoing signature is a genuine signature of Harry G. Leslie, governor, and that the foregoing certificate signed by him is in due form.

In witness whereof I have hereunto set my hand and affixed the seal of the State of Indiana, at the city of Indianapolis, this 30th day of January, A. D. 1929.

[SEAL.]

OTTO G. FIFIELD,
Secretary of State.

ADDRESS OF HON. FRANK GARDNER

Mr. GREENWOOD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing a speech of my colleague the gentleman from Indiana [Mr. GARDNER] on good citizenship and character building, delivered at the Eastern High School commencement.

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

There was no objection.

Mr. GREENWOOD. Mr. Speaker, the following commencement address was delivered by my colleague, Hon. FRANK GARDNER, of Indiana, to the graduating class of Eastern High School on January 31, 1929:

CITIZENSHIP AND CHARACTER BUILDING

"America is God's crucible, the great melting pot, where all the races of Europe are melting and reforming."

As you know, this is a statement made by David in the book called "The Melting Pot."

At the time of the early history of this country many of the people of Europe were being sorely oppressed because of their religious views, and they were being heavily burdened and many hardships were being inflicted upon them by the ruling heads of Europe. Many of the best people of Europe came to this country because they were oppressed, because they were so burdened, because they were seeking liberty, and because they considered this a land of promise. And looking across the waters they saw this land of promise beckoning to them.

Again David, of the Melting Pot, says:

"When I look at our Statue of Liberty, I just seem to hear the voice of America crying, 'Come unto me ye that labor and are heavy laden and I will give you rest.'"

These people did come to this country—this land of promise—and they came not as Englishmen, not as Irishmen, not as Germans, but they came to this land of promise as Americans. They went through the melting pot and came out Americans. They established a new race of people—Americans. They established a new country—the greatest country God's sun ever shone upon—America.

Even after coming to this country they were still oppressed by the tyranny of a foreign ruler, which brought on a revolution that resulted

in a free country for a liberty-loving people. As a result of that conflict our forefathers wrote a Declaration of Independence and a code of laws that we call our Constitution, which has been the basic law of our land even to this day. Good citizenship demands that we love and obey the provisions of that Constitution and the laws based thereon, and it is the duty of every American citizen to preach and teach love of country and obedience to law and order, and by so doing create a better citizenship. And there is always a need for a better citizenship.

The better we educate the younger generation the better that generation will be qualified for citizenship, and by educating the individual we are benefiting the community and the country, and thus we are raising the standard of citizenship. It is the good influence of the home, the church, and the school that produces a better citizenship. In the home lessons are learned that guide the individual through life. The church has a wonderful influence for good. But it is the influence the school has upon the child to which I desire to call your attention. Aside from the home and the church, there is nothing else that does so much for the upbuilding of the child—and through the child, the community—as does the influence of our public schools. Good teachers have a wonderful influence in molding the character of the child. Aside from the material benefit derived by the child from his studies in school, the school is molding the character of the child, and is fitting the child for his life work.

We are justly proud of our public-school system, and the pupils are fortunate who have the privilege of attending Eastern High School, under the management and instruction of its able principal, Professor Hart, and his corps of efficient teachers. They are doing a wonderful work, and are producing good results, and their efforts should be, and are, appreciated. I am sure that Mrs. Gardner and I appreciate the fact that our daughter Aldine has had the opportunity of attending Eastern High School, and has had the benefit of the instruction of these teachers, and has the privilege of being one of the graduates of the class of 1929.

In the study of physics, one of the laws we learn is that there is no force lost. That is, when a force is started it continues on forever. Shakespeare recognizes this fact when he says:

"We become a part of everything we meet."

I like to think that our lives are not lost, but that we live on and on forever. That is, the good we do through life has its influence that passes on through the coming generations. So it is with what this class has learned in this school. As these graduates go out into the world they impart knowledge, and the good they produce influences their associates. In that way the work done in this school by these teachers will go on and on doing good.

To the graduating class of 1929—I want to congratulate you on this your graduation. We call this a commencement. That means the beginning of your career. You have completed the requirements for graduation from this high school, and you have done well. I am sure that what you have learned will be helpful to you. What you have learned, of itself, will be helpful to you, but your greatest benefit will be that you have learned to think, and to reason. This is fast becoming an age when one must succeed by reason of his ability to think and reason rather than by his manual labor.

Those of you who have the opportunity to do so should strive for a higher education. As time goes on an education becomes more and more helpful to success in life. And it is the education, and the training you receive in youth, that develops you and forms your character, and makes you what you will be in your future life. In youth you are making your life for the future. The good deeds that you do now in youth are builders for your future life. We fashion our own character, and all experience teaches us that we become that which we make ourselves. Our every act leaves its impress upon our character. George Eliot says:

"Our deeds shall travel with us from afar

And what we have been makes us what we are."

That is very true. Our deeds and our acts in youth so mold and form our character that we can truly say with George Eliot:

"What we have been makes us what we are."

I am anxious to impress upon you that your life in youth makes you what you will be in the future. That it is this period of your life in which you are laying the foundation for a better future life. So bear in mind:

"Golden years are fleeting by;

Youth is passing, too.

Learn to make the most of life,

Lose no happy day.

Time will never bring thee back

Chances swept away.

Leave no tender word unsaid,

Love while life shall last,

The mill will never grind

With the water that is passed.

"All that thou canst call thine own,
Lies in thy to-day.
Power, intellect, and health
May not, can not last;
The mill will never grind
With the water that is passed."

Let me impress upon you that you bear in mind that this is still the land of opportunity. That you can not change the past. That it is necessary for you to improve the present. That the future is open before you. Remember—

"What hath been written shall remain,
Nor be erased nor written o'er again.
The future only remains for thee;
Take heed, and ponder well what that shall be."

EXTENSION OF REMARKS

Mr. YON. Mr. Speaker, I ask unanimous consent to extend my remarks by having inserted in the RECORD an article by Vincent G. Bunian on the Philippine situation, printed in The Nation of January 23, 1929.

Mr. UNDERHILL. I object, Mr. Speaker.

REREFERENCE OF A BILL

Mr. STOBBS. Mr. Speaker, I ask unanimous consent that the bill (H. R. 16792) to amend sections 599, 600, and 601, of subchapter 3 of the Code of Laws for the District of Columbia, that has been referred to the District of Columbia Committee, be referred to the Committee on the Judiciary. I have taken this up with the chairman of the District Committee, and in view of the fact that the subject matter of this bill has already been considered by a subcommittee of the Judiciary Committee, the chairman of the District of Columbia Committee has no objection to the request.

The SPEAKER. The Chair hesitates somewhat to recognize the gentleman for this purpose, because he is absolutely clear that the reference to the District of Columbia Committee was proper. The bill seeks to amend the District Code in order to permit the incorporation of a certain society. The incorporation of similar societies has invariably been referred to the District of Columbia Committee.

The Chair would not recognize the gentleman if this was to be considered as setting a precedent in such cases, but if the gentleman has consulted with the chairman of the District of Columbia Committee, and it is mutually agreeable to the two committees, the Chair will recognize the gentleman for this purpose.

Is there objection to the request of the gentleman from Massachusetts?

Mr. GARNER of Texas. Mr. Speaker, reserving the right to object, the gentleman from Tennessee [Mr. GARRETT], the leader of the minority, is not in the Chamber at the moment, and gentlemen will recall that the other day, when a similar matter came up and it was proposed to make a change in the reference of a bill from one committee to another, where the bill was properly in that committee, the gentleman indicated he might object, and the Speaker asked the gentleman making the request to defer it, as I recall. This is a similar case, as I understand it.

The SPEAKER. It is not precisely similar.

Mr. GARNER of Texas. As I understand it, this is a bill that is properly before the District of Columbia Committee, and by agreement between the chairman of the District of Columbia Committee and the chairman of the Judiciary Committee they are going to make a rereference of the bill to the Committee on the Judiciary; is that correct?

Mr. STOBBS. No; there is no agreement between the chairman of the Committee on the Judiciary and the chairman of the District of Columbia Committee. The subject matter of this bill came before the Committee on the Judiciary in a different form and was properly before our committee.

Mr. GARNER of Texas. What is the gentleman's committee—the Judiciary Committee?

Mr. STOBBS. The Judiciary Committee. It was heard by a subcommittee of the Judiciary Committee and is now pending before the full committee, and it has been decided that if this legislation is to be put into effect it ought to be put into effect by amending the District Code.

Mr. GARNER of Texas. Will not the gentleman defer his request until the gentleman from Tennessee, the minority leader, can be here, because the gentleman from Tennessee has discussed this matter and I wish the gentleman would withhold it until that time.

Mr. STOBBS. I will be very glad to do that.

Mr. UNDERHILL. Reserving the right to object, does this involve the issue of a charter to a corporation?

Mr. STOBBS. That is just the trouble; the Judiciary Committee did not want to act upon it because there could be an incorporation under the law of the District.

The SPEAKER. The Chair understands the situation to be this: The gentleman from Massachusetts introduced a private bill which he had the right to refer to any committee he chose to, and it was referred by the gentleman to the Committee on the Judiciary. Subsequently he introduced this bill as a general law amending the District of Columbia Code, covering all such cases. That being a public bill, the Chair referred it to the District of Columbia Committee. The Chair thought that under such circumstances no other reference could be possible, inasmuch as it would only affect the incorporation of societies in the District of Columbia.

NAVAL APPROPRIATION BILL

Mr. FRENCH. 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. 16714, the naval appropriation bill.

The SPEAKER. The Chair recalls that the request for the division of the time only applied to yesterday.

Mr. FRENCH. Pending my motion, Mr. Speaker, I ask unanimous consent that the time be equally divided, to be controlled one-half by the gentleman from Kansas and one-half by myself, and so apportioned that whatever loss one may have sustained yesterday may be regained to-day.

The SPEAKER. The gentleman from Idaho moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the naval appropriation bill, and pending that he asks unanimous consent that general debate be divided between himself and the gentleman from Kansas, and that such time as either one consumed in excess of the other be counted in the distribution to-day. Is there objection?

There was no objection.

The motion of Mr. FRENCH was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union, with Mr. LUCE in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill of which the Clerk will read the title.

The Clerk read as follows:

A bill (H. R. 16714) making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1930, and for other purposes.

Mr. FRENCH. Mr. Chairman, I yield 20 minutes to the gentleman from Massachusetts [Mr. WIGGLESWORTH].

Mr. WIGGLESWORTH. Mr. Chairman and gentlemen of the committee, I hesitate to take the time of the House on a question which is not actually before it at this time. In view, however, of the fact that the cruiser bill is now before the Senate, of the probability of its return to the House by reason of amendment, and of the recent remarks in the House by my distinguished colleague from Massachusetts, I desire to record my opposition as well as that of the district which I have the honor to represent to the so-called Dallinger amendment, requiring the construction in navy yards and other plants of the Government of 8 of the 15 cruisers provided for under the bill, including 3 of the 5 which are to be first constructed.

I regret to find myself in disagreement with my colleague, but can not escape the conviction that the amendment is fundamentally wrong in principle and contrary to the best interests of the country as a whole in so far as it attempts to substitute a decision at this time by legislation for the exercise of the sound discretion by the Secretary of the Navy when the question of awarding contracts for construction actually arises. It is impossible, in my opinion, to give appropriate consideration prior to that time to such matters as comparative costs, efficiency, facilities, and needs in competing yards, and only in the light of such consideration, in my judgment, can it be fairly determined to what extent it is advisable for the Government to enter the business of shipbuilding.

It will be recalled that the amendment was adopted in the House by a vote of 115 to 102. It was not my privilege to be present at the time, but it appears that the amendment was adopted in the light of figures submitted tending to indicate that a substantial saving might be expected in respect to all cruisers constructed in Government yards as compared with those constructed in private yards. Subsequently at hearings before the Senate Committee on Naval Affairs it became apparent that these figures had been misinterpreted and that in at least one instance exactly the opposite conclusion was warranted.

The amendment is opposed by the Navy Department. It is opposed by the Shipping Board. At the time of adoption by the

House it was opposed by the chairman of the Committee on Appropriations and the chairman of the Committee on Naval Affairs. The distinguished chairman of the Committee on Appropriations, Mr. Madden, stated that in his opinion all ships built in a Government yard would cost \$1,000,000 more than if built elsewhere. This opinion appears to be confirmed by actual experience in respect to the cruiser which is just about to be completed in the New York Navy Yard. The distinguished chairman of the Committee on Naval Affairs, Mr. Butler, mentioned a higher figure. The National Council of American Shipbuilders estimates the increased cost at a minimum of \$2,318,000, with nothing included for plant depreciation, repairs and upkeep, insurance other than employees' liability insurance, or general expenses.

I do not purport to have any expert knowledge of comparative costs. It is presumably impossible to make any accurate comparison in advance of the receipt of competitive bids. The mere possibility, however, of any such saving as is suggested by those referred to, seems to me the strongest kind of argument for allowing the Secretary of the Navy to exercise discretion in the matter as and when the occasion arises. I do not believe it is sound to adopt a program in the absence of essential figures which, when available, may indicate that we are imposing an unnecessary burden of millions of dollars on the people of this country.

It should be noted in this connection that while the amendment requires the construction in Government yards of three of the five cruisers first to be constructed, there are only two of these yards, those at New York and Puget Sound, which are in a position at this time to do any of the required construction work. I am advised that facilities at Mare Island will not be available for about two years and that those at Boston, Philadelphia, and Norfolk can only be made available by the expenditure of further and substantial sums.

The needs of the Government yards have been advanced in justification of the amendment. It has been stated that there are hundreds of millions of dollars invested in the Government yards and that they have been operated at from 10 to 50 per cent of their respective capacities. This is no doubt true but it is also true that there are hundreds of millions invested in the private yards and that they have been in a deplorable condition.

If I am correctly informed, there were 23 private yards in 1916, not counting those of a temporary nature created for war purposes only. To-day there are 11, the latest casualty occurring, I believe, in Los Angeles in December. Unless those private yards which are capable of large naval construction are sustained by naval contracts, there is grave danger that the number will become still smaller. Largely as a result of the reduction of armament conference and the admission of foreign-built ships to American registry, there has been a continuous decline in shipbuilding in this country ever since 1921. I understand that in each of the years 1922 to 1927, inclusive, the total merchant shipbuilding was less, with one possible exception, than that in any pre-war year since 1897. The vessels contracted for by each of the principal yards are said to have averaged less than two and one-half per year, representing, exclusive of five cruisers, employment for about 1,250 persons per yard, or say one-quarter of the number considered necessary for profitable operation. Technical staff requiring years of training and one of the most vital elements in the design and construction of naval vessels has dwindled to about 25 per cent of that available in 1916. I am advised that no private yard engaged in new construction is operating in excess of one-third of its capacity.

A description of the condition of the industry as a whole appears in some detail in a statement with which Members of the House may be familiar—a statement made by Mr. H. G. Smith, vice president of the National Council of American Shipbuilders, before the Committee on Merchant Marine and Fisheries, on February 29, 1928. The needs of the Government yards may appear to be great, but we must not lose sight of those of the private yards. In the last analysis, the Government yards would continue to exist in the absence of any construction work. To the private yards such work is lifeblood. The construction of a cruiser provides employment for substantially the same number of persons wherever it takes place, and if needs are to be a determining factor, then, in my opinion, the needs of all competing yards, both Government and private, should be given the most careful consideration at the time of the award of contracts.

The immediate question, as I see it, is not a question between Government yards and private yards. It is rather a question of permitting the preservation and appropriate development of both with due regard to the financial burden imposed upon the country as a whole. Both in their proper spheres are indis-

pensable. The essential part played for the Navy by the Government yards is perfectly apparent. The part played by private yards is of real concern, not only to the Navy but also to the merchant marine.

Prior to 1914 from 75 to 80 per cent of our naval vessels were built in private yards. When the crisis came in the World War these yards not only executed enormous programs for destroyers and submarines, in addition to building a great number of vessels for the Emergency Fleet Corporation, but also took care of the repair and reconditioning of naval vessels for which there were inadequate facilities in Government yards, to the extent of some \$75,000,000. The Secretary of the Navy recognizes clearly that both types of yard are vital to our system of national defense. In appearing before the Senate Committee on Naval Affairs, he stated that if we are to maintain our present Navy, replace the units in it as they become obsolete, and add to it the reasonable number of auxiliaries contemplated by the present bill, we shall need the facilities of all the Government yards and of all the private yards that are now equipped to do this sort of work and doing it. The Secretary of the Navy, in my judgment, is in the best possible position to determine upon the award of contracts when the question actually arises in the light of the needs and facilities of all the yards and of the interests of the taxpayers generally. I believe that he should be allowed to exercise his best judgment in the matter to this end.

The Dallinger amendment deprives the Secretary of the Navy of all discretion in respect to a specified number of cruisers. To this extent it eliminates a fundamental element of competition and requires construction in Government yards regardless of economy, efficiency, available facilities, comparative needs, or any other considerations. It obligates the Government to enter the business of shipbuilding to an extent which may well prove to be uneconomic and inadvisable. I believe it to be unsound and I believe its unsound character will become increasingly apparent. I sincerely hope that a way may be found in the Senate, in conference or otherwise, either to eliminate the amendment completely or to so modify it as to restore to the Secretary of the Navy a discretion in the matter comparable to that which he has heretofore exercised.

Mr. DENISON. Will the gentleman yield?

Mr. WIGGLESWORTH. I yield to the gentleman from Illinois.

Mr. DENISON. I was going to ask the gentleman if he could inform the House why it is we can not build these ships in the Government yards more economically from the Government standpoint than in private shipyards. In private shipyards we know the contractor must figure on a substantial profit, and, as I understand, the Government does not pay any higher wages to employees than those paid for similar work in private yards. If these facts are true, why is it the Government can not save money by having these ships built in its own shipyards where profit does not enter into consideration?

Mr. WIGGLESWORTH. If, in fact, we can build more economically in Government yards, that fact should be established and should be taken into consideration at the time of the award of contracts. Those who contend that it is more economical to build in private yards maintain, as I understand it, that the labor cost in a Government yard largely exceeds that in a private yard. In a statement which I shall include in my remarks there is a computation made which shows a very marked difference in this respect.

Mr. DENISON. Of course, the Government has on hand in the various navy yards a large force of men. Now, the expense of maintaining these men will continue whether they are at work or not. That element must be taken into consideration in determining the question as to where these ships are to be built. The men employed in the Government yards are on the Government pay roll and I take it there would be a considerable overhead expense continuing with Government yards whether they are at work or not, and from the standpoint of economy that fact ought to be taken into consideration.

Mr. DALLINGER. Will the gentleman yield?

Mr. WIGGLESWORTH. Gladly.

Mr. DALLINGER. Is it not a fact that the chairman of the Committee on Naval Affairs in the other body admitted the other day that the net cost to the Government in Government yards in building cruisers was not greater than that in private yards?

Mr. WIGGLESWORTH. I do not remember the exact words which he used. I think he stated in effect that it was not clear that this was a fact from such investigation as his committee had made. This seems to me to be an added reason for deferring decision in the matter until we have further and essential facts.

Mr. DALLINGER. Mr. Chairman, will the gentleman yield?
Mr. WIGGLESWORTH. Certainly.

Mr. DALLINGER. Does the gentleman think the policy of the other great powers and the policy of this country in the greater part of its history in having its war vessels built in its own yards was wrong, or does he think that they should have been built in private yards?

Mr. WIGGLESWORTH. I think that a decision as to the place of construction can best be made when all possible evidence is at hand in the light of the considerations to which I have referred. I think the Secretary of the Navy is in the best possible position to make the decision. Obviously I do not wish to be understood as advocating that all the cruisers be constructed either in the Government yards or in the private yards. [Applause.]

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

Mr. WIGGLESWORTH. Under leave granted I insert the following:

STATEMENT BY THE NATIONAL COUNCIL OF AMERICAN SHIPBUILDERS CONCERNING THE CONSTRUCTION OF CRUISERS IN GOVERNMENT NAVY YARDS

The National Council of American Shipbuilders is composed of the principal companies in the United States engaged in building and repairing vessels and in manufacturing marine equipment. Its membership comprises 90 per cent of the companies engaged in these industries.

A bill now pending in Congress, H. R. 11526, if enacted will authorize the construction of 15 light cruisers and 1 aircraft carrier, the construction of 5 cruisers to be undertaken during each of the fiscal years ending June 30, 1929, 1930, and 1931, and of the aircraft carrier prior to June 30, 1930.

The bill contains the following provisions, viz:

"And provided further, That the first and each succeeding alternate cruiser upon which work is undertaken, together with the main engines, armor, and armament for such 8 cruisers, the construction and manufacture of which is authorized by this act, shall be constructed or manufactured in the Government navy yards, naval gun factories, naval ordnance plants, or arsenals of the United States."

The bill as introduced in the House of Representatives did not contain this restrictive provision, which is an amendment proposed in the House by Hon. FREDERICK W. DALLINGER, and is known as the Dallinger amendment.

The members of the National Council of American Shipbuilders are opposed to this amendment and, in opposition thereto, submit the following statement:

By this amendment, 8 of the 15 cruisers are required to be built in Government navy yards or other Government plants, 3 during the first year, 2 during the second year, and 3 during the third year.

The House passed the bill and the Senate Committee on Naval Affairs reported it to the Senate with the following amendment to the Dallinger amendment:

"except such material or parts thereof as the Secretary of the Navy may find procurable by contract or purchase at an appreciable saving in cost to the Government."

The bill is now pending before the Senate, and, if passed as reported by the Senate Committee on Naval Affairs, it would still require 8 of the 15 cruisers to be built in Government navy yards although their machinery, ordnance, or other parts may be ordered of private manufacturers, if an appreciable saving in cost may be effected thereby.

The Senate Committee on Naval Affairs held a hearing on the Dallinger amendment, when the Secretary of the Navy opposed the amendment on the ground that it limited competition 'not only in the securing of the contracts, but in the performance of the work after it has been allotted to the yards.'

The principal argument in support of the Dallinger amendment is an alleged lower cost of the construction of vessels in Government navy yards than in private shipyards. This argument was supported by statements made on the floor of the House, which are to the same effect as the statements contained in a letter submitted to the Senate Committee on Naval Affairs by Mr. N. P. Alifas, president of District 44, International Association of Machinists, and printed in full in the Senate committee's hearings. The following are quotations from his letter:

"For instance, when the construction of the cruisers *Pensacola* and *Salt Lake City*, authorized by the act of December 18, 1924, was contemplated in March, 1925, the New York Navy Yard's estimate, including the main engine, was \$7,799,499, and the bid of the Cramp Shipbuilding Co., upon similar specifications, was \$8,673,833, a difference of \$874,384 in favor of the navy yard. Although the New York yard was equipped to build both vessels, it was awarded only the construction of one, minus the main engines; and the Cramp Shipbuilding Co., which has since gone out of business, was awarded one cruiser and both sets of engines, together with certain auxiliaries, by adding \$2,296,209 to their original

bid. Considering economies possible if the New York yard had built both vessels and both sets of engines, doubtless \$2,000,000 could have been saved our Government.

"On April 5, 1927, bids were opened by the Navy Department for the construction of the six remaining cruisers authorized by the act of December 18, 1924. The Mare Island Navy Yard's carefully revised estimate for two cruisers, including main engines, was \$7,539,815 each.

"The Puget Sound Navy Yard's estimate for two cruisers, including main engines, was \$8,045,000 each. The New York, Boston, Philadelphia, and Norfolk Navy Yards, although equipped to do this work, did not estimate. However, the New York yard estimate on the *Pensacola* indicates that the estimates of these yards would be about the same as the Pacific coast yards, and that they follow the same practices in estimating.

"The Mare Island and Puget Sound Navy Yards were awarded only one vessel each. The American Brown Boveri Corporation was awarded one vessel at \$10,815,000. The Bethlehem Shipbuilding Corporation was awarded one vessel at \$10,675,000, and the Newport News Shipbuilding Co. was awarded two vessels at \$10,567,000 each. The navy-yard estimate and the private shipyard bids were upon the same specifications and therefore all of these figures are comparable.

"Comparing the average estimates of the two Pacific coast navy yards with the average bid of the three eastern private shipyards, the difference is \$2,863,592.50 per vessel; or a total loss to the Government of \$11,454,370 due to having four of these vessels constructed at private shipyards instead of at navy yards."

The statements contained in this letter are based on a misinterpretation of the figures then at the disposal of Mr. Alifas. He compares an estimated cost of building a cruiser in the New York Navy Yard, including its main engines, with the bid by the Cramp Shipbuilding Co. on a duplicate cruiser. In his comparison of costs Mr. Alifas uses \$7,799,449, the estimate of the New York Navy Yard, and includes therein the main engine, and the bid of the Cramp Shipbuilding Co. The fact is that the estimate of the New York Navy Yard did not include the engines. Admiral Beuret confirms this error of comparison in his letter to Hon. FREDERICK HALE, chairman of the Senate Committee on Naval Affairs, under date of April 30, 1928, which letter is printed in the hearings before the Senate committee. The correct estimate of the New York Navy Yard, as given by Admiral Beuret, is \$9,788,462. The bid of the Cramp Shipbuilding Co. is \$8,673,833, so that instead of a saving of money to the Government by building a cruiser in the New York Navy Yard, as claimed by Mr. Alifas, such a cruiser will cost much more than one built in a private shipyard.

Admiral Beuret in his letter also corrects Mr. Alifas's figures with reference to the estimate of cost of each of the two cruisers now being built at the Mare Island and the Puget Sound Navy Yards, respectively, by showing that to each estimate of these yards must be added the sum of \$219,250, the cost of plans not included in the estimate.

Mr. Alifas claims that the Government lost \$11,454,370 due to having four cruisers constructed in private shipyards instead of in navy yards. It is shown above that his conclusions are based on a misinterpretation of information available. The Secretary of the Navy, in his remarks before the Senate Committee on Naval Affairs, states:

"On a study of the figures presented by the private yards and those of the navy yards on the west coast, we felt justified in awarding contracts to the west coast navy yards, although in grave doubt from their previous work and experience as to whether they could build for the figures presented or as low as the bids from private yards.

"We have tried to encourage the employees in the west coast naval yards to fulfill their tacit agreement to keep within their estimate. Admiral Robinson of the Bremerton yard feels sure that they can do it in that yard, and Admiral Dayton at Mare Island hopes that they also can build within their estimates.

"While we do not believe that they can or will, we felt justified in assigning them a cruiser each, in the hope that they would build for less than the private yards, and with reasonable certainty that they would not exceed the private bids."

The National Council of American Shipbuilders is of the opinion that the cost of building the cruiser in the Mare Island Navy Yard and the other in the Puget Sound Navy Yard will greatly exceed the contract prices of the private shipbuilders for similar cruisers now in the process of construction in their shipyards. This opinion is confirmed by the following quotation from a letter of the Bureau of Construction and Engineering to the Secretary of the Navy, relative to these cruisers, under date of March 12, 1927:

"The cost of the work in a navy yard will necessarily be higher than that in a private shipyard for the following reasons:

"(1) The organization in a navy yard is not a shipbuilding organization based on and guided by shipbuilding experience. On the contrary, the organization is controlled largely by those without actual shipbuilding experience.

"(2) The civil service restrictions which make it impossible for the manager to 'hire and fire' necessarily impose on the manager restrictions which increase the cost of production.

"(3) The wages paid Government employees in a navy yard are appreciably higher than those paid for corresponding requirements in a private shipyard.

