

HOUSE OF REPRESENTATIVES

WEDNESDAY, February 13, 1929

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our Father, Thou art our God, and earnestly would we seek Thee. The depths of the riches of Thy wisdom and knowledge draw us apart. Thou art the joy of our joy, the peace of our peace, and the love of our love. Our hidden and unseen desires are before Thee. Sift them that they may be foregleams of Thy plan and presence. Throughout this day may our trusts be administered with minds that are wise and with hearts that are true. Look upon our country and the nations associated with us for the advancement of good will throughout the earth. In all things may they stand together for righteousness and justice. Clothe all of them with the high and noble elements of national life. And unto Thee be praises world without end. Amen.

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

CALENDAR WEDNESDAY

Mr. TILSON. Mr. Speaker, this is Calendar Wednesday, and I am not entirely clear as to what matters of business might be transacted to-day in spite of that fact. Whatever the situation may be, I ask unanimous consent that the conference report on the independent offices appropriation bill may now be considered.

The SPEAKER. The gentleman from Connecticut asks unanimous consent that the conference report on the independent offices bill may be considered. Is there objection?

Mr. BLACK of Texas. Mr. Speaker, reserving the right to object, and I shall not object if it be understood that no points of order are waived.

Mr. TILSON. It will be understood that the conference report will be considered under the general rules of the House.

Mr. BLACK of Texas. With the understanding that no point of order is waived by agreeing to the unanimous consent.

INDEPENDENT OFFICES APPROPRIATION BILL

Mr. WASON. Mr. Speaker, I call up the conference report on the bill H. R. 16301, and, Mr. Speaker, I ask unanimous consent that the statement of the managers may be read in lieu of the report.

The SPEAKER. Is there objection to the request?

Mr. BLACK of Texas. Mr. Speaker, the conference report is short, and I have a point of order to press to the conference report.

The SPEAKER. The Clerk will read the report.

The Clerk read the report.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments 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, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 7, 8, 10, and 19.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 3, 4, 5, 6, 11, 12, 13, 14, 15, 16, 17, 18, and 20, and agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert "\$123,520"; and the Senate agree to the same.

Amendment numbered 9: That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment, amended to read as follows:

"Hereafter the Chief of the Bureau of Efficiency shall certify annually to the Bureau of the Budget, along with his estimates of appropriations for the ensuing year, a statement of the amount of the savings which he estimates have been effected in the various bureaus and offices of the Government, including

the District of Columbia, as a result of the surveys and recommendations made by the Bureau of Efficiency in cooperation with the bureau or office involved during the previous fiscal year; and the Bureau of the Budget shall, upon the request of any appropriation committee of the House or Senate, supply such committee with a statement of the reductions or adjustments of appropriations effected or proposed to be made in the appropriations for the respective bureaus or offices as a result of such surveys by the Bureau of Efficiency."

And the Senate agree to the same.

Amendment numbered 21: That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$541,445,740"; and the Senate agree to the same.

EDWARD H. WASON,
JOHN W. SUMMERS,
JOHN C. ALLEN,
THOMAS H. CULLEN,
FRED M. VINSON,

Managers on the part of the House.

F. E. WARREN,
REED SMOOT,
W. L. JONES,
LEE S. OVERMAN,
CARTER GLASS,

Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on 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, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report, as to each of such amendments, namely:

On No. 1: Provides two additional secretaries to the President at \$10,000 per annum each, as proposed by the Senate.

On No. 2: Appropriates an additional \$20,000, as proposed by the Senate, for salaries in the office of the President, on account of the two additional secretaries, and strikes out the Senate provision making \$10,000 of the appropriation immediately available.

On Nos. 3 and 4: Appropriates the additional sum of \$50,000, to be immediately available, as proposed by the Senate, for alterations in the White House and in the Executive Office Building, incident to the new administration.

On No. 5: Appropriates \$5,000 for purchase for the Executive Mansion of an oil portrait of President Coolidge.

On No. 6: Corrects a total.

On Nos. 7, 8, and 10: Strikes out \$3,800 provided by the Senate for an investigator in the Bureau of Efficiency.

On No. 9: Restores a House provision, stricken out by the Senate, amended to read as follows:

"Hereafter the Chief of the Bureau of Efficiency shall certify annually to the Bureau of the Budget, along with his estimates of appropriations for the ensuing year, a statement of the amount of the savings which he estimates have been effected in the various bureaus and offices of the Government, including the District of Columbia, as a result of the surveys and recommendations made by the Bureau of Efficiency in cooperation with the bureau or office involved during the previous fiscal year; and the Bureau of the Budget shall, upon the request of any appropriation committee of the House or Senate, supply such committee with a statement of the reductions or adjustments of appropriations effected or proposed to be made in the appropriations for the respective bureaus or offices as a result of such surveys by the Bureau of Efficiency."