"(4) The Government pays full wages, without work, for 44 days a year made up of 30 days' annual leave, 7 national holidays, and 14 Saturday half holidays. The private contractor pays only for work done.

"(5) The navy yard may or may not be authorized to institute piecework. To a limited extent it is authorized in some navy yards but not authorized in others. Even so, however, the navy yard is so hampered in its management of piecework, not only by the law which prohibits time studies of operations, but also by the control exercised by the department on the management of the piecework in the yard, that the benefits are very much less than in a private yard. Also, up to the present time the navy yards have not been able to secure necessary departmental approval for handling 'contract' work on new construction. This particular item, i. e. piece and contract work, affects materially the cost of building a ship.

"(6) The lack of continuity in the progress of the work due to drawing off the men from time to time as required by the repair work in the yard.

"(7) The inability to secure competent draftsmen to properly and expeditiously handle the plans. The reasons for this are twofold—first, the limit placed by Congress on funds from which draftsmen can be paid; and, second, the shipyards themselves constitute the only source from which competent draftsmen can be secured."

(NOTE.—This letter is printed in full on pages 68-70 in the hearings before the Senate Committee on Naval Affairs on April 27 and 28, 1928.)

The National Council of American Shipbuilders contends that the Dallinger amendment was passed by the House of Representatives on incorrect and misleading information and is in opposition thereto, both as it passed the House and as amended by the Senate Naval Committee, because:

1. The higher cost of construction of cruisers when built in Government navy yards than in private shipyards.

2. Private shipyards and the Government navy yards are assets of equal national importance; and their respective needs and the importance of maintaining personnel organizations should be considered when contracts are awarded for the construction of naval vessels. The Secretary of the Navy is in the position to know these respective needs and the award of contracts to private shipyards or to Government navy yards should, therefore, be left to his discretion, which the Dallinger amendment denies.

HIGHER COSTS OF NAVY-YARD CONSTRUCTION

There is no mystery about costs. The elements of costs are substantially the same in a navy yard and in a private shipyard. The actual cost to the Government of a new cruiser to be built in a private shipyard is the amount of the accepted bid of the private shipbuilder, which is definitely known when the contract is placed. The actual cost to the Government of a cruiser to be built in a navy yard can only be determined after the cruiser is built—which is some three years after the date of the contract. The impossibility of comparing navy-yard and private-shipyard costs at the time of placing contracts is therefore obvious.

Congress should be informed of the relative costs of vessels built in private shipyards and in Government navy yards. If a vessel built in a private shipyard costs more than a similar vessel built in a navy yard, the fact should be disclosed. If the contrary is true, that fact should be shown. The facts are ascertainable, and to this end the Navy Department has cooperated with the national council in an investigation to ascertain the factors entering into the cost of building both in a navy yard and in a private shipyard, and an analysis of such cost has been made.

This analysis shows the inevitable fact that a navy-yard built vessel will cost more than a private-shipyard built vessel.

Statistical naval accounting is done under two heads:

(a) Cost accounting under administrative classifications (titles and accounts) and units of output; i. e., by purposes and objects.

(b) Appropriation accounting under legislative authorization; i. e., by sources.

A navy yard has two main divisions, one of which is military and the other industrial. The latter is the division that has to do with the construction and repair of vessels.

An accurate distribution of cost by "purposes and objects" is the only distribution that gives the correct cost of building a vessel in a navy yard. In recent years the Bureau of Supplies and Accounts of the United States Navy Department has allocated to the cost of production of the industrial division of each navy yard items of expenditure which would be charged against the vessel if built in a private shipyard.

The National Council of American Shipbuilders is informed that the cost of construction of naval vessels built prior to 1920, as listed in the annual reports of the Chief of the Bureau of Supplies and Accounts, contain overhead charges (plant operating expense) of not over 30 per cent of the direct labor charged to such vessels. Experience in shipbuilding has demonstrated that this percentage is entirely too low.

The *Pensacola*, a cruiser, now being built at the New York Navy Yard, will be the first vessel built in a navy yard to which the Navy Department will allocate its entire building costs.

The navy yard estimate for the cost of construction of a new vessel, in competition with the bid of a private shipyard, does not include all items of cost. For instance, the estimate does not include the cost of working plans, which for a single cruiser may amount to \$500,000 in addition to the overhead expense thereon. The estimate does not include any repairs on machinery or equipment occasioned by their use. It is therefore evidence that such an estimate can not be considered as the basis of a fair comparison of the probable cost of the vessel with the price specified in the firm bid of a private shipbuilder.

In April, 1927, the Navy Department contracted with three private shipbuilders for the construction of four cruisers. The average contract price for each cruiser is \$10,656,000. The average estimated direct material cost included in this price is \$4,268,000, and the direct labor estimate \$3,675,000.

An analysis made by the national council shows a probable cost of \$12,974,000 for each of the cruisers, if built in a Government navy yard, as follows:

MATERIAL COST

The probable cost of material for a cruiser to be built in a navy yard will be about the same as the cost for a similar cruiser, if built in a private shipyard. The estimated material cost is therefore \$4,268,000.

DIRECT LABOR COST

The direct labor cost of the construction of a cruiser in a Government navy yard will be greater than the labor cost of construction of a similar cruiser in a private shipyard.

The navy yards situated at Boston, Philadelphia, and Norfolk are classified as industrial navy yards. In the immediate vicinity of each is one of the three remaining large private shipyards capable of building naval vessels. They are the Fore River plant of the Bethlehem Shipbuilding Corporation (Ltd.), at Quincy, Mass.; New York Shipbuilding Co., Camden, N. J.; and Newport News Shipbuilding & Dry Dock Co., Newport News, Va. The following wage comparisons are based upon average wages prevailing in the three navy yards, and similar averages prevailing in the three private shipyards. The number of employees at each wage has been taken for both the navy yards and private shipyards from actual figures furnished in each case.

An analysis of the wage sheets of the three navy yards and of the three private shipyards discloses a force of 7,105 currently employed by the three navy yards at an average hourly wage of \$0.723 per hour; and a force of 7,077 men by the three private shipyards, who, if on an hourly wage basis, would earn an average hourly wage of \$0.564 per hour, a difference of 28 per cent, due to two reasons:

(a) The wage is higher in navy yards than in private shipyards.

(b) A larger percentage of employees in navy yards are placed in the highest class and are paid the highest wage of their respective trades, a condition that does not prevail in the private shipyards.

The three navy yards rate from 74 per cent to 90 per cent of their employees in the highest class of each trade, or an average for the three navy yards of 82 per cent of the total working force in the highest class. On the other hand, the three private shipyards employ not over 35 to 50 per cent of their employees in the highest class of each trade.

It has been stated that employees of private shipyards are paid wages as high or higher than employees of navy yards are paid. It is evident that this is not a fact from the analysis based on hourly wages alone. Employees engaged on incentive work in private shipyards, however, do earn more than day workers. Navy yards have adopted systems of incentive work only to a limited extent, while private shipyards have adopted such systems whenever practicable, and employ on an average approximately 40 per cent of their labor force under some form of incentive system. The private shipbuilders believe in such systems and have practiced them for years and are fully convinced of their economic advantages. The 40 per cent of incentive workers thus employed by the three private shipyards earn wages higher than the figure of \$0.564 per hour mentioned above as the hourly wage of day workers. Earnings of incentive workers in the three private shipyards average approximately 25 per cent more than the earnings of their day workers. Thus the average earnings of workmen under incentive systems are \$0.705 per hour. The economic advantage of work under an incentive system is due to the fact that while workmen under such a system earn 25 per cent more than day workers, they produce, at the same time, 50 per cent more, so that for each \$1 paid to a workman under an incentive system his actual production is greater than for each \$1 paid to a day worker. Therefore by paying higher earnings to a workman under an incentive system the cost of production is decreased and not increased. If 60 per cent of a labor force is employed as day workers at an hourly wage of \$0.564 and 40 per cent is employed under an incentive system at hourly earnings of \$0.705, the average earning of the entire force will be:

$$\begin{array}{r} \$0.564 \times 60 = \$33,840 \\ .705 \times 40 = 28,200 \\ \hline 100 = 62,040 \end{array}$$

Average rate, \$0.6204 per hour.

The number of direct-labor hours required to build a cruiser in a private shipyard, therefore, may be determined by dividing \$3,675,000, the estimated labor cost, by \$0.6204, the average earning, or a total of 5,923,600 hours. Had the private shipyards dispensed with incentive work and employed day workers only, the time required to build the cruiser would have been 7,108,320 hours. Assuming an equal output per man per hour at each of the three navy yards and of the three private shipyards, it follows that it would require 7,108,320 working hours to build the cruiser in a navy yard employing day workers only. At \$0.723 per hour the navy yard hourly wage gives a labor cost of \$5,139,315 to build a cruiser in a navy yard as compared with a labor cost of \$3,675,000 to build one in a private shipyard.

OVERHEAD EXPENSE

The figures for productive labor, shop expense, expense chargeable on Navy accounting system and idle-plant expense, as reported by the Bureau of Supplies and Accounts, for six of the leading industrial navy yards for the fiscal year 1927, are as follows:

Yard	Productive labor	Total shop expense	Expense chargeable on Navy accounting system	Idle plant expense
Boston.....	\$3,300,164.52	\$2,667,254.55	\$2,065,172.06	\$602,082.49
New York.....	2,765,687.75	3,489,667.99	2,455,985.84	1,033,682.15
Philadelphia.....	3,191,818.82	4,474,119.96	2,455,224.39	2,018,895.57
Norfolk.....	3,263,082.21	3,675,276.63	2,361,889.56	1,313,387.07
Mare Island.....	2,781,961.16	3,252,421.43	2,228,254.24	1,024,167.19
Puget Sound.....	2,441,157.47	2,916,702.06	2,096,257.33	820,444.73
	17,743,871.93	20,475,442.62	13,662,783.42	6,812,659.20
Per cent.....		115	77	38

Overhead expense in shipbuilding is generally expressed as a percentage of the cost of such expense to the cost of direct labor. In the above table, figures 115, 77, and 38 are the percentages which the total cost in each of these columns bears to the total productive labor cost in column 1. The figure 77 in column 3, for instance, is obtained by dividing \$13,662,783.42, in column 3, by \$17,743,871.93, in column 1. The figures in column 2 are in each instance the sum of the corresponding figures of columns 3 and 4. Under the accounting system of the Navy Department, "Idle-plant expense," in column 4, is not charged against the cost of production. Column 3, "Expense chargeable on Navy accounting system," covers, firstly, variable items of expense occasioned by work under way and properly distributed to all industrial work, and, secondly, fixed expense, a part of which occurs whether there is industrial work in progress or not.

The amount of \$13,662,783.42, expense chargeable to production on Navy accounting system in column 3, or 77 per cent of productive labor, includes \$1,346,520.84 of such industrial fixed overhead.

Although a part of this industrial fixed overhead is undoubtedly occasioned by the productive work under way, the National Council of American Shipbuilders has given consideration to the claim that fixed expense should be ignored in determining navy-yard cost of new construction, although opposed to this claim in principle it has, however, eliminated such expense in the figures that follow:

Eliminating the fixed expense, or \$1,346,520.84, from the expense as charged under Navy accounting system, in column 3, we have a total variable expense of \$12,316,262.58, or 69.4 per cent, of the cost of productive labor.

As shown above, the estimated productive labor cost for one of the four cruisers, if built in an east-coast navy yard, would be \$5,139,315. The overhead expense is therefore 69.4 per cent of this figure, or \$3,566,685.

We have now obtained the estimated material, labor, and overhead expense costs for a cruiser if built in a Government navy yard, and therefore the total minimum cost will be as follows:

Direct material.....	\$4,268,000
Direct labor, 7,108,320 hours, at \$0.723 per hour.....	5,139,315
Overhead expense, 69.4 per cent of direct labor.....	3,566,685

Total cost to the Government..... 12,974,000

As previously stated, the average contract price for each of the four cruisers now in course of construction by private shipbuilders is \$10,656,000 each. The minimum estimated navy-yard cost is therefore \$2,318,000 greater for each cruiser than the average cost to be paid by the Government under the contracts for the construction of the four cruisers by private builders.

While the above figure of \$12,974,000 is the estimated minimum navy-yard cost, it does not include any charge for plant depreciation, which the private builders estimate to be approximately \$300,000 per cruiser. Further, the above navy-yard cost does not include charge for insurance, except for employees' liability insurance, nor for administrative and general expenses, nor for fixed expenses, such as repair and upkeep of plant and equipment, all of which are proper charges against production. All such items of cost must be borne by the private shipbuilders, whereas they are absorbed by the navy yards in "military"

expense and are not included in the cost of production. The Government pays no taxes, while the private shipbuilding company pays approximately \$110,000 per cruiser for State, county, and municipal taxes, which it can pay if it has work sufficient to enable it to remain in business and make a profit.

PRIVATE SHIPYARDS AS A FACTOR OF NATIONAL SECURITY

The national council asserts that the private shipyard and the Government navy yard are factors of equal importance to our national security.

The prime industrial function of a navy yard is to repair and maintain naval vessels. During a period of war the demands on the navy yards are so great as to require all of their facilities for these purposes. The construction of naval vessels in progress in navy yards at the commencement of a war is interrupted and can only be completed after the termination of a war. The experience of the navy yards during the World War confirms the truth of this statement. Therefore any new naval vessels required should be built in private shipyards, which national service they can not perform in times of an emergency unless they are able to maintain their organizations for this purpose in times of peace.

While navy yards are building naval vessels in time of peace they are performing work that they can not do in time of war, and are depriving the private shipyards of the work, which enables them to maintain their organizations and to be prepared to serve the Navy in time of war.

In the hearings before the Senate Committee on Naval Affairs on April 27 and 28, 1928, Admiral Capps emphasized the importance of the private shipbuilding industry to the Nation and the necessity of preserving it in time of peace to perform a national service in time of war, as follows:

" * * * I feel compelled to recall the grave experiences of the recent war due to congestion of work in public and private shipyards. At that time the navy yards had not only all repair work of the fleet to take care of, but, through contract provisions, the Navy Department had the right to use 70 per cent of the possible capacity of all the important private yards, so that the Emergency Fleet Corporation, in addition to the work it had to do in providing such a vast increase in shipping, had to do it in newly created yards, with newly trained personnel—and the conditions were serious to the last degree. In my judgment—and I speak from the experience I have had before, during, and since the Great War—the gradual reduction of our outside shipbuilding resources merits grave consideration, since we are now in a state far less satisfactory in the way of being able to build merchant vessels, men-of-war, and all the things needed for merchant marine development than we were in 1916 or 1917; and if this goes on, we may lack the necessary shipbuilding resources to maintain the fleet and effect replacements when the 'limitation of armament treaty' expires.

"The preservation, without undue sacrifice of private manufacturing resources, of all kinds requisite for the national defense is quite vital to the Government, and especially so in the case of our rapidly diminishing shipbuilding industry, and that is why I feel very strongly that claims of possible economy, one way or the other, should not have too much weight. Thorough competition should be encouraged; and that is what is provided for if the Secretary is given discretionary authority in inviting bids, and inquiring into the detailed estimates submitted with the bids. The competitive idea, in my judgment, is vital all along the line, either in Government yards or private yards."

The importance of the private shipyards is fully confirmed by experience during the World War, when substantially all of the facilities of the navy yards on the Atlantic coast were employed in repairing, reconditioning, and outfitting existing naval vessels. These navy yards were unable to comply with the demands made upon them for work of this character and were therefore obliged to employ the private shipyards to build naval vessels, and also to repair and recondition those in service. This is evidenced by the fact that the Navy Department paid approximately \$75,000,000 to the private shipyards for such work. The Bureau of Construction and Engineering, in a letter to the Secretary of the Navy, previously referred to in this statement, confirms the essential character of the private shipyards as a national asset in the following statement:

"An added reason for private construction—and one entirely apart from the economy of the situation as outlined above—is to be found in the fact that the shipyards (those that have built the major portion of our fleet) are a vital necessity for national defense. It is well known that with the practical cessation of merchant-fleet construction during recent years, some, if not all, of these yards are in a very precarious condition financially. Unless work is given them in the near future, it is doubtful if several of these we have most relied on for many years past for our best war products will survive as shipbuilding yards. In these circumstances the placing of orders for these cruisers in private yards is considered of great importance, particularly if the cost of the work therein is materially less than in navy yards.

"Summing up the above, it is believed that consideration of economy, of early construction, and of conserving national assets for turning out war products point clearly to the fact that the Government's interest can best be served by placing these vessels in private yards, provided reasonable bids are received, as there is every reason to expect."

The private shipbuilding industry is in a deplorable condition, and if this condition continues the industry will cease to perform the important national functions that it has performed in the past. Since the World War the private shipyards have had only five contracts for naval construction. During the year 1928 the United States is building only 2 per cent of the merchant vessel tonnage of the world now under construction, which is less than the tonnage under construction by any other important maritime nation as reported in Lloyd's quarterly reports.

Since 1921 a continuous decline of shipbuilding in the United States has been in progress. Unfinished war contracts for both the Navy and the Emergency Fleet Corporation and considerable new contracts acquired in 1919 and 1920 maintained fair activity in the private shipyards until the end of 1921, although the amount of new shipbuilding tonnage contracted for in 1921 was very small. From 1922 to 1927, inclusive, the total merchant shipbuilding each year, as shown by Lloyd's report, was, with one possible exception, less than during any pre-war year since 1897. The building of vessels in progress during this period in the United States presents a deplorable condition when compared with the ship construction in progress in foreign countries. The comparative amount of tonnage of merchant shipbuilding built in the United States and in certain foreign countries from 1922 to 1927 is as follows:

	1922	1923	1924	1925	1926	1927
Great Britain and Ireland.....	1,031,082	645,651	1,439,885	1,084,633	639,568	1,225,873
Germany.....	525,829	345,062	175,113	406,374	180,548	289,622
France.....	184,509	96,644	79,685	75,569	121,242	44,335
United States.....	97,161	96,491	90,155	78,766	115,217	124,276
Sweden.....	30,038	20,118	31,211	53,750	53,518	67,361
Total tonnage launched in the world.....	2,467,084	1,643,181	2,247,751	2,193,404	1,674,977	2,285,679

NOTE.—Ships launched on Great Lakes not included in amount for United States.

Of the five larger shipyards now building steel vessels, the average number of vessels contracted for during the last seven years has been less than two and one-half vessels for each yard per year. Included in this number are five naval vessels, contracts for which were made in 1927. The table below gives the type, number, and tonnage of these vessels:

	Number	Gross tonnage (displacement)
Scout cruisers.....	5	50,000
Passenger vessels.....	18	128,647
Combination vessels.....	4	21,888
Cargo vessels.....	9	37,758
Tankers.....	28	245,150
Cable ship and yachts.....	10	.....
Dredges and cutters.....	12	.....

The following table shows the total shipbuilding activities of five of the larger shipyards on the east coast of the United States on January 1, 1928, which has been only slightly improved since that date:

	Number of building ways		
	Vacant	Occupied	Total
New York Shipbuilding Co.....	20	1	21
Federal Shipbuilding & Dry Dock Co.....	11	1	12
Newport News Shipbuilding & Dry Dock Co.....	6	3	9
Sun Shipbuilding & Dry Dock Co.....	7	1	8
Fore River Plant of Bethlehem Shipbuilding Corporation.....	6	4	10
Total.....	50	10	60

Types of vessels on the building ways

	Cruiser	Oil barge	Steamship	Tug boat	Tanker	Revenue cutter	Total
New York Shipbuilding Co.....	1	.....	.....	.....	.....	.....	1
Federal Shipbuilding & Dry Dock Co.....	.....	1	.....	.....	.....	.....	1
Newport News Shipbuilding & Dry Dock Co.....	.....	.....	2	1	.....	.....	3
Sun Shipbuilding & Dry Dock Co.....	.....	.....	.....	.....	1	.....	1
Fore River Plant of Bethlehem Shipbuilding Corporation.....	.....	.....	1	.....	.....	3	4
Total.....	1	1	3	1	1	3	10

Aside from Government vessels, only two of these vessels are sea-going, the others are for bay or harbor service. Two of the three larger private shipyards equipped for building naval vessels, according to a recent report, employ less than 2,000 workmen each. For normal and economical operation each yard should employ not less than from 3,500 to 5,000 workmen.

Prior to the war the large shipyards of the United States had been principally engaged in building naval vessels. From 75 to 80 per cent of the naval vessels of the United States had been built in private shipyards. The facilities of the larger shipyards were installed primarily to construct and equip naval vessels, and the technical and mechanical organization were largely trained to design and construct such vessels.

Four of the larger shipyards were at that time largely engaged in naval construction. Since the reduction in armament conference, in 1921, the only contracts for the construction of naval vessels that have been awarded to private builders are for five scout cruisers. The larger yards have lost, therefore, the back log on which they depended before the war to maintain their organizations. There has never been sufficient high-grade commercial work in any of our private shipyards to maintain the size or character of organizations necessary to design and build naval vessels. This type of organization can only be preserved by designing and building such vessels.

There had been no merchant shipbuilding of consequence for the foreign trade for many years. The building of merchant vessels had been confined, as now, to vessels for the coastal and intercoastal trade and to miscellaneous small crafts for sound, bay, and harbor service.

The absence of shipbuilding has not only reduced working forces and organizations of existing shipyards, but it has resulted in the closing of many yards. At the beginning of 1916 there were 23 private shipyards in the United States building sea-going vessels. At the present time only 12 are making any pretense of maintaining an organization to build such vessels, and several of these are engaged almost wholly in ship-repair work. Among the yards that have been closed are such well-known yards as those of William Cramp & Son Ship & Engine Building Co.; Bath Iron Works, Bath, Me., which has been recently reopened; Sparrows Point plant, in Maryland; Harlan plant, in Wilmington, Del.; and Alameda plant, in Alameda, Calif., of the Bethlehem Shipbuilding Co. It is interesting to note, in comparison with the above, that Great Britain has no less than 57 shipyards now building sea-going vessels, and Germany has 18. Of the private shipyards in the United States that were building naval vessels prior to the World War, only 4 have maintained their organizations, 3 for building all types of naval vessels, and 1 for submarines only.

The important part performed by naval contracts in the maintenance of the shipbuilding industry in four of the larger shipyards in the United States on December 31, of each of the years of 1911, 1912, and 1913, is shown on the attached statement, Exhibit "A." The same statement shows the lack of such contracts on December 31, of each of the years of 1926 and 1927, and on October 31, 1928.

The highest grade of work that a shipyard can perform is the construction of naval vessels. The performance of work of this character is ultimately dependent upon the maintenance of a highly developed technical staff by engineers and designers, which can only be created and maintained by building naval vessels. There is no type of merchant vessel construction that requires so highly developed a technical staff as that of naval construction.

The technical staff can only live and thrive in a shipbuilding establishment continuously employed on naval work or the highest grade commercial work, such as large passenger vessels, and where opportunity to undertake the construction of new types is frequently available, so that each ship represents a progressive improvement over the last. This is the only way that progress can be made.

The technical staffs of the private shipyards are, therefore, the neck of the bottle in all shipbuilding, and particularly so in building naval ships on account of their exacting requirements. These staffs, representing the result of many years of trial and elimination of men to build them up, would be disbanded if the private shipyards were obliged to close through lack of naval work. Once disbanded, they could only be very slowly reassembled. The maintenance of a competent technical staff, therefore, depends upon a shipyard having continuous naval or high-grade commercial work. Should the Navy Department award a contract to a shipyard whose technical staff had been disintegrated owing to lack of work, the shipyard could not construct such a vessel for several years owing to the necessity for reassembling, building up by a process of trial and elimination, and final seasoning of a new technical staff before the detail, designs, and plans could be made.

Without these technical staffs of the private shipyards the Navy would be limited to duplicating ships already built whose plans had already been made. Progress would stop.

In conclusion and as a summary of its objections to the Dallinger amendment to the bill authorizing the construction of additional naval vessels, the National Council of American Shipbuilders submits the following:

"(1) By virtue of his office, the Secretary of the Navy has a comprehension of the naval vessels required by the United States and should

appreciate the essential necessity of maintaining the private shipyards as auxiliaries of the navy yards. He is familiar with the facilities of the navy yards and private shipyards and is in a position to ascertain the amount of work on hand in the private shipyards and their need of additional work sufficient to employ normal staffs of designers and engineers and forces of skilled mechanics to enable them to perform efficiently their national service as auxiliaries of the navy yards.

"Therefore, whenever Congress authorizes the construction of naval vessels the Secretary of the Navy should have the authority to consider the conditions of the private shipyards and to exercise his discretion whether the construction of naval vessels should be undertaken by private shipyards or by navy yards. The Dallinger amendment deprives the Secretary of the Navy of this authority and discretion.

"(2) The cost of the construction of a cruiser in a Government navy yard is greater than in a private shipyard.

"(3) The Government, by its increasing tendency to build more and more naval vessels in its navy yards, threatens the destruction of private shipyards as naval auxiliaries.

"As a general policy the National Council of American Shipbuilders is opposed to the Government competing with its citizens in business, although it recognizes that the practice of the Government has been to build a few naval vessels in its navy yards, and it is not opposing this practice. It is, however, opposing the Dallinger amendment because, if the cruiser bill be enacted with the amendment, it will result in an unnecessary and uneconomic extension of the practice of the Government of building a few vessels in navy yards to its building a greater number at a time when shipbuilding in the United States is at the lowest ebb of its existence.

"(4) The President of the United States and the President elect have definitely expressed their attitude on the subject of government in business. The President at the Union League Club, Philadelphia, on November 17, 1927, said:

"It would be entirely wrong to assume that our present position has been secured as a result of accident. It has come from a carefully thought out policy, which has been for the most part consistently followed. We have always held very strongly to the theory that in our country, at least, more could be accomplished for human welfare through encouragement of private initiative than through Government action. We have sought to establish a system under which the people would control the Government and not the Government control the people. If economic freedom vanishes, political freedom becomes nothing but a shadow. It has, therefore, been our wish that the people of the country should own and conduct all gainful service. When the Government once enters a business it must occupy the field alone. No one can compete with it. The result is a paralyzing monopoly."

"Hon. Herbert Hoover in his acceptance of the presidential nomination said:

"Government should not engage in business in competition with its citizens. Such actions extinguish the enterprise and initiative which has been the glory of America and which has been the root of its pre-eminence among the nations of the earth."

"The National Council of American Shipbuilders therefore recommends that the Dallinger amendment be eliminated from the pending bill (H. R. 11526) authorizing the construction of 15 light cruisers and 1 aircraft carrier."

EXHIBIT A

BETHLEHEM SHIPBUILDING CORPORATION (LTD.)

FORE RIVER PLANT, QUINCY, MASS.

(Contracts marked * are naval contracts)

Statement showing contracts on hand as of December 31, 1911

- *Submarine E-1, *Skipjack*, United States Government.
- *Submarine E-2, *Sturgeon*, United States Government.
- *Battleship *Rivadavia*, Argentine Government.
- *Torpedo boat destroyer No. 39, *Henley*, United States Government.
- *Submarine K-1, United States Government.
- *Submarine K-2, United States Government.
- *Submarine K-5, United States Government.
- *Submarine K-6, United States Government.
- *Torpedo boat destroyer No. 46, *Duncan*, United States Government.
- Suction dredge *New Orleans*, United States Engineers.
- Trawler *Swell*, Bay State Fishing Co.
- Trawler *Surf*, Bay State Fishing Co.

Statement showing contracts on hand as of December 31, 1913

- *Battleship *Rivadavia*, Argentine Government.
- *Submarine K-1, United States Government.
- *Submarine K-2, United States Government.
- *Submarine K-5, United States Government.
- *Submarine K-6, United States Government.
- *Torpedo boat destroyer No. 46, *Duncan*, United States Government.
- *Battleship No. 36, *Nevada*, United States Government.
- *Submarine tender *Fulton*, United States Government.
- *Torpedo boat destroyer No. 55, *Cushing*, United States Government.

Sulphur steamer *Frieda*, Union Sulphur Co.
 Tanker steamer *Richmond*, Standard Oil Co.
 Carfloat, New York, New Haven & Hartford Railroad.
 Carfloat, New York, New Haven & Hartford Railroad.
 Trawler *Wave*, Bay State Fishing Co.
 Trawler *Billow*, Bay State Fishing Co.
 Trawler *Breaker*, Bay State Fishing Co.
 Carfloat, New York, New Haven & Hartford Railroad.
 Carfloat, New York, New Haven & Hartford Railroad.

Statement showing contracts on hand as of December 31, 1913

- *Battleship *Rivadavia*, Argentine Government.
- *Submarine K-1, United States Government.
- *Submarine K-2, United States Government.
- *Submarine K-5, United States Government.
- *Submarine K-6, United States Government.
- *Battleship *Nevada*, United States Government.
- *Submarine tender *Fulton*, United States Government.
- *Torpedo boat destroyer No. 55, *Cushing*, United States Government.
- *Submarine L-1, United States Government.
- *Submarine L-2, United States Government.
- *Submarine L-3, United States Government.
- *Submarine L-4, United States Government.
- *Submarine M-1, United States Government.
- *Torpedo boat destroyer No. 57, *Tucker*, United States Government.
- Tanker steamer *Amolco*, Boston Molasses Co.
- Freight steamer *Atlantic*, J. S. Emery Co.
- Freight steamer *Pacific*, J. S. Emery Co.

Statement showing contracts on hand as of December 31, 1926

- *Airplane carrier *Lexington*, United States Government.
- Ferryboat *Governor Carr*, Jamestown & Newport Ferry Co.
- Carfloat No. 65, New York, New Haven & Hartford Railroad.
- Carfloat No. 66, New York, New Haven & Hartford Railroad.
- Carfloat No. 67, New York, New Haven & Hartford Railroad.
- Carfloat No. 68, New York, New Haven & Hartford Railroad.
- Oil barge No. 2, Cities Service Transportation Co.

Statement showing contracts on hand as of December 31, 1927

- *Scout cruiser No. 26, United States Government.
- Cutter No. 45, *Chelan*, United States Coast Guard.
- Cutter No. 46, *Pontchartrain*, United States Coast Guard.
- Cutter No. 47, *Tahoe*, United States Coast Guard.
- Cutter No. 48, *Champlain*, United States Coast Guard.
- Cutter No. 49, *Mendota*, United States Coast Guard.
- Freighter *Edward F. Farrington*, Middlesex Transportation Co.
- Passenger and freight steamer *New Bedford*, New England Steamship Co.

Statement showing contracts on hand as of October 31, 1928

- *Scout cruiser No. 26, United States Government.
- Cutter No. 47, *Tahoe*, United States Coast Guard.
- Cutter No. 48, *Champlain*, United States Coast Guard.
- Cutter No. 49, *Mendota*, United States Coast Guard.
- Trawler *Shawmut*, Massachusetts Trawling Co.
- Trawler *Trimount*, Massachusetts Trawling Co.
- Trawler *Wm. J. O'Brien*, R. O'Brien & Co.
- Collier *Berwindglen*, Wilmore Steamship Co.
- Collier *Berwindvale*, Wilmore Steamship Co.
- Passenger and freight steamer, New England Steamship Co.

WILLIAM CRAMP & SONS SHIP & ENGINE BUILDING CO.

(Contracts marked * are naval contracts)

Statement showing contracts on hand as of December 31, 1911

- *Submarine No. 26, *Thrasher*, United States Government.
- *Battleship No. 32, *Wyoming*, United States Government.
- *Torpedo boat destroyer No. 40, *Beale*, United States Government.
- *Cruiser *Cuba*, Cuban Government.
- *Gunboat *Patria*, Cuban Government.
- Power boat *Collier*, J. M. Guffey Petrol Co.

Statement showing contracts on hand as of December 31, 1912

- *Submarine No. 26, *Thrasher*, United States Government.
- *Torpedo boat destroyer No. 47, *Aylwin*, United States Government.
- *Torpedo boat destroyer No. 48, *Parker*, United States Government.
- *Torpedo boat destroyer No. 49, *Benham*, United States Government.
- *Torpedo boat destroyer No. 49, *Benham*, United States Government.
- *Torpedo boat destroyer No. 50, *Balch*, United States Government.
- *Torpedo boat destroyer No. 50, *Balch*, United States Government.

Statement showing contracts on hand as of December 31, 1913

- *Submarine No. 26, *Thrasher*, United States Government.
- *Torpedo boat destroyer No. 47, *Aylwin*, United States Government.
- *Torpedo boat destroyer No. 48, *Parker*, United States Government.
- *Torpedo boat destroyer No. 49, *Benham*, United States Government.
- *Torpedo boat destroyer No. 50, *Balch*, United States Government.
- *Torpedo boat destroyer No. 51, *O'Brien*, United States Government.
- *Torpedo boat destroyer No. 52, *Nicholson*, United States Government.
- *Torpedo boat destroyer No. 53, *Winslow*, United States Government.
- *Gunboat No. 19, *Sacramento*, United States Government.

Freight steamer *Santa Clara*, W. R. Grace & Co.
 Freight steamer *Catalina*, W. R. Grace & Co.
 Freight steamer *Cecilia*, W. R. Grace & Co.
 (Cramp yard closed June, 1927)

NEW YORK SHIPBUILDING CO., CAMDEN, N. J.
 (Contracts marked * are naval contracts)

Statement showing contracts on hand as of December 31, 1911

*Battleship *Moreno*, Argentine Government.
 *Destroyer *Jarvis*, United States Government.
 *Cruiser *Elli*, Greek Government.
 *Destroyer *Downes*, United States Government.
 *Battleship *Arkansas*, United States Government.
 *Tug *Sonoma*, United States Government.
 *Tug *Ontario*, United States Government.
 Tanker *Rayo*, Standard Oil Co.
 Tanker *El Segundo*, Standard Oil Co.
 Tanker *Gulfoil*, Gulf Refining Co.
 Pontoon, United States Government.

Statement showing contracts on hand as of December 31, 1912

*Battleship *Moreno*, Argentine Government.
 *Destroyer *Downes*, United States Government.
 *Battleship *Oklahoma*, United States Government.
 *Destroyer *Ericsson*, United States Government.
 *Cruiser *Elli*, Greek Government.
 River steamer *Washington Irving*, Hudson River Day Line.
 Tanker *Vesta*, Standard Oil Co.
 Collier *Norfolk*, Coastwise Transportation Co.
 Tanker *Socony*, Standard Oil Co.
 Passenger steamer *Congress*, Old Dominion Steamship Co.
 Carfloat No. D-24, New York Central Railroad.
 Carfloat No. D-25, New York Central Railroad.
 Freight steamer *Tyler*, Pacific Coast Co.
 Carfloat No. 32, New York Central Railroad.
 Carfloat No. 33, New York Central Railroad.
 Carfloat No. D-53, New York Central Railroad.
 Carfloat No. D-54, New York Central Railroad.

Statement showing contracts on hand as of December 31, 1913

*Battleship *Moreno*, Argentine Government.
 *Destroyer *Downes*, United States Government.
 *Destroyer *Ericsson*, United States Government.
 *Destroyer tender *Melville*, United States Government.
 *Destroyer *Jacob Jones*, United States Government.
 *Destroyer *Wainwright*, United States Government.
 *Cruiser *Elli*, Greek Government.
 *Battleship *Oklahoma*, United States Government.
 Collier *Hampden*, Coastwise Transportation Co.
 Ferry *Mayor Gaynor*, city of New York.
 Carfloat No. 3, New York, Philadelphia & Norfolk Railroad.
 Carfloat No. 18, New York, Philadelphia & Norfolk Railroad.

Statement showing contracts on hand as of December 31, 1926

*Airplane carrier *Saratoga*, United States Government.
 Thirty-three patrol boats, United States Coast Guard.
 Ferry *Grenville Kane*, Electric Ferries (Inc.).
 Ferry *W. A. Baldwin*, Electric Ferries (Inc.).
 Ferry *Frederick Peirce*, Electric Ferries (Inc.).
 Ferry *Governor Moore*, Electric Ferries (Inc.).
 Ferry *Frank E. Gannett*, Electric Ferries (Inc.).
 Ferry *Charles W. Culkin*, Electric Ferries (Inc.).
 Decked barge No. 3, Reading Co.
 Decked barge No. 4, Reading Co.
 Carfloat No. 11, Reading Co.
 Carfloat No. 12, Reading Co.
 Carfloat No. 13, Reading Co.
 Carfloat No. 14, Reading Co.
 Carfloat No. 15, Reading Co.
 Carfloat No. 16, Reading Co.

Statement showing contracts on hand as of December 31, 1927

*Cruiser No. 25, *Salt Lake City*, United States Government.
 *Cruiser No. 27, *Chester*, United States Government.
 Cement barge, International Cement.

Statement showing contracts on hand as of October 31, 1928

*Cruiser No. 25, *Salt Lake City*, United States Government.
 *Cruiser No. 27, *Chester*, United States Government.
 Lighter.

NEWPORT NEWS SHIPBUILDING & DRY DOCK CO., NEWPORT NEWS, VA.
 (Contracts marked * are naval contracts)

Statement showing contracts on hand as of December 31, 1911

*Submarine *Tuna*, United States Government.
 *Torpedo-boat destroyer *Fanning*, United States Government.
 *Battleship *Texas*, United States Government.

Revenue cutter *Miami*, United States Coast Guard.
 Revenue cutter *Unalga*, United States Coast Guard.
 *Collier *Proteus*, United States Government.
 *Collier *Nereus*, United States Government.
 Freighter *Evelyn*, Bull Steamship Co.
 Freighter *Carolyn*, Bull Steamship Co.
 Passenger and freighter *Lenape*, Clyde Steamship Co.

Statement showing contracts on hand as of December 31, 1912

*Battleship *Texas*, United States Government.
 *Collier *Proteus*, United States Government.
 *Collier *Nereus*, United States Government.
 Passenger and freighter *Lenape*, Clyde Steamship Co.
 Oil Tanker *Illinois*, Texas Steamship Co.
 Freighter *Lorenzo*, New York & Porto Rico Co.
 Oil barge *Tamesi*, Southern Pacific Co.
 Freighter and passenger *Matsonia*, Matson Navigation Co.
 Oil tanker *Topila*, Southern Pacific Co.
 Freighter and passenger *Manoa*, Matson Navigation Co.
 Freighter *Lewis K. Thurlow*, Crowell & Thurlow Steamship Co.
 Freighter *Peter H. Crowell*, Crowell & Thurlow Steamship Co.
 Oil tanker *J. D. Archbold*, Standard Oil Co.
 Freighter *Adeline Smith*, Smith Lumber Co.

Statement showing contracts on hand as of December 31, 1913

*Battleship *Texas*, United States Government.
 *Battleship *Pennsylvania*, United States Government.
 *Oil barge No. 5, United States Government.
 *Oil barge No. 6, United States Government.
 Oil tanker *J. D. Archbold*, Standard Oil Co.
 Freighter and passenger *Carolina*, New York & Porto Rico Co.
 Freighter *Neches*, Clyde Line.
 Freighter *Medina*, Clyde Line.
 Oil tanker *John D. Rockefeller*, Standard Oil Co.
 Dump scow, United States Engineers.
 Dump scow, United States Engineers.
 Dump scow, United States Engineers.
 Dump scow, United States Engineers.

Statement showing contracts on hand as of December 31, 1926

Revenue cutter *Northland*, United States Coast Guard.
 Freight and passenger *California*, Panama Pacific Line.
 Freight and passenger *Iroquois*, Clyde Line.
 Freight and passenger *Shawnee*, Clyde Line.
 Freight and passenger *Algonquin*, Clyde Line.
 Freight and passenger *Caracas*, Red "D" Line.
 Oil barge No. 9, War Department.

Statement showing contracts on hand as of December 31, 1927

Freight and passenger *California*, Panama Pacific Line.
 Freight and passenger *Virginia*, Panama Pacific Line.
 *Cruiser No. 30, United States Government.
 *Cruiser No. 31, United States Government.
 Bay steamer *Yorktown*, Chesapeake Steamship Co.
 Tug *W. J. Harahan*, Chesapeake & Ohio Railroad.
 Steam yacht, George Baker, jr.

Statement showing contracts on hand as of October 31, 1928

Freight and passenger *Virginia*, Panama Pacific Line.
 *Cruiser No. 30, United States Government.
 *Cruiser No. 31, United States Government.
 Freight and passenger, Panama Pacific Line.
 Steam yacht, George Baker, jr.

QUINCY, MASS., December 18, 1928.

HON. RICHARD B. WIGGLESWORTH,

Member of Congress:

Quincy does not indorse the Dallinger provision in the naval bill. Sincerely hope that you may use your good offices to help the workers in the private yards. With unemployment acute in New England, the shipyard workers in the Fore River plant should be given consideration in new bill.

THOMAS J. McGRATH, Mayor.

IN COUNCIL, CITY OF QUINCY, December 17, 1928.

Whereas the Fore River Shipbuilding Corporation, an industry of Quincy, has successfully built 163 of the finest warships of our Navy; and

Whereas this shipyard is and has been of great value to our Nation in time of war and peace; and

Whereas this plant employs many residents of Quincy; and
 Whereas the naval bill, authorizing the construction of 15 cruisers and 1 aircraft carrier, at an estimated cost of \$274,000,000, is now before the Senate committee of our National Government with an amendment, known as the Dallinger amendment, which provides that eight of these ships be built in Government navy yards: Therefore be it

Resolved, That the city council of Quincy records itself opposed to the Dallinger amendment; and be it further

Resolved, That a copy of this resolution be sent to Senators WALSH and GILLET and Representative WIGGLESWORTH, of Massachusetts.

Adopted December 17, 1928.

Attest:

EMERY L. CRANE, *Clerk of Council.*

Approved December 18, 1928.

THOMAS J. McGRATH, *Mayor.*

A true copy.

Attest:

[SEAL.]

EMERY L. CRANE, *City Clerk.*

QUINCY, MASS., December 15, 1928.

Congressman RICHARD WIGGLESWORTH:

Quincy Chamber of Commerce wishes to go on record protesting against Dallinger amendment. Letter of details follows.

HARRY H. KERR, *President.*

[From the Quincy Board of Trade Bulletin, week of December 21-28]

S O S CALL IS FORWARDED TO CONGRESS—QUINCY TRADE BOARD PROTESTS DALLINGER AMENDMENT—CALL CRUISER BILL UNFAIR—WOULD BE HARD-SHIP FOR FORE RIVER BUILDERS, CLAIM

Aroused to decisive action by a news dispatch from Washington acquainting them with the effect on steel shipbuilding of the Dallinger amendment to the pending cruiser bill, the Quincy Point Board of Trade, on Wednesday evening, passed a resolution urging that the amendment be stricken from the bill by the Senate.

President William M. Prime was in the chair with J. M. Spence, secretary.

The resolution as unanimously passed by the board follows:

Resolved, That President Coolidge, in recommending the passage of legislation necessary for the early construction of 15 cruisers has acted with the utmost discretion as a means of strengthening the Nation's defense.

Resolved further, That the Fore River Plant of the Bethlehem Shipbuilding Corporation (Ltd.), after a period of postwar struggle, is sorely in need of new work to keep an efficient organization of steel shipbuilders employed at the port of Quincy; be it further

Resolved, That the Dallinger amendment to the pending cruiser bill in the United States Senate, which calls for the building in navy yards of a major portion of these ships, as published in the Quincy Evening News on Wednesday, is undesirable and opposed to the Nation's best interests: Therefore be it

Resolved, That we, the Quincy Point Board of Trade, at our regular meeting on Wednesday, December 12, go on record as opposing the passage of this bill unless the Dallinger amendment be stricken out. It is further

Resolved, That we notify our Congressman, RICHARD B. WIGGLESWORTH, and our Senators, DAVID I. WALSH and FREDERICK H. GILLET, of our action and ask their support."

BRAINTREE BOARD OF TRADE,
Braintree, Mass., December 20, 1928.

HON. RICHARD B. WIGGLESWORTH,
Washington, D. C.

DEAR SIR: The members of the Braintree Board of Trade are strongly opposed to the Dallinger amendment to the naval bill.

We believe that navy yards should be responsible for maintenance and repairs of existing naval vessels only.

During the past two years many of our citizens have been laid off for lack of work at the Fore River plant, Quincy, Mass., and there is good reason to believe that there will be a further reduction.

The existence of this plant, which has built 163 ships for the Navy, should not be jeopardized by putting new construction in navy yards.

Past history has proven conclusively that private shipyards are an absolute necessity to our Government.

We respectfully request that you make every endeavor to assist in defeating this amendment.

Yours very truly,

E. E. ABERCROMBIE, Jr., *Secretary.*

WEYMOUTH CHAMBER OF COMMERCE (INC.),
East Weymouth, Mass., January 3, 1929.

HON. RICHARD B. WIGGLESWORTH,
United States Representative,
440 House Office Building, Washington, D. C.

DEAR REPRESENTATIVE WIGGLESWORTH: The Weymouth Chamber of Commerce respectfully invites your attention to the bill now pending in Congress, which would in effect provide for the construction of United States cruisers exclusively in Government navy yards. We believe that the passage of such legislation would be very unfortunate. Of course, the town of Weymouth has a direct interest in the prosperity and volume of business available for the Bethlehem Shipbuilding Corporation (Ltd.), located on the Weymouth Fore River.

The amount of work that is done at this yard has a direct bearing upon the prosperity of all tradespeople and other industries in our vicinity, because the pay roll distributed by the Bethlehem Shipbuilding Corporation is to a very large extent expended in the neighboring municipalities. We also feel that if the Government abandons the construction of naval vessels in private shipyards and places this work exclusively in navy yards it will destroy the most necessary and effective protection and security that this country could have in the time of war.

Obviously, a private shipyard can not afford to maintain the particular employees, organization, and apparatus necessary for the construction of Government ships, unless it receives sufficient contracts from the Government to make it possible to do so. Therefore, in time of war nothing but the Navy will be prepared to construct war vessels for the Government. We think this would be extremely dangerous. The World War is too recent to cause us to forget that ships were the thing that was most necessary and yet most lacking.

To discard our private shipyards as a source of supply of Government war vessels would seem to us to be an undertaking attended by the utmost hazard, and a position that we do not believe this country ought to take. It appears to us that the better policy would be to give these private shipyards sufficient business to enable them to keep their organization, equipment, machinery, and personnel up to the very highest standard. If this is done, a security for adequate defense will be provided.

More than that, there is a real question of how much advantage really results to the citizens of this country from the construction of these ships in Government yards. Such construction, undoubtedly, costs much more (if figured upon a basis of computation that reflects true costs) than if they were constructed in private yards. These excess costs must be made up in some form by the taxpayers. It may perhaps help one class, but to the detriment of another.

We are unable, therefore, to see any real advantage in depriving the private shipbuilding companies of the contracts for the construction of these cruisers. We sincerely hope that you will find it compatible with the interests of the country to oppose the pending legislation.

Respectfully,

STANLEY HEALD,
President Weymouth Chamber of Commerce (Inc.).

BROCKTON, MASS., January 7, 1929.

Congressman RICHARD WIGGLESWORTH,
House Office Building:

Please enter protest of city of Brockton against naval bill amendment requiring all construction and repair work of new naval program to be done in Government yards. We believe naval construction and repair at Fore River yards, Bethlehem Shipbuilding Co., always has been economical and efficient. Share of this work should be open to bids of Fore River yards in interest of Brockton and district employees.

HAROLD D. BENT, *Mayor.*

BOSTON, MASS., December 20, 1928.

HON. RICHARD WIGGLESWORTH,
Member of Congress, House Office Building, Washington, D. C.:

We understand Dallinger amendment to naval cruiser bill provides for building six scout cruisers in navy yards. May we invite your attention to fact that to-day there are only three private shipyards in United States that can undertake large naval work, and unless these yards are kept alive by these naval contracts one or more of them will probably meet the fate of other shipyards that have passed out of existence in recent years. Such loss of this industry might well become of national importance. We, therefore, wish to record our protest against Dallinger amendment and to bespeak your interest and support of proposition that contracts for building new cruisers be given private shipbuilding concerns and navy-yard work be confined to reconditioning, maintaining, and repairing Navy fleet.

FRANK S. DAVIS,
Manager Maritime Association, Boston Chamber of Commerce.

Mr. FRENCH. Mr. Chairman, I yield 20 minutes to the gentleman from New York [Mr. FISH].

The CHAIRMAN. The gentleman from New York is recognized for 20 minutes.

Mr. FISH. Mr. Chairman and members of the committee, at the outset of my remarks let me congratulate the Subcommittee on Naval Affairs for their intelligent and able handling of the naval appropriations; so much so that there is hardly any controversy on the bill now pending before the House.

The interest of the country at the present time is concentrated on our sister body, which is considering the 15-cruiser bill. I voted for that measure when it was in the House. I shall vote for the 15-cruiser bill again if it comes back from the other body, but I would oppose the time limit. I think the time limit is unnecessary and unprecedented. I think it is simply tying the hands of the Chief Executive. It shows a lack of confidence and faith in both President Coolidge and the incoming

President, Mr. Hoover, and in my opinion it would restrict and hamper Mr. Hoover in calling a conference to further limit the so-called light cruisers. Further on in the time allotted to me I intend to speak in favor of calling another conference to try to reach an agreement to establish a limitation on these so-called light cruisers, which, of course, are not light at all. They are 10,000 tons. They have 8-inch guns, which have a greater hitting power than the old 12-inch guns. They are more powerful than the battleships of 25 years ago and cost more.

Before discussing the question of another conference, I would like to defend in this House—I propose to do it now and each year hereafter, if necessary—and answer the pernicious attacks made against the Limitation of Armament Conference of 1921-22, held here in Washington under the Harding administration. For some reason it has become almost a popular sport to denounce that conference, to say that it was a farce and a fraud and practical treason to the Government. These charges were not made at the time, but have developed since. We must not forget that our delegates were Secretary Hughes, Senator Lodge, and Senator Underwood—three of the ablest Americans holding public office. Senator Lodge was one of our foremost statesmen, chairman of the Senate Committee on Foreign Relations, a man who had always stood for a big navy and for adequate naval appropriations; and the Democratic Party was represented by one of the ablest men that ever sat in this House or in the Senate, former Senator Underwood. He knew all about the appropriations for the Navy from his long and conspicuous service in this House and in the Senate, and had followed the naval program closely for a great many years. Both of these Senators were American patriots, and they were not fooled by foreign influences and they were not a party to selling out our country and scrapping real battleships in return for blue prints.

That is what the big-navy men, my friends, want you to believe at the present time—that our delegates, along with former Secretary Hughes, were fooled and deceived into scrapping real battleships, those already built or in process of building, in exchange for blue prints by Great Britain and Japan.

I would like anybody who is interested in this question to go back and read the speeches made by former Senator Underwood and former Senator Lodge in March, 1922, showing definitely how the 5-5-3 ratio was reached and what battleships were sunk by Great Britain and Japan and what were destroyed by ourselves. Great Britain sank 22 battleships and Japan sank 16, and they were not blue prints, as some big-navy men would have you believe to-day. In my opinion, these wild charges are nothing but propaganda in an effort to undermine the faith of the American people in international conferences to limit naval armaments.

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

Mr. FISH. I will later on.

The thinking people of America believed then and still believe that the Washington conference was the greatest step forward in the direction of peace that had been taken since the World War or up to the signing of the Kellogg multilateral treaty.

What happened? Almost overnight by the adoption of a policy to reduce naval armaments proportionately, by the adoption of the 5-5-3 ratio for capital ships all talk and thought of war between the United States and Japan disappeared. The papers were filled with it up to the time of the Washington conference; and just as soon as the conference adopted the 5-5-3 ratio all this talk of war disappeared from our press and from the floors of the Congress of the United States. For the first time in history Great Britain, which had ruled the seas for centuries, agreed to a naval parity with the United States. This was the first time she had ever conceded equality on the high seas to another nation since the Spanish Armada, and she agreed to naval parity because she realized that we had become a great commercial, industrial, and exporting nation, and entitled to a large navy to protect our commerce in all corners of the world.

By the establishment of the 5-5-3 limitation on capital ships Great Britain showed a willingness to change her famous song, Britannia Rules the Wave, and agree to naval parity with the United States. On what? On battle cruisers and on battleships above 10,000 tons, and that was adopted by the acceptance of the 5-5-3 ratio, and Japan came into it. As a result capital ships were sunk on all sides. We were left with 18 capital ships; Great Britain with 20, but she will eventually have 18; and Japan was left with 10. No one has violated the spirit or the letter of that agreement for limitation on capital ships. That agreement not only brought about genuine friendship with Japan but also with England and did away with naval competition as far as the great battleships were concerned, those that cost from \$30,000,000 to \$40,000,000.

The principle of proportional limitation of naval armament was established for the first time in the history of the world by peaceful and mutual agreements. That was the outstanding result, but, if you want to discuss the financial side, the Washington Conference on Naval Limitation saved us over \$200,000,000 a year since that time, or over a billion and a half up to date. Yet there are men going around to-day, big militarists, saying that former Secretary Hughes was a pacifist and implying at the same time that Senator Lodge and Senator Underwood were pacifists also, and had practically committed treason against our country. So it is time that somebody in this Congress should not only defend the principle involved in the 5-5-3 ratio and pay tribute to the wisdom of our American delegates for promoting peace and good will among the leading naval powers but also to point out that the American delegates did everything they could at that conference to bring about a limitation of light cruisers under 10,000 tons, and of submarines and of all other auxiliary vessels under 10,000 tons. But unfortunately Great Britain and France were not ready or willing to go that far. However, our delegates made a concrete offer and did everything within their power to extend the 5-5-3 ratio to naval vessels under 10,000 tons.

Now, since that date Great Britain—and it is just as well to tell the truth, because we are not going to have any war; it is inconceivable that we will go to war with Great Britain—has gone ahead ruthlessly to build light cruisers and has taken advantage of the fact that no agreement was reached to limit light cruisers. They have not violated the letter of the Washington agreement, but they have gone right ahead building these light cruisers, so that now they have 64 light cruisers built or in process of building. That is why our hand is forced. That is why we have to build 15 light cruisers that we do not need. We only need them because England has brutally gone ahead with the building of light cruisers ever since the conference, as the result of which Japan has followed suit and has 33 light cruisers. So we have to appropriate \$270,000,000 for more light cruisers that we do not need in order to keep our end up in this naval race. When anybody says to you this is not naval competition they do not know what they are talking about. We are only building because we are forced to by naval competition. Against whom is Great Britain building light cruisers in such large numbers except the United States, and we in turn are paying back the compliment; even a blind man can see this deplorable situation. It is naval competition that has been and always will be one of the major factors in bringing about war. It is what brought about the war between Great Britain and Germany in 1914. Back in the nineties Germany and Great Britain were the best of friends, but just as soon as Germany announced its big naval program it began to cause bitterness, bad feeling, enmity, and hostility that led to war and was bound to eventuate in war. We are not going to have war with Great Britain, because it is inconceivable and everybody knows that such a war would mean the destruction of what is left of civilization, with nothing to be gained. But at the same time let us place the responsibility where it belongs for this naval competition. The responsibility belongs purely to the British Government, to the Tory government that is in power, which really is against any parity or equality with the United States. They still believe that Britannia rules the waves and still insist that if they can not rule through big battleships and battle cruisers they are going to rule it through light cruisers and other forms of naval armament not prohibited by the Washington conference.