On Nos. 11 and 12: Appropriates \$3,060, as proposed by the Senate, for an additional examiner for the Civil Service Commission.

On Nos. 13, 14, and 15: Appropriates \$52,536, as proposed by the Senate, for 12 additional associate examiners and their expenses.

On Nos. 16, 17, and 18: Appropriates \$764,000, as proposed by the Senate, instead of \$763,000, as proposed by the House, for salaries and expenses of the Tariff Commission.

On No. 19: Strikes out the Senate provision that "no part of the sums appropriated in this act shall be used to maintain the Sea Service Bureau."

On No. 20: Allocates \$300,000, as proposed by the Senate, instead of \$350,000, as proposed by the House, for expenditures for services of attorneys in the Shipping Board.

On No. 21: Corrects the total of the bill.

EDWARD H. WASON,
JOHN W. SUMMERS,
JOHN C. ALLEN,
THOMAS H. CULLEN,
FRED M. VINSON,

Managers on the part of the House.

Mr. BLACK of Texas. Mr. Speaker, I make the point of order against the conference report in that the members of the House committee on the conference agree to Senate amendment No. 1, which is in violation of Rule XX, section 2, as amended June 1, 1920. That rule provides:

No amendment of the Senate to a general appropriation bill which would be in violation of the provisions of clause 2 of Rule XXI, if said amendment had originated in the House, nor any amendment of the Senate providing an appropriation upon any bill other than a general appropriation bill, shall be agreed to by the managers on the part of the House unless specific authority to agree to such amendment shall be first given by the House by a separate vote on every such amendment.

Now, Mr. Speaker, the United States Code provides that there shall be appointed by the President one secretary, and it provides that his salary shall be \$10,000 per annum. Now, of course, if the proper legislative committee of the House chooses to bring in a bill granting the President two additional secretaries, or if the House itself chooses to agree to an amendment of that kind, then very well and good; but we have adopted a rule that the Appropriations Committee shall not agree to any amendment that proposes new legislation without specific authority of the House, and I think in the interest of proper procedure and economy the Appropriations Committee of the House should understand that it is the will of the House that they follow that rule.

The SPEAKER. Does the gentleman make the point of order against the entire report?

Mr. BLACK of Texas. I think it would have to be made to the entire report, and I therefore make the point of order against the entire conference report.

Mr. SNELL. Would the gentleman from Texas be willing to withdraw his point of order provided there is a separate vote on the amendment to which he objects?

Mr. BLACK of Texas. I will state very frankly that I will withdraw it if we are granted a separate vote on this amendment so that the integrity of the rules of the House will be observed. The only reason why I press the point of order is that the House has very properly adopted a rule to the effect that the Appropriations Committee shall not agree to any legislative amendment put on an appropriation bill by the Senate. I do not think that at any time consent should be given for the rule to be transgressed. The Appropriations Committee should understand they have no power to agree to a Senate amendment which proposes new legislation without specific authority from the House.

Mr. DENISON. No one can demand a separate vote.

Mr. BLACK of Texas. Not except by unanimous consent, the way this conference report is arranged.

Mr. SNELL. Would it not be best to make a unanimous-consent request and have the House vote on that one amendment?

The SPEAKER. The Chair thinks that under the circumstances unanimous consent is possible. This is brought in as a separate disagreement, waiving the rule, and therefore this amendment could be treated separately.

Mr. SNELL. That is why I am submitting this inquiry.

The SPEAKER. The Chair thinks that by unanimous consent the amendment could be considered separately.

Mr. CRAMTON. Mr. Speaker, it seems to me that it being a part of the conference report, which has gone to the Senate as well as having come to the House, and having probably been agreed to by the Senate, the only thing we could do to affect the situation would be by unanimous consent to proceed to the consideration of this proposition in this way. I suggest that we consider the amendment No. 1 with the understanding, if the gentleman will permit, that if the House, after discussion, is in favor of the proposition, then the report will not be subject to the point of order; and on the other hand, if the House is adverse to favorable action on that the conference report goes back to conference.

Mr. SNELL. That is what I had in mind. I wanted a separate vote on that amendment.

Mr. BLACK of Texas. My object in making the point of order is to protect the rules of the House. The House has the

right, when the Senate puts on an appropriation bill a legislative amendment, to have that brought back to the House and have it explained by those in charge of the bill. Then vote upon it separately.

Mr. TILSON. If the gentleman will yield, it is perfectly evident that the amendment is subject to a point of order. Nobody contests that point.

Mr. BLACK of Texas. There is no doubt about it.