Mr. DENISON. Will the gentleman yield?

Mr. FISH. For a brief question.

Mr. DENISON. If that is true, and I am inclined to agree with the gentleman, does not the gentleman think that we should build these cruisers as soon as possible?

Mr. FISH. I am in favor of building the 15 light cruisers. I have voted for every adequate proposal for naval preparedness that has come to the House; I voted for the elevation of guns and for the construction of cruisers against the wishes of President Coolidge a few years ago and I am in favor of the 15 cruisers now. Of course, I was against the preposterous proposition that was presented by the Secretary of the Navy to the Naval Affairs Committee in favor of 71 vessels, which, thank goodness, has been scrapped, but I am opposed to the time limit, first, because it is unprecedented and I do not believe we should tie the hands of the President, but more than that, because I am in favor of calling another conference this year to extend the 5-5-3 ratio to light cruisers. I earnestly hope that President Hoover will call such a conference some time this fall to be held in Washington to consider establishing a limitation on light cruisers. I am in favor of letting him have the power to say whether these 15 cruisers are to be begun this

year, if there were enough yards in which to build them, but we should not tie his hands and say they must all be begun in three years. If a time limit were fixed, then you would have to go right ahead with their building, whether we had a conference or not, and the main reason I am speaking here now is, first, in defense of the limitation of armament conference held in Washington in 1922.

Secondly, because I am in favor of another conference to limit light cruisers to be held in Washington at the call of the President this year, and I am sure in my heart that the English people and the British people themselves want this limitation. It is only a small handful of men belonging to the old order of things, the so-called die-hards, who do not represent all the Conservative Party by a long ways in England; but these men as long as they are alive want to see England dominating the waves and until they are dead politically they are going to maintain that principle and therefore I hope that a resolution such as the one I am about to read will be adopted. I do not believe we can get it on this bill because a point of order would be made against it or that we have time to get it through before we adjourn, but I would like to get it through the next Congress, if there is any possibility of doing it:

Resolved, That it is the sense of the Congress of the United States that the President call a conference of the leading naval powers, including Great Britain, Japan, France, and Italy, to be held in Washington during 1929, to consider further limitation of naval armament, with particular reference to light cruisers and all other naval vessels of 10,000 tons or under.

Mr. WAINWRIGHT. Will the gentleman yield?

Mr. FISH. I can not yield. I have not enough time. If I should have any time left I will be pleased to yield.

In addition to the criticism and the persistent and the consistent attacks upon the achievements of the Limitation of Naval Armament Conference of 1922, there have been persistent criticisms of our delegates, Admiral Hilary Jones, and Ambassador Gibson, for failing to reach an agreement in the conference called at the instance of President Coolidge in June, 1927, at Geneva.

If you will study what happened at that conference you will find that the British delegates insisted that the United States agree to give up the 8-inch guns on the light cruisers, and if the United States delegates had agreed to that it would have simply meant that Great Britain, with its enormous merchant marine could have armed every one of them with a 6-inch gun and controlled the seas forever. That is what was behind the British demand, the sine qua non of the British naval authorities; and our delegates, thank God, stood up and refused to surrender, because if they had there never would have been any parity or equality between the United States and Great Britain on the high seas for generations to come; and yet there are men in this House and in the press and throughout the country who have attacked our delegates for failure to reach an agreement. I am in favor of the principle of calling conferences, more conferences, and still more conferences, because the people of England are the same kind of people we have here. They want peaceful relations between Great Britain and the United States. They want to do away with this naval competition. They want to do away with this endless burden of taxation, and if Mr. Hoover, when he becomes President, calls such a conference to meet here in Washington, I believe that the delegates from Great Britain, Japan, and the United States can agree to some tonnage limitation, say 300,000 tons, on light cruisers.

Personally, I do not care exactly what the tonnage limitation is as long as there is a limitation, because it is only through limitation that we can do away with the rivalry brought about by naval competition which is existing to-day. It is going on at this very minute, in spite of these beautiful phrases you see about the friendship of the United States to Great Britain and of the United States to Japan. We are entering, we have entered, and we are now in naval competition with Great Britain and Japan, and this will continue just as long as there is no tonnage or other kind of limitation established for light cruisers.

It ought to be an easy matter to call this conference and extend the 5-5-3 ratio to light cruisers and other auxiliary vessels under 10,000 tons or provide for a tonnage limitation.

Mr. WAINWRIGHT. Now will the gentleman yield?

Mr. FISH. I yield.

Mr. WAINWRIGHT. The gentleman has referred to the proposal to build these 15 cruisers as entering into competition with Great Britain. I would like to ask the gentleman how he figures there would be any competition involved, in view of his statement that since the naval conference in 1922 Great Britain has either laid down or built 62 cruisers?

Mr. FISH. Sixty-four.

Mr. WAINWRIGHT. If that is so, how does the gentleman figure that building 15 cruisers is competition?

The CHAIRMAN. The time of the gentleman from New York [Mr. FISH] has expired.

Mr. FRENCH. Mr. Chairman, I yield 10 minutes more to the gentleman.

Mr. FISH. All the 64 British cruisers are not 10,000-ton cruisers, and they do not all carry 8-inch guns. These modern cruisers we are providing are 10,000-ton cruisers, and they do carry the big 8-inch guns, and that will give us approximately 33 cruisers altogether and 23 modern 10,000-ton cruisers with 8-inch guns. They may not be equal to the 64 in numbers, but they approximate the naval strength of the British cruisers.

Mr. TABER. Will the gentleman yield there?

Mr. FISH. I yield.

Mr. TABER. The number of cruisers that Great Britain has laid down since the disarmament conference is 15.

Mr. FISH. I am glad the gentleman has brought that out. That is the number laid down. I think England has authorized some more, too.

Mr. TABER. There are more authorized, but the rest of the 64 that she has in commission are older.

Mr. FISH. That answers the question—they are older. These new vessels we are putting down or authorizing, making about 33 all together since the armistice, are not possibly equal to all the 64 British cruisers combined but they approximate that strength, because the British cruisers are older and have lighter gun power in many cases.

Mr. HOUSTON of Hawaii. Will the gentleman yield?

Mr. FISH. Yes.

Mr. HOUSTON of Hawaii. There are only 8 laid down and under construction with 8-inch guns at the present time, and 15 provided by this bill.

Mr. FISH. Yes; the other 10 have smaller tonnage and smaller guns.

Mr. HOUSTON of Hawaii. Making a total of 23 with 8-inch guns.

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

Mr. FISH. Yes.

Mr. DENISON. Does not the gentleman think that if we go ahead and authorize these additional cruisers and let the world know that we mean business by putting a time limit in the legislation, we will be more apt to get another limitation of armament conference than if we merely authorize the blue prints?

Mr. FISH. No; I do not think so at all. The Commander in Chief of the Army and the Navy is the President of the United States. We ought to have confidence and faith in him, and certainly we Republicans should have faith in our own President.

Mr. DENISON. The gentleman has no more confidence in the new President than I have.

Mr. FISH. I know that; I am not casting any reflections.

Mr. DENISON. I was wondering in view of the fact that we are already constructing additional cruisers, and if we are going to add 15 more—

Mr. FISH. Not at all. The President has authority to go ahead, and might go ahead quicker than the time limit. He might construct them in two years. It might serve his purpose to say if you do not agree in this conference in 1929 we will build these cruisers in 18 months. I think he can do that, not only to bring about the conference—but to get results. Moreover, this proposed time limit comes pretty near being a lack of confidence in the Commander in Chief.

Now, a naval limitation conference is to be called April 15 under the auspices of the League of Nations. I introduced last year a resolution authorizing \$75,000 to send delegates to a similar conference under the League of Nations. It was repeatedly said then that the proposed conference would be a farce. In my heart I knew that was so, but I advocated it on the floor of the House as a matter of good faith for the United States to send delegates and participate in any bona fide efforts to limit naval armaments.

What happened? The resolution went through, and the delegates were sent to the league conference, which turned out to be a mere gesture if not a farce, as a lot of little nations without any navies took part and effectively prevented the leading naval powers reaching any agreements. Often one little nation without a navy objected and that was the end of the whole proceedings. Or groups of European nations would line up on every question, not on the merits of the proposal but on the basis of understandings and ententes.

You must remember that Article V of the League of Nations requires unanimous consent and if any gentleman in the assembly or the council of the league objects, that ends the proceedings. I only wish to God that they might come to some

limitation under the league. But I feel reasonably certain that the new conference will not amount to any more than the old conference held in the spring of 1927.

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. FRENCH. I yield to the gentleman two minutes more.

Mr. CONNALLY of Texas. Will the gentleman yield?

Mr. FISH. I yield.

Mr. CONNALLY of Texas. I thoroughly sympathize with the gentleman in his views on disarmament, but how is the gentleman going to get an agreement unless it is unanimous? You can not make a nation disarm.

Mr. FISH. That is a fair question; but the conferences that we have called in the past only included the leading naval powers. If a naval limitation conference were called this year in Washington it would probably be confined to Great Britain, the United States, Japan, Italy, and France, with some chance of reaching an agreement; but if you go ahead and include Poland, Czechoslovakia, and Yugoslavia, and even smaller countries, it is ridiculous on the face of it to expect any results from such a conference. I thank the chairman for the time he has given me, and I hope the chairman himself will help bring about an extension of the 5-5-3 ratio to light cruisers and other auxiliary vessels under 10,000 tons. [Applause.]

Mr. AYRES. Mr. Chairman, I yield to the gentleman from Alabama [Mr. OLIVER] such time as he desires.

Mr. OLIVER of Alabama. Mr. Chairman, I did not intend at this time to make any statement, but I will take a few minutes to correct some inaccuracies, or perhaps I should say incomplete statements, by the gentleman from New York [Mr. FISH]. An incomplete statement is an inaccurate statement. The gentleman from New York [Mr. FISH] stated that some two years ago he voted to override the recommendation of the President of the United States in which the President requested Congress to postpone appropriations for the construction of cruisers already authorized. The reason assigned by the President for asking a postponement of such appropriations was that he intended in the very near future to ask for a conference with Great Britain, Italy, France, and Japan.

Later on the gentleman from New York [Mr. FISH] states that the Secretary of the Navy submitted a preposterous proposal for a building program after the failure of the conference called by the President.

The gentleman is inaccurate in confining his statement to the fact that it was the Secretary of the Navy who submitted what he terms a "preposterous proposal." This proposal of the Secretary of the Navy, he will find on inquiry, was made with the full knowledge and approval of the President. It would not have been made by the Secretary of the Navy and would not have been considered in extenso by the Naval Affairs Committee had they not been informed that it met with the approval of the President and was not in conflict with the financial program of the Budget. The surprising thing is that the President, who shortly before had opposed any appropriation for building cruisers then authorized, so soon after the failure of the conference called by him was submitting what the gentleman from New York [Mr. FISH] and many others have rightly characterized as a preposterous proposal. Leading friends of the President on the Naval Affairs Committee were of the opinion that the recommendation of this "preposterous building program," without any suggestion as to when the building of any of the ships so recommended would be started, was nothing more than an idle, blue-print proposal. It was largely because of this prevailing belief that the House committee wrote into the bill authorizing the building of 15 cruisers a time limit. In effect, they said, "No; this proposal of the President, rightly characterized by the press of the Nation and by the Members of Congress as preposterous and unreasonable, we disapprove; but since, Mr. President, you admit and show the urgent need for more cruisers, and since the House, by affirmative vote before the Senate took action, approved your suggestion to defer appropriations until the conference could be held; and since now you propose a large building program, which the country does not favor, yet does favor, as Congress does, a reasonable building program, we will provide for such a building program and require it to be laid down within a definite time."

That is the history of the 15-cruiser construction program, and I am in position to make such statement for the reason that, serving with the subcommittee when the suggestion was first made that we defer any appropriations for cruisers then authorized, I said to the committee, "I will not consent to defer such appropriations unless assured that the President of the United States makes the request, and makes it for the plainly declared purpose of asking a conference with Great Britain, Japan, France, and Italy with a view of placing further limitations on naval armaments."

If you will refer to a speech in support of the position afterwards taken by our subcommittee, at the President's request, you will find that I said then if a conference is called, and there appears no reasonable prospect of an agreement with the nations participating in such conference to further limit armaments, then I favor undertaking at once a construction program that will maintain, approximately at least, that parity of naval power provided for at the Washington naval conference. That is all that this building program now pending in the Senate seeks to do. It is, in fact, a replacement program, as stated by the gentleman from Idaho [Mr. FRENCH] on yesterday, since there must soon go out of commission, because of obsolescence, many cruisers now carried on our list as ships of some military value. As these 15 cruisers come into service, I agree with the gentleman from Idaho [Mr. FRENCH] that old ones found to be obsolescent should not be kept in active commission thereafter.

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

Mr. OLIVER of Alabama. Yes.

Mr. DENISON. The gentleman has been on this committee for some time. I have a great deal of respect for his judgment. I want to know whether the gentleman does not think that it is better policy for us as a Government to map out our program for our naval expenditures and go ahead and build the ships, rather than to authorize them with some sort of a condition depending upon calling some sort of a conference? It seems to me that that is in the nature of a bluff, and I never did approve of that, either as a personal matter or as a Government matter. It seems to me we ought to authorize these cruisers and then we ought to go on and build them.

Mr. OLIVER of Alabama. I think the gentleman is entirely correct. And may I say this, that Great Britain, at the conference to which the gentleman from New York [Mr. FISH] referred, opposed the building of any cruisers of the types which the gentleman from New York rightly says we can not forego building, because if we submit to the proposal of Great Britain by a further limitation as to tonnage and gun power of light cruisers, then you, in fact, have no limitation, because within the limits proposed by Great Britain the merchant marine becomes a competitor, and we know the superior strength of the British Government as to a merchant marine. That is why our naval officers wisely concluded that so long as Great Britain was insistent that we accede to the conditions and limitations she proposed, there could be no conference, and I think the American people have given hearty approval to this position taken by our naval officers.

What is happening? This branch of Congress, by a large vote, with the approval of the American people, has authorized a 15-cruiser building program, to be laid down within the next three years. It is a reasonable replacement program, and with the completion of that program, we still will be weaker in cruiser strength than Great Britain; why, then, should we hesitate to go on with the program? The gentleman from Idaho [Mr. FRENCH] has given serious study to the question, and his speech yesterday was one evidencing sound economic thought as to replacements. He feels that the 15-cruiser building program is entirely consonant with sound economic reasons for a replacement of old cruisers soon to become obsolescent, and he undertook to point out how we may in the future practice economy by wisely following some safe and sound replacement program of this kind. [Applause.]

Mr. AYRES. Mr. Chairman, I yield to the gentleman from Florida [Mr. SEARS] such time as he desires.

Mr. SEARS of Florida. Mr. Chairman, I ask unanimous consent to revise and extend my remarks, and in doing so to incorporate therein part of a speech which I made in 1922.

The CHAIRMAN. The gentleman from Florida asks unanimous consent to revise and extend his remarks and incorporate therein part of a speech which he made in 1922. Is there objection? [After a pause.] The Chair hears none.

Mr. SEARS of Florida. Mr. Chairman, I am indeed grateful to the membership of this House for the opportunity of addressing you this afternoon.

On the 4th of March I will have served my people and our State in Congress for 14 years, and I appreciate to the fullest extent so signal an honor.

Forty-eight years ago my father moved to Kissimmee, Fla., and there I have resided ever since. For more than twenty times I have gone before those good people asking their support, and I am proud of the fact that I can say I have never lost my home precinct and only my home county one time, the year I returned from college. Those people knew me as a child, a boy, and all during manhood. That they have always so loyally supported me is appreciated more than I can express. I can only say they have been more kind to me than I deserve, and my only hope is I merit their confidence and esteem.

Last June I failed of nomination, but do not consider it a defeat. Two years ago, with the same candidate opposing me, I received 22,000 votes and was renominated. At that time there were only two candidates in the race, and my opponent then was the one who defeated me this time. Last June I received 42,000 votes, or nearly 100 per cent increase, but failed to receive the nomination. More than 56,000 voted in the district for the first time and the total vote cast at the primary was over 98,000. I simply refer to this to show you my friends are not only still loyal but that they persuaded 20,000 who did not know me to vote for me.

I have another unique record. While I have been elected to Congress seven times I have made 14 races, 2 every 2 years, except possibly one time. Those of you who keep up with athletics know that the legs of Wagner and Cobb finally gave way and they retired from the game. Perhaps I made so many races is the reason why I did not run fast enough the last time. But enough of this, for perhaps it does not interest you.

In every public address I have made in the district I stated I did not care who received the credit so long as the fourth congressional district and our beloved State, Florida, received the benefit. Therefore, I have neither sought nor received publicity. I am satisfied to let my record and the future determine whether I have been faithful and efficient.

In view of the charge repeatedly made, Mr. Chairman, that I have accomplished nothing since I have been in Congress, I think it but fair to myself to briefly refer to a few of the major measures which I have advocated and pushed to a successful conclusion. This is done with no egotism, because there is no egotism in my make-up. With you, as with them, I have always been just "Joe."

I do so solely that in years to come, perhaps, after I have passed to the great beyond, my friends can refer to my record and say that their support was justified.

When I entered Congress the St. Johns River from Jacksonville to the ocean only had a depth of 25 feet, the depth of a river being determined by the most shallow point. By hard work, and a never-say-die spirit, I am glad to state that now there is a depth from Jacksonville to the ocean of 30 feet, and at Mayport a lightship is stationed and complete jetties have been constructed.

At Miami there was a depth of about 10 feet, and this was gradually filled up until the *City of Miami* was forced to be taken off her run. Year in and year out I fought for Miami, because I appreciated the possibilities of that magic city, and to-day there is a depth of 25 feet and an authorization to complete the channel and harbor to a depth of 30 feet.

Fort Pierce, West Palm Beach, Hollywood, and other cities have spent and are spending millions of dollars constructing their harbors without a single dollar from the Government. At Hollywood in the near future there will be completed a harbor of practically 35-foot depth at a cost of approximately \$6,000,000, paid for by the Joe Young Corporation, the city of Hollywood, and the city of Fort Lauderdale. There are also practically completed harbors at West Palm Beach and Fort Pierce. If I had been permitted to remain in Congress I am satisfied I would have secured for these cities the governmental aid they are entitled to. If Florida had been treated as other States had been treated all of our harbors would have been completed without a dollar of expense to the taxpayers down there; but before I entered Congress the policy of the Government was changed and local cooperation has been required.

More than \$18,000,000 has been spent or authorized for improvements in the fourth congressional district. This does not include moneys for good roads. And yet honesty forces me to state many rivers and harbors have been neglected because there are more than 1,500 miles of rivers and about 600 miles of sea-coast in the district, extending from Jacksonville to Key West, which I have had the honor to represent. I have been severely criticized because I did not scatter my work and secure a pittance for each harbor, making none complete; but I did not surrender under the pressure, but hewed to the mark, never beginning a new project until an old one had been completed.

I have been a member of the House Committee on Roads for years, and the first bill reported out by the committee was by a majority of 1, and I had the pleasure of voting with the majority, and think I can, therefore, in fairness claim I was instrumental, working with those just as enthusiastic as myself, in embarking the Government on the building of good roads. Since I have been a member of that committee there has been spent by the Government in Florida, in round numbers, \$9,000,000, and there is an unobligated balance apportioned to the State of more than \$2,000,000, or, in all, approximately \$11,000,000 for Government and State aid roads. There will also be an allotment in 1931 under the bill already passed.

In other words, there has been spent more than \$18,000,000 in the district, and added to this the more than \$11,000,000 spent on public roads, making in all more than \$29,000,000 by the Government during my tenure of office, and yet day in and day out, in season and out of season, I was severely and unjustly criticized for not working for Florida and for doing nothing for my constituents.

There is now set aside for the State \$4,500,000 for public buildings; so I think I can truthfully say, while some may have been more efficient, none could have more consistently and persistently worked for the State than I have worked.

In fairness to the State, let me remind you these appropriations have been largely made possible because our cities and the State have met the Government practically dollar for dollar on all expenditures.

While I have worked for the fourth congressional district, I have not known congressional lines and have worked just as hard for each and every part of the State. Nationally I have followed the same course, and it has been my pleasure to cooperate with my colleagues from other States in securing appropriations to which I thought they were entitled.

It was my pleasure to serve six years under a Democratic administration. Four years of that time I was chairman of the House Committee on Education—to my mind, one of the most important committees of the House, especially to the youth of the Nation. I am satisfied I can truthfully say during those four years none of my colleagues who served with me on the committee will say I did not act fairly and impartially and that I knew no party lines.

During the last eight years I have served as a member of the minority party. Perhaps the many courtesies and kindnesses shown me by my colleagues on the Republican side is due to the course I pursued as a member of the majority party. This was clearly shown at the last session when I made the fight for the refund to Miami of the money advanced by that city to the Government for harbor improvement.

That fight refunding to Miami \$1,105,000, the other \$500,000 of the total amount advanced being refunded by the Chief of Engineers, was won because of the support of about 60 of my Republican colleagues, even though I was opposed by the leaders of the House. By securing this refund I saved the taxpayers of Miami alone between forty and sixty thousand dollars, or between four and six years' salary as a Member of Congress.

The fact that Miami did not give me a majority should not be held against the city, for practically all of those who knew of my work loyally stood by me and, unfortunately, in many cases were severely criticized for so doing.

No man likes to lose, but I believe I can truthfully say I harbor no animosity toward anyone who opposed me honestly and legitimately. For those who knowingly and unfairly criticized me I have but the utmost contempt.

Because of the influx of people from other States I doubt if any Member of Congress has secured more aid in the way of special relief bills and pensions for the soldiers of all wars and their widows than I have. While I am a southerner by birth and the son of a Confederate soldier, I am glad I was big enough and broad enough to see that those good people, the majority of whom were Republicans, secured the relief to which they were entitled. Fortunately or unfortunately for myself, they could not assist me in the primary as they did not participate, but in handling claims I have never cared nor have I asked to what party the applicant belonged.

Early in life I selected several mottoes which I have tried to live up to. One of them is:

If any little word of mine can make some life the brighter;
If any little song of mine can make some heart the lighter;
God help me to speak that little word and do my bit of singing;
And drop them in some lonely vale and start the echoes ringing.

In view of what I have done for those soldiers of all wars I feel that I have lived true to my motto and the thousands of heart beats in Florida for my welfare is sufficient compensation for whatever I may have accomplished for them, and my sole regret is that I was not able to do more.

The foregoing has referred to the wonderful State of Florida, but fate has been exceedingly kind to me and my field, therefore, has been in a broader sense.

As a member of the committee it was my great privilege and pleasure to help perfect and pass the first bill for vocational training, making it possible for the boys and girls of our Nation to learn a trade and thereby make life easier for them, which at its best is a rough and hard road to travel.

Mr. Chairman, I voted for war, although I did all in my power to keep this country of ours out of war, but when I cast

my vote I dedicated my heart and soul and the best that was in me to the brave boys who went abroad or remained in the camps at home to help protect and defend our wonderful country and my life and liberty and yours. Therefore, it was with great pleasure that I was permitted as chairman of the committee to introduce and help perfect the first bill for the rehabilitation of disabled soldiers and this bill was passed and out of it has grown that great and wonderful institution, the Veterans' Bureau, which is doing so much for the disabled soldiers. The day has not been too long; the night too dark or stormy for me to comply with all requests received from ex-service men, but for this they owe me nothing. They are under no obligation to me and I retire from Congress feeling that I am indebted to them. The thousands of letters of thanks I have received is sufficient reward for whatever I may have accomplished in their behalf. I have watched the Veterans' Bureau grow until it is the great institution of the Government we find to-day. I have watched directors come and go. The main fault I have to find is that about as soon as a man becomes thoroughly acquainted with the work, possibly for political reasons or otherwise, another takes his place and we again have to go through the same process of building up.

As I will retire shortly from Congress, and therefore can not be accused of having any ulterior motives, I feel it is not inappropriate for me to say I have never found a man more courteous, more competent, or more efficient than General Hines, the present Director of the Veterans' Bureau. I sincerely trust, if he so desires, he will be permitted to remain at his post and continue the wonderful work he is doing for the ex-service men. What I like about him is his frankness. He also has that wonderful faculty of knowing how to deal with men and he does not try to mislead, but gives a positive answer. I like to deal with such men and I again say no more efficient one could be selected for the work which he is doing.

There are many connected with the Veterans' Bureau who have been more than kind to me, and I have found them efficient.

To mention each and every department of the Government is a physical impossibility, besides, time will not permit, but my experience has been that the majority of them are exceedingly courteous, and I shall never forget their cooperation and assistance.

I feel, however, in view of the courteous treatment I have always received, whether their decisions were favorable or unfavorable, I should state I have never found more efficient Government officials than the Chief of Engineers and the other Government engineers of the War Department; also their office assistants. I am satisfied my 14 years' experience with practically every department of the Government and the friendships I have formed there will be of valuable assistance to me in the future and will, at least, be a pleasant memory.

I have compiled a complete statement of my record, but will not ask that it be inserted in the CONGRESSIONAL RECORD, for it would take up too much space and the satisfaction of knowing that each one whom I have assisted is familiar with what I have done for him is sufficient.

I shall also not undertake to call attention to the hundreds and, perhaps, thousands of individual cases I have handled for my constituents before the various governmental departments during my tenure of office. The fact that I am a lawyer has made it possible for me to push these claims to a successful conclusion.

My colleagues know the stand I have taken on all taxation matters and such assistance as I have rendered in reducing the taxes, thereby taking off the shoulders of the people a part of the burden under which they were staggering. I sincerely hope at the next session the exemption allowance given both single and married people will be materially increased, for I am satisfied the present exemption is not sufficient. This great Government of ours will not feel the small amount of taxes lost by so doing, and yet it would assist millions who have to use every legitimate means in an effort to make ends meet.

When we were considering the income tax bill during the World War, the bill carried a paragraph making drop letters 3 cents instead of 2. I offered an amendment to the bill, and the amendment was adopted, retaining the postage at 2 cents; and no one can estimate the millions of dollars saved the citizens of the Nation by the adoption of that amendment. In arguing for the adoption of the amendment at that time, May 22, 1917, I said in part as follows:

Mr. SEARS. Mr. Chairman, the first amendment I have offered, if passed by this House, will leave the postage exactly as it is now on first-class mail matter. In other words, first-class mail matter will be carried at 2 cents an ounce or fraction thereof. I have introduced the amendment because I believe it should be adopted, and I trust this

House will agree to it. There is to my mind no excuse for placing upon the people an additional burden of 1 cent an ounce or fractional part thereof when the first-class mail has for past years been paying to this Government \$80,000,000 more than it costs the Government to transport it. In talking to a gentleman the other day, he said that this was the most equitable tax in the bill, that everybody paid it, and that he and I were once poor, but that now we could pay it. I want to say that I remember the days when I was poor, and that is why I do not care to place an additional tax on the people, when already they are paying \$80,000,000 more than it costs the service they are receiving.

It does not amount to much, my friends, but to my mind when you pay 1 cent extra on first-class mail that is now paying this enormous profit to the Government you are taking from the poor laboring man and the washerwomen and the poorer class of people throughout the country who are not able to buy periodicals the widow's mite to place upon the letter that they may write to their relatives and thus place an extra burden on them, even though that burden may be small. [Applause.]

Mr. MCKENZIE. Is it not a fact that this provision hits the large mail-order houses harder than anyone else?

Mr. SEARS. It does not; because the mail-order houses send out their catalogues under the third-class postage, 2 ounces for 1 cent. Their business is carried to the people, and the people in writing back to the mail-order houses will have to place 3 cents on the letters, and the people pay the freight and the mail-order houses, as usual, escape.

I want to say, briefly, that it looks as though it is useless to appeal to this House unless a lobby is back of a proposition. No one has raised his voice, no one has talked for keeping the first-class mail at the present rate, and not a single Member of this House has received a telegram to keep it at that rate; but I believe, if the past is any criterion, when we reach the next session in this bill, where telegrams have been numerous from our friends back home, we will hear loud talking and much proclaiming that the rate should not be increased; but the poor people in your district, my colleagues, who can not reach you in that way, who know nothing of this tax, and therefore have not wired you, will have raised no sentiment for my amendment. But I want to tell you it is not necessary for them to wire me, and I do not believe it is necessary to wire you. By this no criticism is intended for anyone who writes or wires me. On the contrary, I invite and welcome information.

As to the second amendment, it provides that in cities where there are city carriers the rate shall be 2 cents on first-class matter for each ounce or fractional part thereof. I want to say to the Ways and Means Committee that if you do not adopt that amendment you will lose in revenue. The merchant in your home town, where there is a city carrier, can go out and get a boy, where he has two or three thousand letters to deliver, and deliver those letters at a price less than 2 cents each, and therefore the merchant will not use the mail and will not pay 3 cents on those letters. They are going to use the cheapest way to deliver the mail, and you will find that in these small cities they will employ carriers to deliver their mail once a month instead of delivering same through the post office. If they do use the mails, however, as I stated, that tax will go upon the people that patronize the local grocery or the dry-goods man in your district, and I trust, at least, that the House will remember the people back home that sent them to Congress and not compel them to place a 3-cent stamp on first-class mail matter where it is a drop letter. Again I say to you, you can not defend the placing of 3-cent postage upon first-class mail where it does not go out of your home town and only place a postage of 3 cents on mail that goes from New York to California. I believe that instead of raising the \$70,000,000, as estimated by the Committee on Ways and Means, if you do not adopt the second amendment I have offered, the Ways and Means Committee will reduce the postage on drop letters by ten to fifteen million dollars throughout the country. I sincerely trust this amendment will also pass.

Mr. Chairman, I ask unanimous consent that that amendment be again reported.

The CHAIRMAN. Without objection, the Clerk will again report the amendment.

The Clerk read as follows:

"Page 51, line 17, after the word 'thereof,' insert:

"Provided, That the rate of postage on drop letters of the first class shall be 2 cents an ounce or fraction thereof."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida, which the Clerk has just reported.

The question was taken; and on a division (demanded by Mr. SEARS) there were—ayes 47, noes 21.

Mr. RAINY. Mr. Chairman, I demand tellers.

Tellers were ordered; and the Chair appointed Mr. RAINY and Mr. SEARS to act as tellers.

The committee again divided; and the tellers reported—ayes 80, noes 45.

So the amendment was agreed to.

I also offered an amendment, which was adopted, eliminating the tax imposed on the annual exhibitions of the firemen and policemen throughout the country, thereby savings thousands of dollars which have gone to the benefit fund for retired policemen and firemen and their widows.

Having worked seven years in a drug store while attending college and after my college course, I knew of the injustice and unfairness of the stamp tax placed on patent medicines and cosmetics. I am glad to state I was instrumental in having this tax removed.

Any druggist can tell you what the adoption of this amendment meant to him.

I have been severely criticized, Mr. Speaker, because I was not active and did not work for Florida and tell of her wonderful advantages. The charge makes me laugh, because I have talked Florida to my colleagues so much that I hardly have the nerve to look them in the face.

When I first entered Congress the population of the fourth congressional district was less than 200,000, and to-day it has grown to over 650,000.

Many of my colleagues have called on me to assist former constituents of theirs, and they know it has always been a pleasure for me to go the limit for them.

So, my colleagues, I could go on all the afternoon calling attention to matters affecting my State and the Nation, but I hope and believe I have already called attention to enough to offset the oft-repeated statement of those who have always opposed me and who have repeatedly stated I have accomplished nothing and that I have loafed on the job.

Now, Mr. Chairman, I do not desire to impose further on the good nature of the House, but there is also another motto which I have tried to follow:

Have you ever noticed when a fellow dies,
His friends from far and near
All gather round and have nice things to say;
But the dead don't hear.
They bring him flowers made up in wreaths,
That sometimes fill a room;
But the dead don't even get a smell
Of the fragrance they exhume.
So, my friends, if it is just the same to you,
I would rather you would instead
Give me the flowers while I am living,
Use the hammer when I'm dead.

Therefore, I want to say no man could have had a greater honor conferred upon him than the privilege of being a Member of the House of Representatives and serving with the best body of men, mentally, morally, and in every way, taken as a whole, than the membership of this House.

I would like to mention each and every one of you, but you know this is not possible. I will, therefore, say that during the time the Democratic Party was in power there has been no more able and impartial Speaker than the late lamented and beloved Champ Clark, or the Democratic leader, the late Claude Kitchen, or the Republican leader, the late James R. Mann, and this is just as true of the present Speaker and the present majority and minority leaders.

I am proud that I can state while I have had many oral battles on the floor of this Chamber there is not one word or line in the CONGRESSIONAL RECORD which reflects on a single Member of Congress, for I do not believe in dealing in personalities. If Members of Congress would be more careful and not reflect on the membership, I am satisfied throughout the country the standing of the House would be increased.

I believe I have the friendship, confidence, and esteem of each and every Member, and what I have accomplished has been due to your cooperation and assistance.

The people have a right to choose the one they believe the best qualified to represent them, and I have never complained but have always cheerfully submitted to the voice of the people.

I do not know what the future holds in store for me, but I shall face it with a bright smile and return to my people with a clear conscience and again have the pleasure of mixing and mingling with them and joining in their efforts to bring before the people of the country the wonderful advantages of our climate and soil.

My sole regret in retiring from this body is the fact that in the future my road and your road will lead in a different direction and that intimate association with you will no longer be permitted me. I do assure you, however, from the bottom of my heart I hope the future holds in store for each and every one of you the best of health, happiness, and success during the years to come. [Applause.]

Mr. AYRES. Mr. Chairman, I yield five minutes to the gentleman from Oklahoma [Mr. HASTINGS].

Mr. HASTINGS. Mr. Chairman, during my entire service in Congress I have made every possible effort to wind up the affairs of the Five Civilized Tribes in Oklahoma. The last report of the Secretary of the Interior shows that with the exception of a number of suits brought under jurisdictional acts passed by Congress in 1924 the affairs of all of these tribes, with the exception of the sale of the coal and asphalt deposits belonging to the Choctaws and Chickasaws, have been wound up.

I have cooperated in every possible way with the Members of the Oklahoma delegation in Congress and the Department of the Interior in an effort to have these coal and asphalt deposits sold.

We enacted legislation several years ago authorizing the Secretary of the Interior to sell these deposits, subject to certain limitations and restrictions named in the act. Many years ago these deposits were appraised. They have been offered for sale a number of times. Only a comparatively small amount of the deposits have been sold.

On January 15, 1929, I pressed the matter of the winding up of the affairs of the Five Civilized Tribes and particularly the sale of the coal and asphalt deposits of the Choctaws and Chickasaws upon the attention of the Secretary of the Interior in a letter reviewing what had been done and urging upon the Department the importance and advisability of completely winding up the affairs of these tribes and the disposition of these coal and asphalt deposits. I asked to be informed in what way I could cooperate and be of assistance in this, as the following letter indicates:

HOUSE OF REPRESENTATIVES,
Washington, D. C., January 15, 1929.

Hon. ROY O. WEST,

Secretary of the Interior, Washington, D. C.

MY DEAR SIR: I am greatly interested in cooperating in every possible way to assist in winding up the affairs of the Five Civilized Tribes in Oklahoma.

Agreements were entered into between the representatives of the Choctaw and Chickasaw Nations and the commissioners representing the United States on the 23d day of April, 1897, between the representatives of the Creek Nation and the commissioners representing the United States on the 27th day of September, 1897, which agreements were approved by Congress on June 28, 1898. An agreement was made with the representatives of the Seminole Nation on the 16th day of December, 1897, which was approved by Congress on July 1, 1898, and an act was passed by Congress July 1, 1902, submitting to the Cherokee people for ratification, an agreement which was approved by the Cherokee people at an election held on August 7, 1902.

All of these agreements and acts of Congress, supplemental treaties, and amandatory acts of Congress, provided for the making of the tribal rolls, the allotment of the tribal lands in severalty, and the disposition of their money, among the enrolled members of the tribes found entitled thereto.

Your attention is invited to the first paragraph on page 69 of the Annual Report of the Secretary of the Interior for the fiscal year ended June 30, 1928, entitled "Five Civilized Tribes in Oklahoma," which reads in part as follows:

"The remaining tribal property (including amounts uncollected from sales of tribal land and minerals) of the Choctaw and Chickasaw Nations is valued at \$10,444,104. The amounts to be collected from Choctaw and Chickasaw tribal property heretofore sold aggregate \$944,754. The present tribal property of the Creek Nation is valued at \$92,050, and that of the Seminole Nation at \$30,000. The amounts to be collected on Creek tribal property heretofore sold aggregate \$27,334. A few small tracts of land belonging to the Cherokee Nation are yet to be disposed of and the sum of \$153 remains to be collected on Cherokee tribal property heretofore sold, otherwise the Cherokee tribal affairs, except pending litigation in the United States Court of Claims, are practically closed."

I would appreciate it if you would furnish me with data showing the various items referred to in the above-estimated values of tribal property undisposed of belonging to the respective tribes. Congress has enacted legislation which would enable the department to completely wind up all of the affairs of the Five Civilized Tribes. If any additional legislation is necessary I will be glad to cooperate with the other members of the Oklahoma delegation and the department in securing its enactment.

I think that the members of these tribes, and particularly the members of the Choctaw and Chickasaw Tribes, have a right to complain against the delay in the winding up of their affairs. They were the first to make agreements with the commissioners representing the United States, in 1897, and this first agreement was ratified by Congress on June 28, 1898, more than 30 years ago. The rolls were completed and closed on or before March 4, 1907, almost 22 years ago. The lands were allotted to the members of these two tribes, and the other members of the other Five Civilized Tribes, and these allotments were completed some 20 years ago. The tribal property referred to, as

belonging to the Choctaws and Chickasaws, in the report above referred to, valued at \$10,444,104, largely consist of coal and asphalt deposits. Legislation has been enacted from time to time looking to the sale of these coal and asphalt deposits.

I am aware of the fact that these deposits have been offered for sale and that bids have not been received on a large part of these deposits submitting offers which the department felt justified in accepting. These deposits were appraised a number of years ago. Since that time oil and gas have been discovered in great areas and used as a fuel substitute for coal. Coal has also been discovered in large areas in public and private lands in many of the Western States, and these discoveries, and financial difficulties, and other reasons assigned by the department from time to time, are urged as excuses for not winding up the affairs of the Choctaw and Chickasaw Tribes.

Under the jurisdictional acts passed in 1924 all of the Five Civilized Tribes have been authorized to institute suits in the Court of Claims, with the right of appeal to the Supreme Court of the United States, on all claims which they may have against the Government of the United States. Many of these suits have already been instituted, and it is the hope of the attorneys representing the tribes that they may be brought to trial and finally disposed of within the next two years. In the meantime, the remaining tribal property, including the mineral deposits, belonging to the Choctaws and the Chickasaws should be disposed of.

I wanted to inquire what, if any, effort is being made looking to the disposition of this remaining tribal property and whether anything was done by the department during the past year looking to the disposition of this property? I favor the disposition of the remaining undisposed of tribal property to the very best possible advantage to the tribes, and I have particular reference to the coal and asphalt deposits. I favor this property being advertised as extensively as possible, using the experience of those familiar with the method of advertising public property for sale, and these deposits offered and sold at a time and under circumstances during the calendar year of 1929, which will insure the bringing of the greatest possible amount to the tribes.

If any additional legislation is necessary to effect this sale, I want to be advised and will be glad to actively cooperate with the department and the other members of the Oklahoma delegation to secure its enactment. I do not believe we are justified in further withholding from sale these mineral deposits because the Government has not received an offer approximating the appraised value, made years ago, before the discovery of large quantities of oil and gas and coal throughout the various Western States.

There were 20,799 enrolled members of the Choctaw Tribe and 6,304 enrolled members of the Chickasaw Tribe. The rolls were completed and closed as of date of March 4, 1907. It is estimated that one-third of the original enrolled members of these tribes have since died. The determination of their heirs is an ever-increasing question. In my judgment, the affairs of all of these tribes, except the suits pending and authorized to be instituted under the jurisdictional acts of 1924, should be wound up during the next fiscal year ending on or before June 30, 1930. I want to inquire particularly what, if any, efforts are being made for the sale of the remaining coal and asphalt deposits belonging to the Choctaw and Chickasaw Tribes, and whether or not the department has in contemplation the sale of these deposits in the near future, and also what, if anything, it is necessary for Congress to do to aid the department in the sale of these deposits, or in any other manner to assist the department in the winding up of the affairs of these tribes.

Very respectfully,

W. W. HASTINGS.

On January 25, 1929, I received a reply from the Secretary of the Interior reviewing the entire matter and inclosing a copy of a draft of a bill suggesting legislation which the department thought would help expedite the sale of these coal and asphalt deposits. The letter reviews the record of what has been done by the department in this matter, and is as follows:

THE SECRETARY OF THE INTERIOR,
Washington, January 25, 1929.

Hon. W. W. HASTINGS,
House of Representatives.

MY DEAR MR. HASTINGS: Reference is made herein to your letter of January 15, 1929, in which you inquire as to the remaining tribal property of the Five Civilized Tribes in Oklahoma and as to what steps are being taken looking to the disposal thereof and the winding up of the tribal affairs.

For your information as to the undisposed-of tribal lands and other property of the Five Civilized Tribes, there are transmitted herewith copies of pages 15 to 22, inclusive, of the annual report of the Five Civilized Tribes Agency for the fiscal year ended June 30, 1928, containing a statement as to the remaining tribal property of said tribes. It appears therefrom that the tribal lands and property of the Cherokee, Creek, and Seminole Nations have, with the exception of a few tracts, been allotted, sold, or otherwise disposed of as provided by law.

Of the undisposed-of property of the Choctaw and Chickasaw Nations, the coal and asphalt deposits in the segregated mineral area of said nations constitute the principal item.

Under the act of Congress approved February 8, 1918 (40 Stat. L. 433), authorizing the Secretary of the Interior to appraise and offer for sale the coal and asphalt mineral deposits in the segregated area of the Choctaw and Chickasaw Nations, said coal and asphalt mineral deposits were offered for sale three times and, out of a total of 517 tracts, but 94 tracts were sold.

Under the act of Congress approved February 22, 1921 (41 Stat. L. 1107), authorizing the Secretary of the Interior to reappraise and offer for sale the remainder of the segregated coal and asphalt mineral deposits, in accordance with the act of February 8, 1918, as to terms and conditions of payments, a sale was held in 1925, at which time 426 tracts were offered for sale and only 4 were sold. The Superintendent for the Five Civilized Tribes in his report relative to the sale last above mentioned states as follows:

"This sale was attended by a very few prospective buyers, although the usual plan of advertising of sales had been used by this office—circulars, descriptive advertisements, and notices posted in post offices, banks, and other public places.

"The coal industry in Oklahoma at the present time is in a very bad condition and with but little prospect for improvement for some time to come. Operators are endeavoring to run their mines with non-union men, and, of course, this is causing more or less trouble with the unions. The falling off in the demand for coal due to the railroads and other industries using oil and gas, which has within the last two years reduced the output at least 50 per cent, has been one of the principal reasons for the depressed conditions existing at the present time.

"Further, a number of prospective purchasers, although responsible in every way, were unable to borrow funds to finance their intended purchases. A number of these have signified their intentions of making bids upon the mineral tracts desired as soon as financial arrangements can be made.

"It can not be expected that outside operators will come into Oklahoma and purchase mineral tracts with the intentions of opening new mines when they would have to face the unsatisfactory conditions now existing. However, a number of prominent men now operating mines in Oklahoma express their opinions that there were favorable indications of improvement which might come within a reasonable time.

"I do not think there should be a further effort made to offer for sale the coal and asphalt deposits until such time as it would be justified by a decided improvement in the present existing condition."

Subsequently bids from purchasers to buy three separate tracts at the appraised value were accepted.

In view of the conditions which have since existed relative to the coal and asphalt mining industry in Oklahoma, it has not been deemed advisable nor to the best interests of the Choctaw and Chickasaw Nations to offer during the past few years the tracts of the segregated coal and asphalt deposits for sale at public auction.

On September 25, 1928, the Franklin County Coal Co. filed a formal application for a 1-year option on the coal and asphalt deposits underlying certain tracts for the purpose of prospecting for coal and for the right to purchase, within the option period, upon certain terms and conditions set forth in the application the coal and asphalt deposits underlying said particular tracts.

In view of certain legal questions involved, the matter was taken up with the Solicitor for the Department of the Interior. A copy of the solicitor's opinion of November 19, 1928, relative to the matter is inclosed for your information. In view thereof the department declined to grant the application of the Franklin County Coal Co.

In view of the solicitor's opinion, it has been suggested that it might be to the best interests of the Choctaw and Chickasaw Nations if certain legislation might be obtained providing for the sale of the remainder of the segregated coal and asphalt deposits belonging to the Choctaw and Chickasaw Nations and permitting the Secretary of the Interior, in his discretion and under certain circumstances, to offer the tracts at either public auction or private sale at not less than the reappraised value, and to further provide that under certain circumstances he might grant options to purchase and grant to the party to whom such option might be given the right to prospect for coal and asphalt on the tracts covered by the option.

A copy of a draft of a bill setting forth the suggested legislation is inclosed for your further information. It may be said in regard thereto, however, that although the governor of the Chickasaw Nation is inclined to favor legislation along the line of the inclosed draft, the principal chief of the Choctaw Nation is opposed thereto.

It appears from your letter that you favor offering, during the present calendar year, for sale, after extensive advertising, the remaining tribal property of the Five Civilized Tribes, and especially the segregated coal and asphalt deposits belonging to the Choctaw and Chickasaw Nations. In view of your letter, the matter of offering for sale at public auction at an early date said coal and asphalt deposits belonging to the Choctaw and Chickasaw Nations, and other tribal property of the Five Civilized Tribes, will be taken up with C. L. Ellis, district superintendent in charge of the Five Civilized Tribes Agency, and he will be requested to submit a full report in the matter, with his views and recommendations as to what action should be taken. Upon receipt

of his report the matter will be carefully considered and such action taken looking to the offering of the tribal property for sale at the earliest practicable date consistent with the best interest of the above-named Indian nations.

Very truly yours,

ROY O. WEST.

I have added a third section to the proposed bill and introduced it on January 29, 1929, H. R. 16696, which provides for the sale of the remainder of the coal and asphalt deposits of the Choctaw and Chickasaw Tribes.

Section 1 of the bill authorizes the reappraisal of these deposits and their sale at not less than the reappraised value, to the highest bidder, at public auction, or at private sale at not less than the reappraised value, and in the event there is no sale it permits, for the reasons stated in the Secretary's letter, after the deposits have been twice or more offered for sale at public auction, that the Secretary may grant options for terms of not to exceed six months to prospective purchasers to go upon the land and make tests and borings, in the hope that they may be induced to become interested in the purchase of the areas explored.

The second section makes plain that the Secretary of the Interior is authorized to further reappraise the tracts remaining unsold.

Section 3 authorizes the Secretary of the Interior, after any tract has been duly advertised and has been offered for sale at public sale three times and twice reappraised, and remaining unsold, to again readvertise and sell at public auction to the highest bidder regardless of the last reappraised value, any tract remaining unsold, reserving to the Secretary of the Interior the right to reject any and all bids and the sales are subject to his final approval. This section contemplates the ultimate sale of these deposits. Every effort is to be made to secure the best possible price. The tribes are protected against the deposits being sold at too low a price by the proviso which is added reserving the right to the Secretary of the Interior to reject any and all bids, and requiring his final approval before any sale is consummated. The bill is short, easily understood, and is as follows:

A bill providing for the sale of the remainder of the coal and asphalt deposits in the segregated mineral land in the Choctaw and Chickasaw Nations, Oklahoma, and for other purposes

Be it enacted, etc., That the Secretary of the Interior is hereby authorized to reappraise and sell, at not less than the reappraised value, to the highest bidder at public auction and under such rules, regulations, terms, and conditions as the Secretary of the Interior may prescribe, the remainder of the coal and asphalt deposits, leased or unleased, in the segregated mineral lands in the Choctaw and Chickasaw Nations, Oklahoma, and belonging to said Indian nations: *Provided, however,* That where any tract of said coal and asphalt deposits has been or may be offered for sale at two or more public auctions after due advertisement and no sale thereof was made, the Secretary of the Interior may, in his discretion and under such rules and regulations and on such terms and conditions as he may prescribe, sell such tract at either public auction or by private sale at not less than the reappraised value: *Provided further,* That, in the cases of tracts of the coal and asphalt deposits that have been offered twice or more for sale at public auction and no sale made, the Secretary of the Interior may, in his discretion and under such rules, regulations, terms, and conditions as he may prescribe, grant options for terms of not to exceed six months to purchase such coal and asphalt deposits and renew and extend any such option for an additional term or terms of not to exceed six months, giving and granting the right to make such tests and borings as may be necessary to demonstrate the nature and extent of such mineral deposits.

Sec. 2. The Secretary of the Interior may, in cases where tracts remain unsold and the facts are found to justify, cause further reappraisal to be made of such tracts.

Sec. 3. The Secretary of the Interior may, in his discretion, and under such rules, regulations, terms, and conditions as he may prescribe, in cases where any such tract or tracts of coal and asphalt deposits, after due advertisement, have been three times offered at public sale, and have been twice reappraised and remain unsold, cause any such tract or tracts to be readvertised and sold at public sale to the highest bidder, regardless of the last reappraised value of any such tract or tracts: *Provided,* That the Secretary of the Interior shall have the right to reject any and all bids and all sales shall be subject to his approval.

Mr. GARBER. Mr. Chairman, will my colleague yield there?

Mr. HASTINGS. I shall be glad to.

Mr. GARBER. Of course, the gentleman recognizes that we esteem him as one of the most capable and efficient representatives of the Indians of Oklahoma. I want to inquire whether or not his bill provides for exploration of the land before the bidding. Would it not be beneficial and advisable to permit an exploration before?

Mr. HASTINGS. If I did not make it clear in my remarks, I will say to my colleague that this bill does provide for that. Section 1 provides that it shall be offered at public sale and sold at not less than the appraised value. It provides for the reappraisal of the deposits. Then it provides that the deposits may be sold at private sale at not less than the appraised value, and it then authorizes the Secretary of the Interior to give permits to prospective purchasers to go on the various tracts and make explorations and such tests as they may see fit, which may be advantageous or helpful to them in deciding upon the amount of their next bid on any tract.

Mr. GARBER. These coal lands and asphalt lands are of great prospective value, are they not?

Mr. HASTINGS. Yes.

Mr. GARBER. And in order to induce outside capital to come into the State and contribute toward the best price, would it not be advisable to permit of exploration before making a bid?

Mr. HASTINGS. The bill authorizes that to be done as provided in section 1.

Mr. HOWARD of Oklahoma. As a matter of fact, the rules and regulations of the Land Office and the Interior Department both permit of making these explorations.

Mr. HASTINGS. The Secretary refers to and incloses an opinion of the Assistant Attorney General of the department, which I have not inserted in the RECORD because of its length, holding that the department did not have that right under existing law, and for that reason asks for this additional authority.

Mr. HOWARD of Oklahoma. How many acres of that land remain unsold?

Mr. HASTINGS. The number of tracts sold and remaining to be sold will be found in the Secretary's reply. His letter states that there were 517 tracts and that of these 94 have been sold.

As stated in my letter to the Secretary of the Interior the first agreement made between the Choctaw and the Chickasaw Tribes and the United States, providing for the making of the rolls of these tribes, the allotment of their lands, and the winding up of their affairs, was made on April 23, 1897, almost 32 years ago. The rolls were completed and all of their lands allotted more than 20 years ago. Leases were made on a number of tracts covering these coal and asphalt deposits. Many of these leases have expired and all will expire within the next three years. A few years ago large royalties were received from them. The report of the Department of the Interior, under date of January 30, 1929, shows that there was received and placed to the credit of the Choctaw and Chickasaw Tribes, as royalty from coal and asphalt deposits for the fiscal year ending June 30, 1928, \$88,843.81, while the tribal expenses for the same period aggregated \$97,728.26.

This clearly shows that the royalties are falling off and are not sufficient to pay the current tribal expenses.

Three solutions have been proposed for the disposition of these coal and asphalt deposits:

First. That they be sold to the Government of the United States at their appraised value. A bill to this effect has been introduced in the House but was adversely reported upon by the Department of the Interior, and everyone familiar with the situation knows that there is no hope of inducing the Government to buy these deposits inasmuch as within the last few years coal has been developed under large areas of land in the Western States, some of which are public lands still owned by the Government.

Second. It has been suggested that these deposits be sold to the State of Oklahoma. No proposition has been made on behalf of the State to buy them and none is expected to be made. The bill which I have introduced would permit either the Government of the United States or the State of Oklahoma to purchase any or all tracts covering these deposits.

The third and the only sure and practical way to dispose of these deposits is to sell them to the highest bidder after due advertisement and after every effort is made to get the very best possible price for the tribes. These deposits have been offered for sale some two or three times. Only a few tracts have been sold. Within the last few years oil and gas have been discovered under large areas throughout the South and West which come in competition with coal.

Since the final rolls were made it is estimated that more than one-third of the original allottees have died. The question of the determination of their heirs is becoming more complicated each year. The members of these tribes are entitled to have these coal and asphalt deposits sold to the very best advantage and they are entitled to have the proceeds thereof distributed among the enrolled members of the tribes.

In my judgment these deposits are not worth any more than the price for which they can be sold. Of course, I am anxious

to get the greatest price possible, but surely everyone must appreciate that after these deposits have been offered three times at public sale and twice reappraised, and also offered at private sale, after prospective purchasers have been given the privilege of going upon the land and making tests, that every effort possible has been made to secure for these tribes the value of these deposits. If the members of these tribes had this money distributed among them per capita, it could be utilized to a splendid advantage in the improvement of their other lands, and in that way make them more valuable and productive. If a private estate had been delayed for 32 years in being wound up, the heirs would be entitled to complain against such an unreasonable delay. The members of these tribes are entitled to complain against the delays of Congress and the delays of the Department of the Interior in not taking the responsibility of selling these deposits after every effort has been made to secure for them all that they will bring after every precaution has been taken.