The SPEAKER. The Chair is informed that this conference report has already been acted upon by the Senate.

Mr. CRAMTON. Mr. Speaker, I ask unanimous consent that pending the consideration of the conference report the Senate amendment No. 1 be considered in the House and the decision of the House taken with reference to it, with the understanding that if the House acts favorably upon amendment No. 1 there will be no point of order made against the report, and the report can then be taken up for consideration. If, however, the decision is adverse on amendment No. 1, the point of order pending against the report may be made and action taken, the same as is ordinarily done when a conference report is brought in that contains improper matter.

The SPEAKER. The Chair asks whether there is any legislation authorizing this?

Mr. WASON. I do not think there is.

The SPEAKER. Then the point of order would be good. The gentleman from Michigan asks unanimous consent that the Senate amendment No. 1 may be considered first and separate from the rest of the conference report, with the understanding that if the House votes the amendment in, then the point will not lie against the conference report. If the House votes it out, then a point of order will lie against the report.

Mr. BANKHEAD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BANKHEAD. In the event unanimous consent shall be given to consider that amendment, would it be necessary to go into Committee of the Whole or would it be considered in the House?

The SPEAKER. The Chair thinks it would be considered in the House.

Mr. BANKHEAD. Are we not doing a vain thing, inasmuch as the Senate has already agreed to the conference report and the conferees have been discharged? Would it not be necessary to take further action?

The SPEAKER. The Chair thinks not.

Mr. SABATH. Mr. Speaker, reserving the right to object, what does the amendment contain?

Mr. SNELL. Provision for two additional secretaries.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. CRAMTON]? [After a pause.] The Chair hears none.

Mr. TILSON. Now, Mr. Speaker, I ask unanimous consent that the amendment in question be reported.

The SPEAKER. The Clerk will report amendment No. 1.

The Clerk read as follows:

Amendment No. 1: Page 2, after line 8, insert "two additional secretaries to the President, at \$10,000 each."

Mr. BLACK of Texas. Mr. Speaker, I would like to ask the gentleman from New Hampshire to explain the reason for this amendment and why it was agreed to by the conferees and the necessity that the President should have three secretaries instead of one, as has been the case for a number of years? Why will Mr. Hoover need three secretaries?

Mr. WASON. Mr. Speaker, I move that the House recede and concur in this amendment of the Senate.

The SPEAKER. The gentleman from New Hampshire moves that the House recede and concur in Senate amendment No. 1.

Mr. ABERNETHY. Mr. Speaker, will the gentleman from New Hampshire yield for a moment?

Mr. WASON. Yes.

Mr. ABERNETHY. Are these two additional secretaries deemed necessary on account of the very large majority which the President elect got at the last election? [Laughter.]

Mr. WASON. I was not fully informed, but I understood that this additional man was needed as a clerk to assist the new President, and I have no doubt but that by the addition of that man it will be possible for North Carolina to receive its proportionate part of this man's service. [Laughter.]

Mr. VINSON of Kentucky. While the amendment carries two additional secretaries, there will really be only one additional. There is \$7,500 carried in the bill for a gentleman already down there. The increase of the appropriation is \$12,500, and there is an increase of but one employee.

Mr. SABATH. Do I understand the gentleman to state that these two additional secretaries are required because one is needed to take care of that section of country from which the

gentleman hails, or is it because of the large number of applications that are now pending and the demands which are being made from that section upon the President that he will have to have a man from that section appointed to take care of all those applications and demands?

Mr. WASON. I want to say to my friend from Illinois that that information was not furnished to us. I was simply answering the inquiry of your friend and mine from North Carolina, and I was not referring to any other part of the country that would be benefited, but I am sure that the district which my distinguished friend from Illinois represents will see the reflected benefit if the House approves of this amendment.

Mr. ABERNETHY. The gentleman recalls what the Governor of North Carolina said to the Governor of South Carolina?

Mr. WASON. I was not present.

Mr. TILSON. Will the gentleman yield?

Mr. WASON. Certainly.

Mr. TILSON. I think the gentleman from Kentucky [Mr. VINSON], a member of the committee, has given an explanation of the amendment which should make it entirely clear to everyone.

Mr. BLACK of Texas. May I inquire who asked for the additional secretary that is provided for?

Mr. WASON. I understand there was a Budget estimate, which went to the Senate. That is my information.

Mr. BLACK of Texas. With the recommendation that the new position be created?

Mr. WASON. With that suggestion; yes.

The SPEAKER. The question is on the motion of the gentleman from New Hampshire that the House recede and concur in the Senate amendment.

The question was taken, and the Senate amendment was agreed to.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

PROHIBITING THE EXPORTATION OF ARMS TO NATIONS VIOLATING THE PACT OF PARIS

Mr. KORELL. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record on House Joint Resolution 381, which I introduced on January 18.