The interests of the members of these two tribes should, of course, be first considered and protected. The cities and towns contiguous to these deposits are vitally interested in their development. It would mean a larger population and more employment.

The counties in which these deposits are found and, in fact, the whole State are interested in having these deposits sold and developed, not only because the population of those sections would be increased but these properties would then be placed upon the tax duplicates and would aid in paying the local, county, and State expenses. Whether looked at from the standpoint of the members of the tribes or the citizenship of the community or from a State standpoint, every effort should be made to dispose of these coal and asphalt deposits.

At best it will require a few years—three to five—to dispose of them. In the meantime suits are being brought under the 1924 jurisdictional act in behalf of these tribes on all claims which they may have against the Government of the United States, and they should be determined within the time the coal and asphalt deposits are disposed of. When determined, and provided these coal and asphalt deposits are sold, the affairs of these two tribes should be completely wound up.

The responsibility is ours to prudently, cautiously, yet steadily, press these matters to their final solution. No one has offered any other solution; in fact, no one presses any solution. I have introduced this bill in the earnest hope that it may be enacted at an early day, believing that it will solve the question and will enable the department to dispose of these deposits, distribute the proceeds among the members of the tribes entitled to them, attract a larger population to the areas covered by these tracts, afford more employment to labor, place these coal and asphalt deposits upon the tax duplicates, and add to the general happiness and prosperity not only of the members of the tribes but the entire citizenship in the several counties in which these deposits are found and of the whole State. [Applause.]

Mr. AYRES. Mr. Chairman, I yield 20 minutes to the gentleman from Texas [Mr. BLANTON].

The CHAIRMAN. The gentleman from Texas is recognized for 20 minutes.

Mr. BLANTON. Mr. Chairman and gentlemen, when the proposal first came before us for Congress to delegate its power and authority to the Post Office Department and the Treasury Department to determine and say where new post-office buildings should be located in the United States, I was against it, because I did not believe that we could depend upon getting a distribution of same that would be fair to all sections entitled to buildings. And I did not believe that it would be wise for Congress thus to delegate its inherent power and authority.

For a number of years the Government has owned a desirable building site, both in Coleman and Sweetwater, Tex., both of which places are entitled to buildings. The post office at Sweetwater, Tex., last year paid a clear profit of over \$30,000 to the Government above all expenses. As the patriotic and deserving citizens of these two cities had made sacrifices in helping the Government to obtain sites, I felt that they should be cared for first, and their two buildings together would cost only a small part of the appropriation demanded by a big city.

Prior to the time he moved to suspend the rules and pass S. 4663 authorizing an appropriation of \$275,000,000 for public buildings the chairman of the committee [Mr. ELLIOTT] called me off in the Speaker's lobby and informed me that my opposition was unfounded, as my district was going to be taken care of, and that he was assured both by Mr. Wetmore, of the Treasury Department, and Governor Bartlett, of the Post Office Department, that provision would be made for my two cities. I

told him that if they would be cared for I would gladly support the building program. He assured me that I could rely upon it.

I went to my good friend and colleague, Mr. LANHAM, who was the ranking Democrat on said committee, and he also verified the assurance that Mr. Wetmore and Governor Bartlett would provide my two buildings. And I then supported and helped to pass the program.

In moving to suspend the rules and pass S. 4663, Chairman ELLIOTT had only 20 minutes for debate, and though there are 21 members on his committee, he yielded to me, and from my remarks in the RECORD of February 7, 1927, I quote:

Mr. ELLIOTT. Mr. Speaker, I yield one minute to the gentleman from Texas [Mr. BLANTON].

The SPEAKER. The gentleman from Texas is recognized for one minute.

Mr. BLANTON. Mr. Speaker, all of us have sense enough to know that this bill is going to pass and the money is going to be spent. One who does not believe is not posted. And inasmuch as my constituents are taxed with the other people of the United States to raise this money for post-office buildings, I want some of such buildings to be built in my district. And since this huge sum of money is to be spent, I want a proper proportion of it spent in my district.

The money will be spent. And I have been assured both by Governor Bartlett and Chief Architect Wetmore that if they can be allowed this additional money provided for in this bill, cities in my district that for years have been entitled to buildings, and some of which have had sites for years, would come within their program, and I feel that I have no right to vote in a way that would deprive my district of getting its proportion of the buildings to be constructed. If there were a substitute proposition here for us to designate the places where buildings are to be built, I would vote for it. But there is but one proposition before us under this motion to suspend the rules, and that is the bill before us, just as it is written, which must be voted up or down.

Self-preservation is the first law of nature. There has been a program arranged and agreed upon by the two departments and our committee whereby post offices of certain classes are going to be taken care of and given buildings. I am assured that certain cities in my district are going to come within that program and I am going to get what is coming to my district. Therefore I am going to vote for the bill. [Applause.]

I did not see either Mr. Wetmore or Governor Bartlett at that time, as Senator SHEPPARD and I had already had conferences with them about these buildings, and when I was assured by Chairman ELLIOTT and the ranking minority Member, Mr. LANHAM, that Mr. Wetmore and Governor Bartlett had assured them I would be cared for I accepted their statement, and deemed it an assurance from the departments. And said bill, S. 4663, was passed under suspension by the vote of 294 to 83.

Then the matter of authorizing the \$250,000,000 in addition to the \$25,000,000 provided for in section 3, came before the House again on December 17, 1927, when Chairman ELLIOTT moved to suspend the rules and pass H. R. 278, and from the debate that ensued I quote from the RECORD the following:

Mr. ELLIOTT. Mr. Speaker, I yield the gentleman five additional minutes.

Mr. BLANTON. Will the gentleman yield?

Mr. LANHAM. Yes.

Mr. BLANTON. When this legislation was up last year there were assurances made by Mr. Wetmore, of the Treasury Department, Governor Bartlett, in the Post Office Department, by the chairman of the committee [Mr. ELLIOTT], and the distinguished gentleman, as ranking minority member [Mr. LANHAM], to certain Congressmen with respect to a certain building program. May we rely on those assurances concerning this bill?

Mr. LANHAM. I will say to my colleague that any assurance I am able to give I hope any man can rely upon at any time. Under the existing policy of the law I have to rely, like everyone else, upon those who are in charge of the construction.

Mr. BLANTON. Some of us are relying on those selfsame promises. The assurance I have had from the four authorities mentioned that buildings would be constructed at Sweetwater and Coleman, Tex., on sites there which the Government has owned for years causes me to support this bill.

And during Mr. LANHAM's remarks, he was interrupted by one of our other colleagues from Texas, as follows:

Mr. HUDSPETH. Will the gentleman yield?

Mr. LANHAM. Yes.

Mr. HUDSPETH. Relative to promises, my colleague is on the Public Buildings Committee, and he has watched the procedure. Have they not proceeded so far in pretty much of a businesslike manner? I did

not get in under the wire myself, I will state to my colleague; but have they not proceeded in a businesslike way?

Mr. LANHAM. I think they have.

During the discussion of this measure, with only 20 minutes to the side, my distinguished colleague, Mr. HUDSPETH, who ably represents the El Paso-San Angelo district, spoke for the bill, and I quote the following colloquy between him and the gentleman from Mississippi [Mr. BUSBY], another ranking member on the committee, showing that in this debate it was recognized that my support of the measure was based upon assurances relied upon by me that provision would be made for my district:

Mr. HUDSPETH. * * * I want to say to my friend, the gentleman from Mississippi [Mr. BUSBY], who is opposing this measure, that I tried through the old method—the one he advocates now—when I first came here and while this district was developing, to get some public buildings established. Some of the older Members advised me as follows: "Claude, introduce bills designating your places." Well, I introduced a bill to establish one, I think, in almost every county or town in my district having a population of over 2,000. I do not know of anybody who surpassed my speed limit in that respect except my colleague the gentleman from Texas, Judge BLANTON. He had one almost proposed in every precinct in his district, as I showed you here one day. [Laughter.] Of course, I am speaking somewhat facetiously as to Judge BLANTON'S bills, but he introduced quite a flock. I think he opposed this bill the last time while I voted for it. He has got a building at Sweetwater. Well, I am glad of it. I trust every colleague of mine who needs a building will get one—especially the Texas delegation. Some say the way to get you a building designated is to fight this bill. Well, I do not believe this, as I said to my colleague and friend FRITZ LANHAM to-day, and he agreed with me. The Building Committee—Mr. Schuneman, Governor Bartlett, Mr. Martin, and the architect Mr. Wetmore—I believe are trying to handle this matter in a business way and use business methods—they have a big problem, but I believe they will work it out fairly and squarely. They impress me as being fair men.

Mr. BUSBY. If the gentleman will permit, I want to correct him. The gentleman [Mr. BLANTON] did not oppose the bill. He simply opposed the proposition until he had promises for two places.

And that bill was passed under suspension of rules by the vote of 275 to 27.

I believe that Assistant Secretary Schuneman and Mr. Wetmore, of the Treasury Department, and Governor Bartlett, of the Post Office Department, will see to it that buildings are constructed in Sweetwater and Coleman. Both of these places deserve them. Both come within the requirements. It would be business economy to the Government to own its own buildings at these places. And I have faith in these departments giving these cities a square deal.

I would not have brought the matter up here had it not been for the fact that I am soon to retire from Congress. Were I to remain here, these departments would not be allowed to overlook the matter. But after I leave there might otherwise be a tendency to forget. So I am bringing the matter to their attention, and I am also letting the people of these two cities know the situation. They must not become impatient. And they should not bother other Congressmen who have their own problems. Only within the past fortnight the Board of City Development of Sweetwater sent telegrams and a personal representative to my colleague, Mr. HUDSPETH, asking that he help them get their building. They did not realize that Mr. HUDSPETH is exhausting every possible means known to the ingenuity of man to get a building for Colorado and other deserving cities in his own district, and that during his 10 years of able, energetic, and efficient service here not one single post-office building has yet been constructed in his own district. And while he would gladly do anything within his power to help my district, and I would gladly do anything within my power to help his district, each of us is leaving no stone unturned in our efforts to get needed buildings for our district.

The deserving cities of Breckenridge, Ranger, Eastland, and Cisco in my district, are all entitled to buildings, and their enterprising citizens are going to take steps in the near future to help the Government acquire suitable sites, as they know this is a crucial and important step toward getting buildings.

Mr. Chairman and members of the committee, my service in the House is soon to end. For 12 years I have given the very best that was in me, without stint, to the people of the country; not merely to the people of my district, but to the people of the United States whenever they called on me. I have done everything within my power to be of some service to the Nation. I do not believe in violating the Sabbath, but I have had to work some every Sabbath day since I have been in Congress for 12 years to keep up with the business of my office and with the

demands made upon me. I have worked every holiday. I have never turned down the call of the ex-service man, and they have called on me, I think, from every State in the Union. I have one rule in my office that must not be disobeyed, and that is when an ex-service man calls on me for help, he gets it. I do not ask him where he lives, or ask him why he does not call on his own Congressman or Senator. I help him.

I am sorry to leave Congress, and am sorry to leave the association of the splendid colleagues I have had for 12 years. I am sorry to see my distinguished colleague from Oklahoma [Mr. HOWARD] leave. He has been earnest and diligent. I am sorry to see my friend from Florida [Mr. SEARS] leave. He has been here rendering valuable service for 14 years.

It always will be a pleasant recollection to me that while I aspired to the Senate and was defeated, I helped to elect the able man who did succeed. There could not have been a chance for my election after the Houston convention. I knew it. The Houston convention spoke my death knell in my campaign, because all of my part of the country in the western half of Texas was against what was done at the Houston convention, and loyalty to my party forced me to support the nominee. But with my good friend and colleague in the House, TOM CONNALLY, and myself in the same race, we went through a heated campaign, lasting for several months, he on the stump speaking three or four times a day, and I on the stump speaking as many days, as many times, as he did, we went through that campaign as friends and there was not an unkind word said by me about him, nor by him about me, and when I was eliminated I had the pleasure of helping him to attain his ambition to go to the Senate. [Applause.] And he and I are still good friends, and he will have my hearty support in every endeavor he makes on the other side of the Capitol. [Applause.]

I want to thank all of you, my colleagues, for your patience in bearing with me. I have had to oppose many bills in which you were interested. I have blocked many of them. You could not understand it. You thought, may be, there was something personal in it. There was not. It was a report that I had had from some department to the effect that some bill ought not to pass. I gave every bill that I attempted to block careful consideration, and I had a report from some department against it when I took a stand against it. Possibly that helped to cause some of you to misunderstand me, but I did what I thought was my duty. I thank all of you at this time, and I wish all of you well. [Applause.]

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

Mr. AYRES. Mr. Chairman, I yield 20 minutes to the gentleman from New York [Mr. BLACK].

The CHAIRMAN. The gentleman from New York is recognized for 20 minutes.

Mr. BLACK of New York. Mr. Chairman and gentlemen of the committee, I do not suppose there is any Member of the House who holds more divergent views from the gentleman from Texas than myself, but I want to say that, although he has been a strong fighter and at times an exuberant fighter, to my mind he has always been a fair fighter. [Applause.] I particularly want to thank him for a little favor he did me in my first term here. It was on this bill, I was fighting for an amendment. The amendment had evidently been carried, but not being acquainted with the parliamentary procedure, it was necessary for me to make another motion that I neglected to make. The Chair, in a whispered ruling, offset the effect of the vote, but the gentleman from Texas came to my rescue. He made the proper motion and saved the day for the amendment. I did not know him then as well as I know him now, and he did not know me, but I do not suppose that made any difference to him. I want to reiterate that I have never in a legislative hall met a man more fearless and more fair in debate in the advocacy of his own principles.

Mr. Chairman and gentlemen of the committee, I want to read an excerpt from an article entitled "America and England," written by Mr. J. Ramsay MacDonald, in the Nation of January 30, 1929. He says, among other things:

It would be highly improper for me to pass any opinion on the new American cruiser program; if I did so, it would quite properly be resented. But I may be allowed, as an outsider who is greatly concerned with the moral authority which every great state must possess if we are to secure the conditions of a world's peace, to say that the execution of that program will be a great blow to the Nation from which the Kellogg pact originated.

It is edifying when America discusses increases in the Navy to have British statesmen preach disarmament for America. Their piety on these occasions outrages common decency. The apex in international hypocrisy has been reached by Mr.

Ramsay MacDonald. Why? Because it was this smug gentleman who completely unbalanced the formula of the Washington treaties.

It is no use dissembling the situation. We are building cruisers because Great Britain built cruisers. It was during the government of MacDonald that Great Britain started on its cruiser program that threatened our world position. Against the desire of his own Labor Party he added five cruisers to the British Navy, and it was this violation of the spirit, if not of the letter, of the Washington treaties that made Britain the pacemaker in the naval race. The responsibility for the British back-breaking naval race can be laid fairly at the door of our latest mentor, Mr. Ramsay MacDonald.

I do not doubt that he is for peace, providing that is a peace coupled with British superiority on the seven seas. The statement from the laborite marks a departure in British tactics. Formerly the war lords of the Admiralty used to censure our proposed naval construction; now the Admiralty has used pacifistic weal instead of the bulldog growl to halt our progress.

The morality of MacDonald is typical of the British. Away off in the recesses of the Einstein world there still reverberate the agonized cries, and there still flash the reflection of the innocent blood of victims in all parts of this universe of the British lust for supremacy. If history has a lesson, it is: Beware Great Britain preaching sermons.

In 1922 we, the leading Nation of the world, had the leading navy in the world. That was our right, and that was the fact. But such a navy was immediately burdensome on the American people, though it might be ultimately beneficial. That navy we reduced, and conceded a parity, contrary to precedent, to a country that was unequal economically to reach our high naval estate.

An analysis of the treaty reveals that even in the treaty navies we worked out an inferiority for this Nation. The British delegates saved the mighty *Nelson* and *Rodney* from the havoc of the treaty. This capital-ship advantage was not sufficient for the British Admiralty, and so Mr. MacDonald obliged the Admiralty with cruiser construction as he obliges them to-day with sanctimonious advice directed overseas. It is like a defendant advising the judge to go straight.

Our delegates exchanged our naval lead for the disruption of the British-Japanese alliance. That was no consideration. In addition, we agreed not to fortify the Pacific. The British and Japanese did openly abrogate the treaty. But a combination of British duplicity, oriental cunning, and the wireless can restore it. All that the dangerous treaty needs to give it life is a sharp spark of the radio from London to Tokyo.

The British are not as stupid as they look, and the Japanese are as wise as they look.

I do not agree with the too prevalent notion that Shaw has 95 per cent of the British brains. They are a poker-faced tribe. They sent some of their shrewdest card players to the Washington conference. We trusted them and swapped good steel chips for unredeemable I. U. S.'s. I fully believe that when I arrive at the underworld of the hereafter all the Plutonian imps will wear monocles and call it 'ell. They will rule the sulphur seas, too.

In view of the secret Franco-British proposals that Mr. Hearst exposed, it might be well to investigate the British-Japanese treaty to see whether it is dead or shamming. It is a strange circumstance that while the Japanese protested against our fortifying the Pacific, they have not against the proposed great naval construction of the British at Singapore. Moreover, it is well to understand that as the island empire of Britain built cruisers to protect itself, the island empire of Japan paralleled with the protection afforded by new fleet submarines. If the treaty were in existence Japanese submarines and British cruisers would go far toward filling out a joint fleet. Nor have the Japanese protested against the naval activities of Australia. At Geneva the Japanese threw the weight of their influence with the British.

Here is a book entitled "National Policy and Naval Strength," by Vice Admiral Richmond, of the British Navy. Speaking of events just prior to the war he points out that the Kaiser probably thought:

He had disarmed Britain's Navy by the agreements arrived at concerning sea war.

I wonder if we, too, are too trustful of Great Britain's agreement on the Japanese alliance? I wonder if we, too, have too much faith in foreign diplomacy? I wonder if we, too, like Wilhelm the Second, are being misled by open statements?

The British are attacking our cruiser bill with the multilateral pact which renounces war as an instrument of national policy. The British war on a cooperative basis. They always have allies, and war is not renounced as an instrument of inter-

national policy. If the pact calls upon us to defeat the cruiser bill, surely it calls upon the British to borrow our scrapping machinery and to reduce their navy to the point where we are not second to it.

There is some concern about the time limit in the cruiser bill. In the clever hands of the chairman of this subcommittee the time limit will defer to the Budget. We have not appropriated for ships authorized 12 years ago; they are paper ships, if paper can last that long.

There is one solution in the naval situation; that is, build till they stop.

I suggest to Mr. Ramsay MacDonald that he look upon his own constituent, view the sleek admirals and sleeker statesmen, and, if he has time, the starving miners. Ask himself, then, if the nation that tolerates such inequalities is high-minded, and if his logic does not fail him, he will advise that the money available for the Admiralty be diverted to the salvation of his labor following. In the long run the United States will be happier if it takes its advice from the intelligent, rugged realist from Missouri, instead of from the apparent idealist, but actually selfish realist, Mr. MacDonald. [Applause.]

Mr. BLACK of New York. Mr. Chairman, I yield back the remainder of my time.

Mr. FRENCH. Mr. Chairman, I yield 15 minutes to the gentleman from Massachusetts [Mr. DALLINGER].

Mr. DALLINGER. Mr. Chairman, I desire to address the House for a few minutes on a matter that has been pending before this body for some time and a matter that I consider highly important from the standpoint of the employees in the Government service, as well as to the Government itself. The matter I refer to is that of a bill pending, known as S. 1727, to amend the retirement act.

This bill has been on the calendar of the House for almost two sessions. It passed the Senate and was referred to our committee last session. The Civil Service Committee of the House reported it to the House unanimously on May 10, 1928. (Committee of the Whole House, Union Calendar, No. 495, Rept. No. 1580.)

A resolution was presented to the Rules Committee asking for a rule under which this bill might be considered and the Rules Committee voted the rule requested May 23, 1928. (House Calendar No. 478, Rept. No. 1827; Resolution No. 222.) That rule is still pending. The chairman of the Rules Committee has reported this resolution to the House, it is on the House Calendar, Resolution No. 222, and just why he does not call up the rule is a perplexing question to many Members of Congress, as well as to the inquiring public.

There is absolutely no question as to the merits of this proposed measure, and I can hardly believe that this body would allow the very small extra cost to the fund which is involved—less than one-half of 1 per cent—to interfere with a measure involving the welfare of so many thousands of people, especially when it is remembered that the fund available for the payment of annuities amounted to more than \$103,000,000 last July and is constantly on the increase.

In order to give you some idea, Mr. Chairman, of the inaccuracies of some of the figures that have been submitted in regard to this particular legislation, I wish to call attention to the estimates of the fund and its future status that were submitted by the actuaries back in 1919 when the original bill, then in charge of Senator Sterling in the Senate and of Congressman LEHLBACH in the House, was under consideration. These figures set forth the estimated balance, year by year. There is also given the actual balance after the law was in operation. Up to July 3, 1926, when the last amendment to the retirement law was enacted by Congress, it was estimated in 1919 that there would be \$12,757,500 in the fund; the actual amount on hand was \$54,629,004.93. In 1927, while the estimated amount was \$15,307,000, the actual fund on hand proved to be \$68,336,760.95. And on July 1, 1928, although the estimate was \$14,058,000, the actual amount on hand was \$83,078,430, not including the Government appropriation of \$19,950,000. These figures certainly prove that the actuaries' estimates were largely a matter of supposition on their part.

It is very evident, Mr. Chairman, that the amazing growth of this fund is astounding both to the actuaries and Members of Congress. The estimated cost by the actuaries has been so far in excess of the actual amount that the result is almost ridiculous. The contributions of 3½ per cent of the employees' salaries alone amount to more than \$28,000,000 annually, and together with the Government's contribution of something like \$20,000,000 there is an aggregate sum of almost \$50,000,000 a year. The total expenditures during the past fiscal year amounted to less than \$15,000,000.

While the House Civil Service Committee was holding hearings on the pending retirement legislation on January 14, 1926,

one of the witnesses appearing at that time was Dr. A. H. Thompson, of the Pension Office, who was directly under the Commissioner of Pensions and had much to do with the adjudication of pension and retirement claims. To prove how this fund would grow from July 1, 1928, to July 1, 1941, he prepared a tabulated statement which I submit herewith for your attention. He estimates that by 1941 there would be a total contribution by the employees of nearly \$175,000,000, including interest, over and above all expenditures. This amount, plus the Government's annual contribution of \$19,950,000, would make an aggregate sum, including interest, of \$537,332,944. In this connection it must be borne in mind that when these estimates were submitted it was anticipated that all expenditures would be paid out of the fund contributed by the employees.

Now, in order to show how these estimates would work out year by year, I am submitting Doctor Thompson's complete tabulation for the information of the Members of the House. There is also a table taken from the report of the Secretary of the Interior on the operation of the retirement law, showing the amount of employees' contribution each year, with interest, the amount which was begun to be appropriated in the last session of Congress with the interest thereon, the total expenditures, including annuities and refunds annually, and the balance on hand at the end of each fiscal year to July 1, 1928. There are some 405,000 employees in the Government service who come within the purview of the retirement law and the amount of their annual contribution into the retirement fund is more than \$28,000,000, representing 3½ per cent of their salaries.

There are many retirement laws in this country of ours that are much more liberal than is proposed in this pending legislation; yet I shall not attempt to discuss the many systems in operation and their individual merits, but will briefly call attention to the retirement law in my own State, Massachusetts, which provides for voluntary retirement at age of 60 after 15 or more years of service; or, after 35 years of continuous service regardless of age. The annuity is one-half the retirant's final compensation. This law has been in operation for many years and in comparison with our present retirement law and even the proposed amendment, is much more liberal.

I understand from statements that have been given out regarding this legislation that the average annuity is something over \$700 under our present law. Under the amendment which is now pending—and which I trust will soon become a law—the average would be raised to something like \$800.

It has long been recognized by many of our most successful business enterprises that retirement of superannuated employees is a sound business proposition and numbers of these concerns pay the entire cost of annuity. If it is a good, conservative business proposition for large industries and other private enterprises of this country, then, aside, Mr. Chairman, from the humanitarian aspect of the question, would it not be, logically, a saving business proposition for our Government to treat its employees as well as or better than these business concerns? My own viewpoint would be that we should set an example in this matter as well as in all other matters pertaining to the welfare of the people.

Now, Mr. Chairman, surely this great Government of ours can not afford to allow a measure so important as this to be held up or postponed any longer. Think of the thousands upon thousands of employees who have given their lives' work to the Government and who have been retired under the provisions of the act of May 22, 1920, on annuities so inadequate that they barely provide existence! In fact, many of the annuities are so small that it is impossible to live on them. Outside assistance must be given.

I consider it my duty—and I feel sure that a majority of Members of Congress are in agreement with me—to insist that this matter be taken up and adjusted so that our Government may give evidence of its willingness to show a proper disposition toward the well-being of its employees.

With reference to the estimated small additional cost by reason of this pending bill, at the present time, owing to the enormous size of the fund in hand and its constant growth—as previously stated—it is not necessary for Congress to make any further appropriation nor will it be, from all indications, for years to come. It was eight years after the original law was enacted—May, 1920—before Congress began to appropriate for the fund, although, as a matter of fact, an appropriation sufficient to take care of the accrued liabilities ought to have been made at the beginning in order that interest might have been accumulating thereon; and while I will not say that it will be eight years hence before this matter is properly worked out, I do know that just now no further appropriation is necessary. In future years,

if it is proved that additional cost warrants further appropriation, the matter can be taken care of at that time.

Mr. Chairman, may I ask this question of my colleagues: Is there any legislation pending before this body that is more urgent than this retirement bill? Is there any other measure that covers the material needs of such a large number of people and at the same time offers the Government so logical a business proposition? I feel sure that all of our Members are familiar with the intent of this proposed amendment and its remedial measures, and I urge the Republican leader and members of the steering committee of this body to request the chairman of the Committee on Rules to bring the measure before the House at once, that its Members may have the opportunity to discuss its merits and vote upon the bill. To refuse to do so is a defiance of the fundamental principles of representative government.

The tables referred to are as follows:

I. Estimate and actual experience of retirement law

[From Report No. 99 by Senator Sterling July 23, 1919. From Reports of Secretary of Interior]

Act of May 22, 1920, estimated in 1919	Estimated balance	Actual balance
July 1, 1921.....	\$4,356,500.00	\$9,672,842.03
July 1, 1922.....	7,828,500.00	18,134,263.91
July 1, 1923.....	10,416,000.00	25,510,288.97
July 1, 1924.....	12,119,000.00	33,536,193.19
July 1, 1925.....	12,937,500.00	44,665,778.56
July 1, 1926, 3½ per cent.....	12,757,500.00	54,629,004.93
July 1, 1927.....	15,307,000.00	68,336,760.95
July 1, 1928.....	14,058,000.00	83,078,430.00

Without contributions from the Government: Estimated surplus July 1, 1930, at 2½ per cent, \$6,192,500.

II. Estimate by Dr. A. H. Thompson

July 1—	Contributions by employees	Government	Interest	Annuity and refunds	Balances
1929.....	\$25,932,000	\$19,950,000	\$4,042,670	\$17,996,000	\$132,994,670
1930.....	26,148,000	19,950,000	5,319,786	19,588,250	164,814,206
1931.....	26,364,000	19,950,000	6,592,568	21,099,750	196,624,624
1932.....	26,580,000	19,950,000	7,864,984	22,498,500	228,305,108
1933.....	26,796,000	19,950,000	9,132,104	23,811,000	260,373,312
1934.....	27,012,000	19,950,000	10,414,592	25,039,500	292,373,704
1935.....	27,228,000	19,950,000	11,708,428	26,199,750	325,406,382
1936.....	27,440,000	19,950,000	13,016,255	27,279,000	358,542,637
1937.....	27,655,000	19,950,000	14,341,705	28,379,200	392,920,142
1938.....	27,870,000	19,950,000	15,684,500	29,500,000	427,901,947
1939.....	28,085,000	19,950,000	17,044,077	30,641,000	463,574,624
1940.....	28,300,000	19,950,000	18,418,984	31,801,200	500,023,408
1941.....	28,515,000	19,950,000	19,809,336	33,042,400	537,332,944

III. Operations of civil service retirement law

RETIREMENT AND DISABILITY FUND

The following table is extracted from the report of the Hon. Hubert Work, Secretary of the Interior, on the operation of retirement law, beginning with the first annual report of June 30, 1921, down to and including the last annual report of June 30, 1928. The items specified in this table show the amount of contribution of the employees each year with interest, the amount of annuities paid out with refunds, and the balance on hand at the end of each fiscal year:

Total receipts for fiscal year ending June 30, 1921, including contributions with interest.....	\$12,586,389.37
Total disbursements.....	2,913,547.34
Balance in fund June 30, 1921.....	9,672,842.03
Balance in fund July 1, 1921.....	9,672,842.03
Total receipts for fiscal year ending June 30, 1922, including contributions with interest.....	14,853,748.99
Total disbursements.....	6,392,327.11
Balance in fund June 30, 1922.....	18,134,263.91
Balance in fund July 1, 1922.....	18,134,263.91
Total receipts for fiscal year ending June 30, 1923, including contributions with interest.....	15,155,609.28
Total disbursements.....	7,779,584.22
Balance in fund June 30, 1923.....	25,510,288.97
Balance in fund July 1, 1923.....	25,510,288.97
Total receipts for fiscal year ending June 30, 1924, including contributions with interest.....	16,632,485.93
Total disbursements.....	8,556,581.71
Balance in fund June 30, 1924.....	33,586,193.19
Balance in fund July 1, 1924.....	33,586,193.19
Total receipts for fiscal year ending June 30, 1925, including contributions with interest.....	20,028,867.69
Total disbursements.....	8,949,282.32
Balance in fund June 30, 1925.....	44,665,778.56
Balance in fund July 1, 1925.....	44,665,778.56
Total receipts for fiscal year ending June 30, 1926, including contributions with interest.....	20,173,691.86
Total disbursements.....	10,210,465.49
Balance in fund June 30, 1926.....	54,629,004.93
Balance in fund July 1, 1926.....	54,629,004.93
Total receipts for fiscal year ending June 30, 1927, including contributions with interest.....	27,168,463.84
Total disbursements.....	13,460,707.82
Balance in fund June 30, 1927.....	68,336,760.95

Disbursements on account of annuities and refunds for fiscal year ending July 1, 1928	\$14,761,614.75
Contribution by employees (3½ per cent of salary)	28,500,000.00
Total in fund July 1, 1928	83,078,430.00
Appropriated by Government	19,950,000.00
Total amount in retirement and disability fund July 1, 1928	103,028,430.00

Number died during the past fiscal year, 1,271.

Number of employees on retirement roll July 1, 1928, 15,383.

Number of deaths since the law became effective, more than 7,000.

There are 405,000 employees of the Government service who come within the purview of the retirement law and they pay into the retirement fund 3½ per cent of their salary, which amounts to more than \$28,000,000 annually.

Mr. GIBSON. Will the gentleman yield?

Mr. DALLINGER. Gladly.

Mr. GIBSON. The gentleman has stated the parliamentary situation with respect to this bill. How can it be called up for action?

Mr. DALLINGER. The chairman of the Committee on Rules can demand recognition from the Speaker at any time. The rule is on the House Calendar and it is Resolution No. 222.

Mr. GIBSON. Can anyone call it up except the chairman?

Mr. DALLINGER. No one except the chairman of the Committee on Rules.

Mr. GIBSON. The gentleman has stated that there is an accumulation of \$83,000,000 in this fund.

Mr. DALLINGER. It was over \$100,000,000 last July.

Mr. GIBSON. Where does the \$83,000,000 come from?

Mr. DALLINGER. The entire fund except the \$19,000,000 that was in the appropriation bill last year comes from the employees.

Mr. GIBSON. Entirely?

Mr. DALLINGER. Yes. As I understand it, when this matter was first proposed it was supposed to be a 50-50 proposition but as it stands to-day the Government is only standing 0.48 of 1 per cent of the cost and the employees are standing 3½ per cent.

Mr. GIBSON. The gentleman has stated there is some cost resting on the Government. Is there any offset against that in the way of a saving?

Mr. DALLINGER. It was estimated by the Bureau of Efficiency that the saving to the Government would be 6 per cent.

Mr. GIBSON. What is the ultimate cost to the Government on the percentage basis? It is something like 3.70 per cent, is it not?

Mr. DALLINGER. I think so.

Mr. GIBSON. And on that basis there will be an actual saving to the Government?

Mr. DALLINGER. Absolutely.

Mr. LaGUARDIA. Will the gentleman yield?

Mr. DALLINGER. Yes.

Mr. LaGUARDIA. While in theory it would seem that only the chairman of the Committee on Rules could call this bill up for consideration, and it is generally conceded that if it is called up it will pass in five minutes—

Mr. DALLINGER. Absolutely.

Mr. LaGUARDIA. As a practical matter, if 40 Members will join with us, by invoking the rules of the House we can soon tie up all action in the House until this bill comes on the floor of the House.

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

Mr. AYRES. Mr. Chairman, I yield five minutes to the gentleman from Alabama [Mr. BANKHEAD].

Mr. BANKHEAD. Mr. Chairman, the gentleman from Massachusetts [Mr. DALLINGER] has raised a very interesting question in his criticism of the leadership of the Republican Party in this House in failing to bring this very important retirement bill before the House for its consideration under the rule which was passed through the Rules Committee a good many months ago, and which is now on the Calendar of the House. I voted for the rule and favor the bill.

The gentleman from Massachusetts very correctly stated that if the chairman of the Rules Committee would see fit to do so, at any time, under the privileged status occupied by the rule, he could call it up in this House for consideration.

My friend from Massachusetts a few moments ago seemed to be seeking some real reasons why the chairman of his party's Rules Committee and the steering committee of the Republican Party in this House and those who are responsible for legislation under our system of government had failed to measure up to their pressing duty to bring this matter before the House for consideration. I think I can state to the gentleman from Massachusetts the reason the chairman of the Rules Committee has so far failed to act, although great pressure has been brought to bear against him.

I think if the gentleman from Massachusetts [Mr. DALLINGER], who is so deeply interested in this question, would go to the other end of the Avenue and consult with one of his fellow citizens from the State of Massachusetts by the name of Mr. Calvin Coolidge and could persuade that distinguished gentleman to give his consent to the consideration of the proposed bill that the gentleman from New York [Mr. SNELL], the chairman of the Rules Committee, by the acquiescence of the gentleman from New Jersey [Mr. LEHLBACH], the chairman of the House committee, would get immediate action upon this proposition.

Reliable information has been published in the papers—and that is the only source of my information—that the real reason this legislation in which some 400,000 American employees are interested, together with their families, has not been taken up so far at this session of Congress is because the President of the United States has not as yet been convinced of the wisdom of that act; and I commend to my friend from Massachusetts this source for gratification of his curiosity as to why this bill is being delayed in the House of Representatives, and I urge him, if he is really anxious to find a solution of his problem and an answer to his question, that he make an appointment with the President of the United States.

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

Mr. BANKHEAD. Yes.

Mr. DALLINGER. I would like to ask the gentleman from Alabama if he believes everything he reads in the papers?

Mr. BANKHEAD. I do not believe everything I read in the papers; but I will ask the gentleman from Massachusetts, in turn, this question: Has the gentleman ever consulted with his fellow citizen from Massachusetts about this bill?

Mr. DALLINGER. Mr. Chairman, I do not consider it is any business of mine to do that. It is the business of the House of Representatives, not the President, to determine what it shall pass and what it shall not pass. After a bill is passed by the Congress, then it is the duty of the President to take the part that is given him by the Constitution—and not until then.

Mr. BANKHEAD. I will ask the gentleman from Massachusetts if he is in a position to assert that the report published in the newspapers that the President is not satisfied with this bill and has so far been unwilling to give his consent to bringing it up is without justification?

Mr. DALLINGER. I do not know anything about it, Mr. Chairman, and I do not think it is incumbent upon the House of Representatives—

Mr. BANKHEAD. That being true—

Mr. DALLINGER. We are elected by the people to legislate.

Mr. BANKHEAD. And the Members, in their capacity as legislators, according to the information which I have been given, are being blocked at the request of the President of the United States, who is the head of the Republican Party; and he is the man who is responsible for the failure of the Republican leaders in this House to call up this bill for consideration. [Applause.]

Mr. FRENCH. Mr. Chairman, I yield three minutes to the gentleman from Massachusetts [Mr. STOBBS].

Mr. STOBBS. Mr. Chairman, we are very fortunate to-day in having in the gallery a very distinguished visitor to this House, a man who has reflected great glory upon the American merchant marine by reason of his exploits and more particularly by conduct of recent occurrence. It is a very great pleasure to me, as the Representative of his home city, the city in which he was born and brought up and where the members of his family are living at the present time, where he spent his boyhood days in the public schools, to have the privilege of presenting him to this House. We are proud of his distinguished achievements and of our distinguished visitor. We have every reason in this country to be proud of this splendid type and product of our merchant marine and of the great glory and credit he has reflected upon it. His exploits bring back to our minds the stories of the days of the vikings, and I think those of us who know that he comes from Scandinavian ancestry are warranted in believing that he has in his veins the true spirit and blood of the vikings.

Mr. Chairman, it gives me great pleasure to present to this House, Captain Fried, commander of the *America*. [Applause, the Members rising.]

Mr. AYRES. Mr. Chairman, I yield 30 minutes to the gentleman from Kansas [Mr. SPROUL].

Mr. SPROUL of Kansas. Mr. Chairman and members of the committee, Indian affairs and the duty of the Government toward the Indians is a subject now attracting and receiving much attention from the Members of Congress. And well it should attract and receive their attention, because, in my judgment, the Government has not been discharging its duty to the Indians. Our Government is now more than 140 years of age; most of the time we have been functioning under our present

Constitution. And yet the Government has never established and enunciated a well-defined policy of constitutional and legal duty toward the Indians. So it seems to me, Mr. Chairman, that it is high time that the Congress should, by appropriate legislation, determine and enunciate its constitutional duties toward the Indians and their property, together with a well-defined program for the discharge of those duties.

The Constitution, in paragraph 3, section 8, Article I, provides that the Congress shall have the power to regulate commerce with the Indian tribes, as follows:

To regulate commerce with foreign nations, and among the several States, and with the Indian tribes.

The Supreme Court has defined the relationship between the Federal Government and the Indian tribes to be that of guardian to ward, and to be of a plenary character within those equitable relationships, as follows (5 Pet. 1):

* * * Meanwhile, they are in a state of pupillage. Their relations to the United States resemble that of a ward to his guardian; they look to our Government for protection; rely upon its kindness and its power; appeal to it for relief to their wants; and address the President as their Great Father.

The Secretary of the Interior has been charged with the management of Indian Affairs and with all matters arising out of Indian relations (sec. 463, Rev. Stat.). Congress has provided (sec. 681, the Compiled Statutes 1916):

There shall be in the Department of the Interior a Commissioner of Indian Affairs. * * * The Commissioner of Indian Affairs shall, under the direction of the Secretary of the Interior and agreeably to such regulations as the President may prescribe, have the management of all Indian affairs and all matters arising out of Indian relations.

The Secretary of the Interior and the Commissioner of Indian Affairs are charged by law with the duty of acting as the guardian of the property of the Indians and as the protector of their rights. (Quoting from *West v. Hitchcock*, 205 U. S. 85; *Tiger v. Western Investment Co.*, 221 U. S. 316; see also 118 U. S. 375; *U. S. v. Boyd*, 68 Fed. 582; *U. S. v. Freeman*, 3 How. 556; *U. S. v. McTanney*, 7 Pet. 1; 26 Am. & Eng. Encyc. of Law, 604; *Booth's Opinion*, August 2, 1922; *Knight v. U. S. Land Association*, 142 U. S. 161; *Williams v. U. S.*, 138 U. S. 514; *Miller v. Raun*, 145 U. S. 200.)

Inasmuch as the Supreme Court has defined the relationship to be that of guardian to a ward, it is appropriate to understand the meaning of guardian, and also the duties of a guardian to his ward.

[Black's Law Dictionary]

Guardian: A guardian is a person lawfully invested with the power, and charged with the duty, of taking care of the person and managing the property and rights of another person, who, for some peculiarity of status or defect of age, understanding, or self-control, is considered incapable of administering his own affairs. (*Bass v. Cook*, 4 Port. (Ala.) 392; *Sparhawk v. Allen*, 21 N. H. 27; *Burger v. Frakes*, 67 Iowa, 460, 23 N. W. 746.)

A guardian is a person appointed to take care of the person or property of another. (Civ. Code Cal. sec. 236.)

One who legally has the care and management of the person or the estate, or both, of a child during its minority. (*Reeve, Com. Rel.* 311.)

Mr. GARBER. Will the gentleman yield?

Mr. SPROUL of Kansas. I yield.

Mr. GARBER. Is it not true that in an unbroken line of decisions the courts have universally held that the relationship between the Federal Government and the Indians has been that of guardian and ward?

Mr. SPROUL of Kansas. That is a fact. Now, up to about 1870 the Indians were dealt with by treaties through the Senate and the President. Since that time the Congress by joint resolutions and legislative enactment has dealt with the Indians. To proceed, we note there are two kinds of wards over which guardianships are placed. The most prominent type of ward is that of a minor, a child, prior to arriving at 21 years of age and development of capacity of understanding the duties and responsibilities in managing one's own person and property, together with the general duties of citizenship. In most State jurisdictions such period is fixed by law to be 21 years of age. The other type of ward is that of mental incompetency of a permanent character.

The Indians as wards of the Government, generally speaking, come under the type or class of the minor character existing between birth and the statutory fixed period of competency.

The Supreme Court describes this particular character of ward by saying that the Indians are in a state of pupillage. Pupillage is defined as—

the state of being a scholar or under the care of an instructor for education and discipline. (*Webster's International Dictionary.*)

The Congress therefore is informed in a positive and uncontroversial way as to the character and type of wardship with which the Government has to deal as guardian.

Determining the Indians to be in a state of pupillage necessarily means that they are susceptible of being educated, trained, and developed into capable and responsible citizens, not only for the conduct and management of their own personal activities but to possess, manage, and control their property.

If the Government, as the guardian of the Indians, has in its possession and under its control the property of the Indians, as a guardian has possession and control of its ward's property, then a pertinent question arises as to the duties of the Government with reference to the property of its Indian wards who are declared to be in a state of pupillage.

Mr. GARBER. Will the gentleman yield?

Mr. SPROUL of Kansas. I will.

Mr. GARBER. The gentleman is well recognized as a student of Indian affairs, is a member of the committee, and an excellent lawyer. May I inquire if it is not also a part of the law of guardianship toward a ward that the guardian must make an accounting of the property, and when the competency of the Indian is once legally determined, then should not that property be forthcoming? In other words, can the guardian appropriate or convert or otherwise jeopardize the property of his ward in any way?

Mr. SPROUL of Kansas. I thank the gentleman for the suggestion of what the law is, and I reply that all of the authorities upon domestic relations provide, and the law dictionaries define, the duties of a guardian concerning the property of a ward to be, to manage, conserve, and care for the property of the ward, and to make reports to the proper authorities concerning such property. And upon the arrival of the ward at the stage of mental development, responsibility, and capacity to manage his own business affairs, to deliver over to the ward's estate, together with accretions thereon.

Mr. Chairman and members of the committee, in view of the provisions of the Constitution relative to the powers of Congress over Indian affairs, the decisions of the Supreme Court declaring the relationship of the Government to the Indians to be similar to those of guardian to a ward, and in further view of the enactments of Congress creating the Secretary of the Interior and the Commissioner of Indian Affairs to be the agency of the Congress in the management of Indian affairs, both with reference to political and property rights, and with reference to the management of the property of Indians; there certainly can be little question as to our duties toward the individual Indians and toward their property. All we have to know are the duties of a guardian to a ward during his minority period and to discharge them, and to deliver to him all of his property upon his reaching his independence and majority. There are something like 200 tribes of Indians scattered about over the United States, composing altogether about 300,000 Indians. The big problem of their proper management is now before Congress. What shall we do with them?

Now, as to the further duty of the Congress toward the Indians, in my opinion, the Congress should declare, in view of its constitutional and legal duties, that it should furnish the necessary supply of means of support; of medical attention; of hospitalization; of sanitation; and of proper and suitable vocational and economic business education, including instruction and training concerning social relationships and duties as citizens to the various kinds of governments in the United States.

And to these ends normal training schools should be established, together with curriculum, for the proper education and training of teachers, school superintendents, and school faculties, to teach the younger members of the various Indian tribes the qualifications essential to independent, self-reliant, and capable citizenship.

It should further be declared to be the duty and purpose of the Government to deliver to each Indian within a certain period of time, when he should become qualified to manage, protect, and preserve his property, his or her property. Mr. Chairman, the Government's paramount duty toward the Indians is the qualifying of them for independent citizenship.

Its second duty to them is to manage, protect, and conserve their property until such time as they are capable of receiving it and then to deliver their property to them.

By pursuing this policy toward the Indians and their property the Government of the United States will be discharging its whole duty to the Indians, excepting, of course, those members who are too old or infirm to be taught to assume the duties and responsibilities of independent and capable citizenship; such Indians should continue wards of the Government, subject to the application of their own wealth to the cost of their maintenance.

The pursuing of such a policy 40 or 50 years will result in the emancipation of the Indians and the lifting from the Government a tax burden of many millions of dollars per year. And so, I recommend and urge the adoption by Congress of the policy suggested herein.

There is pending before the House, Mr. Chairman, a bill, H. R. 7204, which if passed and put into effect would, in my candid opinion, be in direct conflict with what, to me, is a positive and clear duty of the Government to the Indians with reference to them and the management of their property.

The bill would authorize an irresponsible, inexperienced, youthful Indian to enter into a trust contract for the permanent jeopardizing of his property while in such dependent and incapable age. Such a contract would determine irretrievably and unchangeably the beneficiaries of his estate; those who are to get the property, perhaps, after he is dead. The Indian with a long life, perhaps, before him, much of which it should be hoped would be as an independent, free, and capable citizen, would never be able to change the beneficiaries or get his property and use it.

If this bill should pass and the property of the Indians be disposed of in trust estates while the Indians are incompetents, in my opinion, such action would be in direct conflict with the duties of the Government in managing, conserving, and protecting their property and delivering it to them when they arrive at a period of competency. It prevents the Government discharging its duty to the Indians.

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

Mr. SPROUL of Kansas. I yield to the gentleman.

Mr. HASTINGS. Now, in respect to approving these trusts, I am not going to go into it now. I expect to discuss it at some length next Wednesday. But I ask the gentleman to discuss this feature: Does this bill, H. R. 7204, change or modify in any respect the present authority of the Secretary under existing law to approve trusts? I assert that it does not, and I challenge any man to show that it does.

Mr. SPROUL of Kansas. I thank the gentleman for the suggestion, and agree with him that it may not enlarge the powers as to a certain class of contracts of incompetents. The present bill, H. R. 7204, does vest in the Secretary of the Interior and the Commissioner of Indian Affairs the power to even give away the property of the Indians.

Mr. HASTINGS. If the gentleman will just yield again, I shall not interrupt him again.

Mr. SPROUL of Kansas. I yield.

Mr. HASTINGS. I challenge that statement. Inasmuch as the gentleman has the floor in his own time and has plenty of time to discuss it, I challenge the statement of the gentleman from Kansas that there is any such language embodied in that bill. He can not put his finger on it. I think I know this bill. I have given it a great deal of study, and I do not think we ought to talk lightly about it. We ought to talk to the point in making a statement, but I suggest that we ought to be able to put our finger on the language that carries out such a statement. It is not in the bill.

Mr. SPROUL of Kansas. The bill provides, as I remember it, that the Secretary of the Interior has the power to approve trust agreements with any restricted Indian over 21 years of age.

Mr. HASTINGS. That is right.

Mr. SPROUL of Kansas. And there are, so far as I remember, no exceptions.

Mr. HASTINGS. Will the gentleman yield again?

Mr. SPROUL of Kansas. Yes.

Mr. HASTINGS. Does the gentleman mean to say that section 1 of that bill would permit the Secretary of the Interior to approve a trust made by a mentally incompetent Indian? Surely the gentleman is too good a lawyer to do that.

Mr. SPROUL of Kansas. The mentally incompetent Indian is not excepted in the bill.

Mr. HASTINGS. The gentleman is too good a lawyer, after having made a careful study of that question, to say that. I ask him if it is his opinion that under that section the Secretary of the Interior would have the power to approve a trust not of a restricted Indian, but one who has been adjudged mentally incompetent? It is unthinkable that my good friend from Kansas would make such a statement.

Mr. SPROUL of Kansas. I will say in reply to the gentleman from Oklahoma that Congress has exclusive jurisdiction over the Indian affairs, and if a law is enacted authorizing the Secretary of the Interior and the Commissioner of Indian Affairs to approve any trust contract made by any incompetent Indian over 21 years of age, then certainly such act would warrant the conclusion that the Congress had meant what it said; and that if Congress had meant to except an Indian under guardianship or a mentally incompetent from making trust agreements, then certainly such exception would have been made in the bill.

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

Mr. FRENCH. Mr. Chairman, I yield to the gentleman five minutes more.

The CHAIRMAN. The gentleman from Kansas is recognized for five minutes more.

Mr. SPROUL of Kansas. In the Jackson Barnett case the court held that \$550,000 was given away from an incompetent restricted Indian, but that the act was void. At that time there was no special or general law authorizing the making of trust estates urged by the Commissioner of Indian Affairs, except the general law to manage Indian affairs. Notice carefully what Mr. Burke says concerning the purpose of this bill, H. R. 7204. I wish to say further that one of the originators of the bill, one of the proponents of the bill, has said deliberately that he sought to secure the authority, which the United States courts have held that he did not have, to approve contracts of incompetence. He said he was seeking authority to do what the Federal courts said he did not have the right to do. I quote from his statement:

TESTIMONY OF COMMISSIONER BURKE AT COMMITTEE HEARINGS ON H. R. 7204

I had occasion to have something to do with a case that has attracted a great deal of attention throughout the country, due to misrepresenting and much misrepresentation, involving the estate of one Jackson Barnett. I think you have all heard about it.

At that time there arose an agitation over the Barnett case and through propaganda and misrepresentation, there was finally litigation begun to set aside the trusts created by Jackson Barnett on the ground that he did not have mental capacity to make a trust, and that the Secretary of the Interior did not have the power under the law to approve such a transaction. Even the Department of Justice intervened in that case with the plaintiff, who is an alleged next friend who represents a syndicate in Oklahoma that have contracts with alleged heirs of Jackson Barnett, that of whatever money they may receive from Barnett's estate upon his death they are to receive not less than 30 nor more than 50 per cent. The suit was tried in the United States Court in the Southern District of New York. The court sustained the theory of the plaintiff and held that Jackson Barnett did not have sufficient mental capacity to understand what he was doing when he made that distribution of his estate by the execution of the trust agreement, and therefore that the secretary could not approve it. That case is now on appeal to the Court of Appeals; that is, from the decision of the United States District Court for the Southern District of New York, and probably may eventually go to the Supreme Court.

Mr. LETTS. When was that decision rendered?

Mr. BURKE. Last August, 1927; a few months ago. In passing I will say for the information of this committee and anybody else that is interested, that in my opinion an incompetent Indian is incompetent and there is no such thing as a competent, incompetent Indian.

There may be differences in degree as to their intelligence, but I will make this statement without fear of contradiction: That any person in whom an Indian has any confidence whatsoever, an incompetent Indian, that that friend will get his thumb mark to any instruments that he attempts to get if he is of the generation of Jackson Barnett, uneducated, ignorant, with no business experience. They are all more or less alike; and I will say this to the committee, because it is true, and Judge Standeven will support it, that in a number of contracts that came up here from Oklahoma, and there were several, for trusts executed by an Indian, in one instance, in the presence of the superintendent when he was interrogated and before he executed the trust, and that in more than one-half of those cases, we received telegrams or letters from the Indian repudiating them almost as soon as the contracts reached Washington, and just as soon as word went back that we had that information from the Indian, we got another telegram or letter from him and he was on again. It was a case of off again, on again, gone again.

That is the Indian, and so when you say that an Indian who is incompetent, must do something, must initiate something, it is contrary to any theory of the law that I know anything about, that any incompetent person can legally do something. He is incompetent because he can not do it, and it is for the Secretary of the Interior to determine whether such an Indian who does do something has sufficient intelligence to understand it, and his action and decision is conclusive and can not be reviewed by any court. That is our theory of the law, and that is the legal question involved in the Jackson Barnett case.

After this question of law was raised and we began to give the subject more study, we discovered that the method of making the trust was that the restrictions were removed from the funds and upon approval of the trust—

With that situation, we concluded if we are to continue allowing Indians to enter into such contracts, we ought to have legislation authorizing it, first, because there has been a question raised in the Barnett case as to the authority of the Secretary of the Interior to do it. That

is the first question. Second, that we should find a way to take away any incentive to set trusts aside, and so this bill provides that in the event the trust is set aside for any reason, the money will revert back to the custody of the Secretary of the Interior; therefore there would not be any inducement for anyone to institute proceedings or get the Indian to institute proceedings to have it set aside.

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

Mr. SPROUL of Kansas. Yes.

Mr. HASTINGS. Of course I am not responsible for any loose talk that anyone may make with reference to what they think about a bill. But I want to challenge the gentleman to read closely the language of section 1 of that bill, H. R. 7204, and he will find that it only permits the making of these trust agreements, and of course that must be construed in no other way than by the competent Indians.

Mr. SPROUL of Kansas. The gentleman can place his own construction upon it; but the Supreme Court in construing these powers is not expected to presume that an exception is meant. It will be governed by the clear language of the act.

The common rule of law laid down in all of the works on statutory construction and interpretation say that when the wording of a statute is clear and unmistakable, it is presumed that the legislative body meant and intended to do and say what such construction of the statute clearly indicated. I cite Lewis's Sutherland on statutory construction:

The statute itself furnishes the best means of its own exposition; and if the intent of the act can be clearly ascertained from a reading of its provisions, and all its parts may be brought into harmony therewith, that intent will prevail without resorting to other aid for construction.

Now, in view of the fact that the Commissioner of Indian Affairs has approved just the kind of a contract that we are speaking about, one of an Indian altogether incompetent, by which his property was given away, the courts have held that in such a case the contract was void; that Congress had not at any time given the same kind of authority which is sought in this case.

Mr. HASTINGS. Then why does not the gentleman offer an amendment to that section?

Mr. SPROUL of Kansas. Because I have no doubt about it.

Mr. HASTINGS. Neither have I.

Mr. SPROUL of Kansas. I do not have any doubt about it.

Mr. HASTINGS. Has the gentleman ever offered that sort of an amendment?

Mr. SPROUL of Kansas. No.

Mr. HASTINGS. Why?

Mr. SPROUL of Kansas. Because I am opposed to the bill. I am opposed to any power being vested in any officer which authorizes him to do the extreme opposite of his duty.

Mr. HASTINGS. Will the gentleman yield for one more question?

Mr. SPROUL of Kansas. I do.

Mr. HASTINGS. I want to say to the gentleman here and now that this bill has been fully discussed and has been before the Committee on Indian Affairs a long time, and this is the first time I ever heard that objection raised against this bill, or that kind of an interpretation attempted to be placed upon that bill.

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

Mr. SPROUL of Kansas. Yes.

Mr. ARENTZ. The argument I have heard from others against this bill, which I hoped the gentleman from Kansas would touch on, is relative to the construction of the Oklahoma law in regard to trusts; institutions which may take trust funds and care for the Indians. The letters that have come on our desks from associations apparently have the Indian in mind.

The CHAIRMAN. The time of the gentleman from Kansas has again expired.

Mr. FRENCH. Mr. Chairman, I yield to the gentleman five minutes more.

Mr. ARENTZ. Those letters have laid particular stress upon the fact that the State of Oklahoma does not protect its own citizens in the safeguards that it places about trust companies.

Mr. HASTINGS. I have never heard of any criticism in the State of Oklahoma along the lines mentioned by the gentleman from Nevada. I am sure the gentleman can point his finger to no case where the interests of all citizens have not been protected under our trust laws.

Mr. GARBER. Will the gentleman yield?

Mr. SPROUL of Kansas. Yes.

Mr. GARBER. Can the gentleman from Nevada point out in what direction the literature he has referred to calls his attention to the defects of the trust laws of Oklahoma?

Mr. ARENTZ. No; I can not exactly do that.

Mr. GARBER. I want to assure the gentleman from Nevada that the trust laws of the State of Oklahoma have been very carefully drawn. They have worn well and they have been interpreted repeatedly by the supreme court of the State. They are not loosely drawn and they safeguard and protect in every particular the trust estate.

Mr. SPROUL of Kansas. Mr. Chairman, I merely referred to the provisions of the trust law to illustrate what I considered to be a disregard of our duties as the guardian of a people who are in a state of tutelage.

Mr. HOWARD of Oklahoma. Will the gentleman yield?

Mr. SPROUL of Kansas. I yield.

Mr. HOWARD of Oklahoma. Does not the gentleman know that under the present law the Secretary of the Interior can do everything provided for in House bill 7204 and has done it, and that the only reason or necessity for House bill 7204 is that now when he turns the money of the Indian loose, it is loose forever? But, under 7204 we propose, at the request of the Secretary of the Interior, to throw a safeguard around the trust created afterwards by providing that should the trust fail the money goes back restricted and under the supervision of the Government. In other words, it remains restricted at all times, and that is why the Secretary of the Interior and the Commissioner of Indian Affairs ask Congress for this measure.

Mr. KNUTSON. Will the gentleman yield?

Mr. SPROUL of Kansas. Yes.

Mr. KNUTSON. I have no doubt that the gentleman's apprehension over 7204 is based largely upon the observations he made with respect to the administration of the estates of Osages which were in the hands of guardians in that State.

Mr. SPROUL of Kansas. No, indeed. They are based on my judgment as to our duties to the Indians. When an Indian ward arrives at the state of competency I can not feel that the Government should be unable to deliver him his money, and I can not conceive of such situation as being in harmony with our duty as guardian, because in every State all over the country, and everywhere, there is nothing else required of a guardian upon the arrival of the ward at competency than to deliver him his money. As this bill provides that it can not be done, we can not discharge our duty as guardian of the Indians. That is an impossibility.

Mr. HOWARD of Oklahoma. Will the gentleman yield further?

Mr. SPROUL of Kansas. I yield.

Mr. HOWARD of Oklahoma. Does not the gentleman understand that under this measure our ward, the Indian, has a right to direct the trust and where it shall go, not only to himself but to his beneficiaries?

Mr. SPROUL of Kansas. No; I do not understand that, because of the state of mind and state of incapacity of the ward. He would not be a ward if he were more than 21 years of age and were not incapable.

Think of a young Indian man or young Indian woman, restricted and incompetent, with immature mind and incapacity, being asked by some big trust company to create a trust estate, by the officer or agent of a big trust company. In reality, who would be the originator of the idea? Who would prepare the terms of the trust agreement? We suggest that the idea would be originated by the trust company officials and the agreement would be drawn by the trust company officials. They would virtually constitute both parties to the agreement.

The trust agreement of Mollie Davis, a restricted and incompetent Creek Indian woman, not only provides for the unchangeable alienation of her \$300,000 during her lifetime but undertakes to vest the same in certain beneficiaries who will take over the property after her death. Is it conceivable that a young, restricted, and incompetent Indian, perhaps unmarried, could make a satisfactory designation of beneficiaries to take over his estate after his death, many years, possibly, in the future, and always be satisfied, never desiring to change his beneficiaries? Such a thing is unthinkable.

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

Mr. FRENCH. Mr. Chairman, I yield the gentleman two additional minutes.

Mr. SPROUL of Kansas. The big trust company of Oklahoma has been represented by strong lobbies in the last two sessions of Congress, urging the passage of H. R. 7204. It is interesting to note that these two large institutions, the Exchange Trust Co. and the Exchange National Bank of Tulsa, have been closely associated with the Sinclair interests and certain Standard Oil subsidiaries who have been recently involved in litigation with the Government over the Government's oil reserves. It is further interesting to note that in those big

lawsuits the Government was successful in recovering back the oil leases and property valued at many millions of dollars.

The amount of the Indian moneys which would be available to this big trust company and others, should this legislation pass, would be from \$30,000,000 to \$40,000,000, to be involved in trust agreements with young and immature minds, which agreement shall extend for years after the Indians die. That is the kind of a bill it is; and while the Indians may be easily influenced, and are in need of money, it is intended to let the big trust companies influence them to sign such trust-estate agreements.

Mr. HASTINGS. I want to ask the gentleman if he can point to a single line in this bill that gives any new authority to the Secretary of the Interior.

Mr. SPROUL of Kansas. I could; yes.

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

Mr. FRENCH. Mr. Chairman, I yield the gentleman one additional minute.

Mr. HASTINGS. I will repeat the question. I want to ask the gentleman if he can point to a single line in this bill which permits the Secretary of the Interior to approve a trust which he does not already have under existing law. I state there is not, and I state further, that all this bill does, in the event that one of these trusts is declared illegal, is to cause the money or property to be brought back under the direction and supervision of the Secretary of the Interior.

Mr. SPROUL of Kansas. In the first place, I do not think there is any law authorizing him to approve trust agreements. In the second place, I think if there was such a law there would not be such a tremendous lobby from the big oil bank of Tulsa here trying to get this bill enacted.

Mr. HASTINGS. Oh, let us answer the argument. I want to know if this changes the existing law in that respect.

Mr. SPROUL of Kansas. I do not think it does. It makes no amendments of another act, so far as I know. It is a new law.

Mr. HASTINGS. That answers the question.

Mr. SPROUL of Kansas. The Secretary of the Interior under the present law, I am sure, has the authority to invest restricted Indians' money in nontaxable Government bonds, municipal bonds, first real-estate mortgages, not to exceed 50 per cent of the value of the property, and other securities; but I do not know of any law, general or special, which authorizes the Secretary of the Interior or the Commissioner of Indian Affairs to authorize and approve the creation of Indian trust-estate agreements. If there is any such act of Congress, I have no knowledge of it.

Mr. FRENCH. 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. Luce, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill H. R. 16714, the Navy appropriation bill, had come to no resolution thereon.

ENROLLED BILLS SIGNED

Mr. CAMPBELL, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 6864. An act to authorize the Postmaster General to require steamship companies to carry the mail when tendered;

H. R. 7200. An act to amend section 321 of the Penal Code;

H. R. 13414. An act to amend section 1396 of the Revised Statutes of the United States relative to the appointment of chaplains in the Navy;

H. R. 13507. An act to amend section 3 of Public Act No. 230 (37 Stat. L. 194);

H. R. 14920. An act granting the consent of Congress to the State of Wisconsin to construct, maintain, and operate a free highway bridge across the Rock River, at or near Center Avenue, Janesville, Rock County, Wis.;

H. R. 15324. An act authorizing the attendance of the Marine Band at the Confederate Veterans' reunion to be held at Charlotte, N. C.; and

H. J. Res. 340. Joint resolution to authorize the Secretary of the Treasury to cooperate with the other relief creditor Governments in making it possible for Austria to float a loan in order to obtain funds for the furtherance of its reconstruction program and to conclude an agreement for the settlement of the indebtedness of Austria to the United States.

The SPEAKER announced his signature to a joint resolution of the Senate of the following title:

S. J. Res. 171. Joint resolution granting the consent of Congress to the city of New York to enter upon certain United States property for the purpose of constructing a rapid-transit railway.

ADJOURNMENT

Mr. FRENCH. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 22 minutes p. m.) the House adjourned until Monday, February 4, 1929, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Monday, February 4, 1929, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON INDIAN AFFAIRS

(10.30 a. m.)

To authorize the creation of Indian trust estates (S. 4222) and matters concerning the Osage Indians.

COMMITTEE ON NAVAL AFFAIRS

(10.30 a. m.)

To consider general legislation before the committee.

COMMITTEE ON MILITARY AFFAIRS

(10.30 a. m.)

To authorize and direct the Secretary of War to execute a lease with Air Nitrates Corporation and American Cyanamid Co. (H. R. 8305).

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

(10 a. m.)

Continuing the powers and authority of the Federal Radio Commission under the radio act of 1927 (H. R. 15430).

EXECUTIVE COMMUNICATIONS, ETC.

798. Under clause 2 of Rule XXIV, a letter from the Acting Secretary of War, transmitting report of an accumulation of documents and files of papers which are not needed or useful in the transaction of the current business of the department and have no permanent or historical interest, was taken from the Speaker's table and referred to the Committee on Disposition of Useless Executive Papers.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. WILLIAMSON: Committee on Indian Affairs. S. 2482. An act for the relief of the White River, Uintah, Uncompahgre, and Southern Ute Tribes or Bands of Ute Indians in Utah, Colorado, and New Mexico; with amendment (Rept. No. 2347). Referred to the Committee of the Whole House on the state of the Union.

Mr. REID of Illinois: Committee on Flood Control. H. R. 16397. A bill granting authority to the Secretary of War to relocate levee of Conway district No. 1, Conway County, Ark.; without amendment (Rept. No. 2348). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. SINCLAIR: Committee on War Claims. H. R. 5971. A bill for the relief of William S. Welch, trustee of the estate of the Joliet Forge Co., bankrupt; with amendment (Rept. No. 2345). Referred to the Committee of the Whole House.

Mr. UNDERHILL: Committee on Claims. H. R. 6757. A bill for the relief of W. C. Moye and Nannie Moye; with amendment (Rept. No. 2346). Referred to the Committee of the Whole House.

ADVERSE REPORTS

Under clause 2 of Rule XIII,

Mr. BUSHONG: Committee on Claims. H. R. 3193. A bill for the relief of William Dalton; adverse (Rept. No. 2342). Laid on the table.

Mr. SINCLAIR: Committee on War Claims. H. R. 4074. A bill for the relief of William K. Gelsinon; adverse (Rept. No. 2343). Laid on the table.

Mr. PEAVEY: Committee on War Claims. H. R. 10982. A bill for the relief of Charles Curtis (Inc.); adverse (Rept. No. 2344). Laid on the table.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. BACHMANN: A bill (H. R. 16818) to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Wellsburg, W. Va.; to the Committee on Interstate and Foreign Commerce.

By Mr. JOHNSON of South Dakota: A bill (H. R. 16819) to amend the World War veterans' act, 1924; to the Committee on World War Veterans' Legislation.

By Mr. NEWTON: A bill (H. R. 16820) regulating hours of labor of certain watchmen, building guards, firemen, and engineers in the custodial service; to the Committee on the Civil Service.

By Mr. SPEAKS: A bill (H. R. 16821) to limit the application of the internal-revenue tax upon passage tickets; to the Committee on Ways and Means.

By Mr. JOHNSON of Oklahoma: A bill (H. R. 16822) to authorize the expenditure of \$91,000 to enlarge and buy equipment for the Kiowa Indian Hospital, located at the Fort Sill School reservation in Comanche County, Okla.; to the Committee on Indian Affairs.

By Mr. McFADDEN: A bill (H. R. 16823) to amend section 9 of the Federal reserve act and section 5240 of the Revised Statutes of the United States, and for other purposes; to the Committee on Banking and Currency.

By Mr. GUYER: A bill (H. R. 16824) to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Kansas City, Kans.; to the Committee on Interstate and Foreign Commerce.

By Mr. CHINDBLOM: Joint resolution (H. J. Res. 402) to amend subdivisions (b) and (e) of section 11 of the immigration act of 1924, as amended; to the Committee on Immigration and Naturalization.

By Mr. FISH: Joint resolution (H. J. Res. 403) that the President call a conference of the leading naval powers in Washington during 1929; to the Committee on Foreign Affairs.

By Mr. CELLER: Concurrent resolution (H. Con. Res. 53) to prohibit the importation of intoxicating beverages by representatives of foreign governments; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 3 of Rule XXII, memorials were presented and referred as follows:

Memorial of the General Assembly of the State Legislature of Iowa, memorializing the Congress of the United States to amend the tariff schedule as affecting the duty on molasses imported for the manufacture of industrial alcohol; to the Committee on Ways and Means.

Memorial of the Thirty-fifth Legislative Assembly of the State of Oregon, urging the passage by Congress of the proposed amendment to the immigration laws placing Mexico under the quota provisions applying to other nations; to the Committee on Immigration and Naturalization.

By Mr. CARSS: Memorial of the Minnesota State Legislature, memorializing the Congress of the United States that an adequate agriculture tariff be enacted at the earliest possible date; to the Committee on Agriculture.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. EVANS of California: A bill (H. R. 16825) granting a pension to Perry D. Gath; to the Committee on Pensions.

Also, a bill (H. R. 16826) granting a pension to Josephine Mickle; to the Committee on Invalid Pensions.

By Mr. ROY G. FITZGERALD: A bill (H. R. 16827) granting an increase of pension to Edward Sheehy; to the Committee on Pensions.

By Mr. GREENWOOD: A bill (H. R. 16828) granting a pension to John Grisham; to the Committee on Invalid Pensions.

By Mr. HALE: A bill (H. R. 16829) for the relief of George D. Johnson; to the Committee on Naval Affairs.

By Mr. HOPE: A bill (H. R. 16830) granting a pension to Myrtle Austin; to the Committee on Invalid Pensions.

By Mr. KURTZ: A bill (H. R. 16831) granting an increase of pension to Mary E. Hammer; to the Committee on Invalid Pensions.

By Mr. McCLINTIC: A bill (H. R. 16832) granting a pension to Samuel L. Gibson; to the Committee on Pensions.

By Mr. REED of New York: A bill (H. R. 16833) granting an increase of pension to Gertrude A. Haight; to the Committee on Invalid Pensions.

By Mr. SEGER: A bill (H. R. 16834) granting an increase of pension to Sarah Roberts; to the Committee on Invalid Pensions.

By Mr. SPROUL of Kansas: A bill (H. R. 16835) granting a pension to Martha J. Rice; to the Committee on Invalid Pensions.

By Mr. UNDERHILL: A bill (H. R. 16836) for the relief of Walter L. Turner; to the Committee on Claims.

Also, a bill (H. R. 16837) for the relief of C. J. Colville; to the Committee on Claims.

PETITIONS, ETC.

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

8549. Petition of League of the American Civil Service, Margaret Hopkins Worrell, president, transmitting a resolution passed by said league favoring the postponement of the Lehlbach civil service bill until such time as a more equitable bill may be prepared; to the Committee on the Civil Service.

8550. By Mr. BRIGGS: Copy of Concurrent Resolution 12 of the Senate of the State of Texas, unanimously adopted by both houses of the Forty-first Texas Legislature, urging the return to the respective States of the South all war records, muster rolls, and other Confederate documents now in the custody of the United States Government; to the Committee on Military Affairs.

8551. By Mr. CANNON: Petition of Anna Neadham and other members of the Women's Relief Corps, Grand Army of the Republic, St. Charles, Mo., urging increase of pensions of widows of Civil War veterans; to the Committee on Invalid Pensions.

8552. By Mr. EATON: Petition of Upper Delaware and New Jersey Ship Canal Conference for Industrial Owners and Management, Business Men, and Chamber of Commerce Officials, urging construction of a canal joining the Delaware River and New York Bay, through the State of New Jersey; to the Committee on Rivers and Harbors.

8553. By Mr. McCORMACK: Petition of Mrs. Francis E. Slattery, president League of Catholic Women, 1 Arlington Street, Boston, Mass., protesting against enactment of the so-called Newton maternity act; to the Committee on Interstate and Foreign Commerce.

8554. By Mr. MORROW: Petition of New Mexico Cattle and Horse Growers' Association and the New Mexico Wood Growers' Association, indorsing the action of the Secretary of Agriculture prohibiting the entry into any port of this Nation of garbage from vessels arriving from foreign ports; to the Committee on Agriculture.

8555. By Mr. O'CONNELL: Petition of the Federal Council of the Churches of Christ in America, with reference to the general pact for the renunciation of war and declaration on increase of armaments; to the Committee on Military Affairs.

8556. Also, petition of Ernest L. Smith Construction Co. (Inc.), New York City, favoring the passage of the Norbeck game refuge bill; to the Committee on Agriculture.

8557. Also, petition of the Rockaway Bird Club, Long Island, N. Y., favoring the passage of the Norbeck game refuge bill; to the Committee on Agriculture.

8558. Also, petition of Parker, Stearns & Co., Brooklyn, N. Y., favoring the passage of the Norbeck game refuge bill; to the Committee on Agriculture.

8559. Also, petition of Richey, Browne & Donald (Inc.), Maspeth, N. Y., opposing the passage of the Cramton bill (H. R. 5527); to the Committee on Patents.

8560. Also, petition of Morrison, Kennedy & Campbell, New York City, favoring the passage of the Norbeck game refuge bill; to the Committee on Agriculture.

8561. Also, petition of Edward Lippincott Tilton, New York City, favoring the passage of the Norbeck game refuge bill; to the Committee on Agriculture.

8562. Also, petition of Frost's Veneer Seating Co. (Ltd.), New York City, favoring an increase in the tariff on plywood under paragraph 410; to the Committee on Ways and Means.

8563. Also, petition of Pace, Gore & McLaren, New York City, favoring the passage of House bills 9200 and 14659 and Senate bill 1976, for additional Federal judges for New York; to the Committee on the Judiciary.

8564. By Mrs. OLDFIELD: Petition of H. M. Townsend et al., of Lawrence County, Ark., urging the establishment of a moratorium for the payment of drainage bonds; to the Committee on Irrigation and Reclamation.

8565. By Mr. SEGER: Resolutions of Upper Delaware and New Jersey Ship Canal Conference for Industrial Owners, Business Men, and Chamber of Commerce Officials, favoring construction of a canal joining the Delaware River and New

York Bay through New Jersey; to the Committee on Rivers and Harbors.

8566. By Mr. WELCH of California: Petition of legislative committee, United Spanish War Veterans, Department of California, requesting enactment of House bill 14676; to the Committee on Pensions.

8567. By Mr. WHITTINGTON: Petition of P. H. Lowrey and others, for Government in aid of drainage districts; to the Committee on Irrigation and Reclamation.

8568. Also, petition of C. G. Nichols and others, for Government in aid of drainage districts; to the Committee on Irrigation and Reclamation.

SENATE

MONDAY, February 4, 1929

The Chaplain, Rev. Z^cBarney T. Phillips, D. D., offered the following prayer:

God of all grace and love, who hast filled the world with beauty, open our eyes, we beseech Thee, that we may behold Thy gracious hand in all Thy works in earth and sea and sky. Thou hast hallowed by love our homes, wherein we find joy to heighten our life and mirth to refresh us in our work; and because we are weak and dependent give unto us the glad some help of Thy loving-kindness. Open our hearts that we may share the faith Thou hast revealed in Thy Son until the little-ness of our knowledge is lost in the greatness of Thy love. Through Jesus Christ our Lord. Amen.

The Chief Clerk proceeded to read the Journal of the proceedings of the legislative day of Thursday last, when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

CALL OF THE ROLL

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

The VICE PRESIDENT. The clerk will call the roll.

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

Ashurst	Fess	King	Sheppard
Barkley	Fletcher	McKellar	Shipstead
Bayard	Frazier	McMaster	Shortridge
Bingham	George	McNary	Simmons
Black	Gerry	Mayfield	Smith
Blaine	Gillett	Moses	Steck
Bleasé	Glass	Neely	Steiwer
Borah	Glenn	Norbeck	Stephens
Bratton	Goff	Norris	Swanson
Brookhart	Gould	Nye	Thomas, Idaho
Bruce	Greene	Oddie	Thomas, Okla.
Burton	Hale	Overman	Trammell
Capper	Harris	Phipps	Tydings
Caraway	Harrison	Pine	Tyson
Copeland	Hastings	Pittman	Vandenberg
Couzens	Hawes	Ransdell	Wagner
Curtis	Hayden	Reed, Mo.	Walsh, Mass.
Dale	Heflin	Reed, Pa.	Walsh, Mont.
Deneen	Johnson	Robinson, Ark.	Warren
Dill	Jones	Robinson, Ind.	Waterman
Edge	Kendrick	Sackett	Watson
Edwards	Keyes	Schall	Wheeler

Mr. BLAINE. I wish to announce that my colleague [Mr. LA FOLLETTE] is necessarily absent. I ask that this announcement may stand for the day.

Mr. NORRIS. I desire to announce that my colleague the junior Senator from Nebraska [Mr. HOWELL] is absent on account of illness.

Mr. GERRY. The Senator from Louisiana [Mr. BROUSSARD] is necessarily detained from the Senate by illness.

Mr. JONES. I desire to announce that the junior Senator from Rhode Island [Mr. METCALF] is absent from the Senate owing to illness.

The VICE PRESIDENT. Eighty-eight Senators having answered to their names, a quorum is present.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks, announced that the House had agreed to the amendment of the Senate to the bill (H. R. 14151) to provide for establishment of a Coast Guard station at or near the mouth of the Quillayute River in the State of Washington.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

H. R. 7200. An act to amend section 321 of the Penal Code; and

H. R. 12404. An act authorizing erection of a memorial to Maj. Gen. Henry A. Greene at Fort Lewis, Wash.

DISPOSITION OF USELESS PAPERS

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting, pursuant to law, additional schedules and lists of papers on the files of the Treasury Department not needed in the transaction of public business and having no permanent value, and asking for action looking toward their disposition, which was referred to a Joint Select Committee on the Disposition of Useless Papers in the Executive Departments.

The VICE PRESIDENT appointed Mr. REED of Pennsylvania and Mr. SIMMONS members of the committee on the part of the Senate.

PETITIONS AND MEMORIALS

Mr. ODDIE presented the following joint resolution of the Legislature of the State of Nevada, which was ordered to lie on the table:

Senate joint resolution, approved January 30, 1929, memorializing President-elect Hoover to give his best consideration to the proposal of the appointment of Louis S. Cates, of Utah, as Secretary of the Interior of the United States

Whereas Louis S. Cates, of the State of Utah, has been favorably recommended for the post of Secretary of the Interior; and

Whereas the people of the State of Nevada recognizing the outstanding ability and fitness of Mr. Cates for such position: Now, therefore, be it Resolved by the Senate and Assembly of the State of Nevada, That President-elect Hoover be, and he is hereby, respectfully requested to give every proper consideration to the name of Louis S. Cates in selecting a Secretary of the Interior for his Cabinet.

Resolved, That properly certified copies of this resolution be forwarded to Mr. Hoover and to our Senators and Representatives in Congress.

MORLEY GRISWOLD,
President of the Senate.
V. R. Merialdo,
Secretary of the Senate.
R. C. TURBITTIN,
Speaker of the Assembly.
V. M. HENDERSON,
Chief Clerk of the Assembly.

Mr. WALSH of Massachusetts presented the following telegrams, in the nature of memorials, relative to the cruiser construction bill, which were ordered to lie on the table and to be printed in the RECORD:

BOSTON, MASS., February 2, 1929.

Senator DAVID I. WALSH,

Senate Office Building, Washington, D. C.:

Massachusetts committee to modify cruiser bill opposes passage bill in present form at present time. Urges as very minimum removal time clause. Emphatically desires reduction number cruisers or deferring total building program. Approves Borah amendment definition neutral rights. We earnestly desire your support for this program.

Lawrence G. Brooks, chairman; Mrs. Elizabeth Tilton, vice chairman; Prof. Clarence R. Skinner, vice chairman; Mrs. J. Mealcorn Forbes, secretary-treasurer; Miss Florence H. Luscomb, executive secretary; J. Edgar Park, president Wheaton College; Samuel H. Thompson, president State Chamber of Commerce; H. L. Chipman, president Cape Cod Association of Churches; citizens of Boston and Cambridge; Henry B. Cabot, Dr. Richard C. Cabot; Prof. Z. Chaffee, jr.; President John A. Cousens; Dr. Hilbert F. Day; Dr. Robert C. Dexter; Miss Zara Dupont; Mrs. Janes W. Elliott; Miss Eugenia B. Frothingham; Rev. Dr. William E. Gilroy; Mrs. Edward Ingraham; Prof. and Mrs. Lewis J. Johnson; Miss Martha L. Lathe; Rabbi Harry Levi; Miss Lucy Lowell; Mrs. Collin W. MacDonald; David K. Niles; Rev. George L. Paine; Mrs. George H. Parker; Mrs. Wenona Osborne Pinkham; Prof. Bliss Perry; Mrs. Charles I. Quirk; Mrs. William Z. Ripley; Rev. E. Talmadge Root; Mrs. Francis B. Sayre; Prof. A. M. Schlesinger; Robert H. O. Schulz; James H. Sheldon; Rev. George H. Spencer; James B. Watson; Mrs. Gertrude M. Winslow; Rev. Smith O. Dexter, Concord, Mass.; Mrs. Albert Warren Levis, Dorchester; Miss Charlotte E. Powell, Dorchester; Rev. H. Russel Clem, Fall River; Prof. Gorham W. Harris, Newtonville; Rev. John W. Darr, Northampton; Prof. Sidney B. Fay, Northampton; Rev. James Guden Gilkey, Springfield; Amanda L. Peterson, Worcester; Dr. and Mrs. Samuel B. Woodward, Worcester; all signatures individual, not organization.

BOSTON, MASS., February 4, 1929.

Senator DAVID I. WALSH,

Senate Office Building:

Please add the following members of the Massachusetts committee to modify cruiser bill to the list sent you Saturday: Emily G. Balch, President Women's International League for Peace and Freedom; Rev. Albert