The SPEAKER. The gentleman from Oregon asks unanimous consent to extend his remarks in the Record on House Joint Resolution 381. Is there objection?

There was no objection.

Mr. KORELL. Mr. Speaker and Members of the House, our country has manifested its support of the cause of peace throughout the world by concluding a treaty with practically all of the civilized powers of the world in which the signatories have condemned recourse to war for the solution of international controversies and renounced it as an instrument of national policy in their relation with one another. By a separate covenant appearing in the same instrument the United States of America, and all the other signatories, have agreed that the settlement or solution of all disputes or conflicts of whatever nature or of whatever origin they may be which may arise among them shall never be sought except by pacific means. The treaty to which I refer was concluded at Paris, France, on the 27th day of August, 1928, and is universally known as the pact of Paris. It was ratified after a protracted debate in the United States Senate on the 16th day of January, 1929. The vote for its ratification stood 85 yeas and 1 nay.

The Senate's ratification of the multilateral treaty has produced a result that is revolutionary. The treaty reverses the position that war has heretofore occupied in the realm of international law by delegitimizing it. In the past war has been regarded in international law as a perfectly legitimate means by which a nation might advance its interests or its policies. Now, a nation that resorts to arms must vindicate its course or lose the respect of the civilized world. A violation of the treaty constitutes an offense against every signatory to the pact. It makes the nation that shall start a war a lawbreaker and guilty of an international crime. My reason for requesting your consent to these remarks is to place before you a personal observation on one of the criticisms that has been expressed against the treaty. Also, to suggest a method by which greater assurance that its covenants will be respected may be obtained.

The critics who scoff at the treaty because it merely pledges the signatories to a principle of policy have failed to appreciate its full importance. They have strained too much for a technical construction of its language. In doing this they have completely overlooked its real if not its vital significance. They have also ignored the phrase appearing in the preamble which states in effect "that violators should be denied the benefits of the treaty." Manifestly, ratification of the treaty has destroyed

the distinction between all kinds of wars. There can not be a legal as distinguished from an illegal war under the treaty. Henceforth it will only be necessary to determine whether a party has violated the pact of Paris in order to say which nation is acting in self-defense and which is the aggressor. The covenants of the treaty will be the sole test. Again, the powers which have elected to accept "the benefits furnished by this treaty" are bound to do everything that will assure all of the parties to it the full enjoyment of the benefits to which each as a signatory is entitled. In other words, they are pledged to refrain from doing everything inconsistent with the policy which it declares.

Signing the treaty has ipso facto destroyed the neutral status of each signatory. All are now tangibly and directly concerned with its observance and breach. The very conception of neutrality presupposes the legality of war. Therefore a declaration of neutrality is neither logical nor tenable. Neutrality is inconsistent with the covenants of the treaty.

To denounce and renounce war clearly implies that one will not resort to war. It also implies that one will not aid another in doing that which he himself has expressly covenanted not to do. This conclusion is irresistible. To contend otherwise would be ridiculous. Accordingly applying this construction to the covenants of the treaty it is clear that all the nations that have signed the pact of Paris are bound not to give aid or comfort to a nation that shall resort to war. In fact, to go a step farther, one is justified in insisting that the act of supplying a belligerent nation with the resources of war, would not only be a serious breach of faith under the treaty but also that such an act would be equivalent to making the nation doing so an accomplice to the crime of war in the same manner and to the same extent that placing a gun in the hands of a murderer to kill one's neighbor would make an individual an accessory to the homicide.

I agree with those who entertain the view that the mere signing of the pact of Paris has not obligated the United States to join in positive measures to suppress a war. I also agree that each signatory is still free to a certain extent to exercise its own discretion with respect to the method by which it shall take cognizance of a violation of the covenants of the pact of Paris. But I strongly dissent from the opinion of those critics who believe that a signatory can be indifferent to future wars or to participate directly or indirectly in one except in defiance of its solemn pledge. Such a construction would do violence to language. If I am correct in this contention and in the assumption which naturally follows that the United States is bound to refrain from giving aid or comfort to the nation that shall violate the covenants of the treaty, Congress should, in all honor and good faith, take advantage of this opportunity to prohibit private manufacturers from supplying offending nations with the resources of war.

In connection with the thought which I have hastily and very briefly sketched I will call your attention to the provisions of a resolution that I introduced on January 17, the day following the vote in the Senate, and before the treaty in question was signed by the President. It is marked by the Clerk, House Joint Resolution 381, and reads as follows:

House Joint Resolution 381, Seventieth Congress, second session
IN THE HOUSE OF REPRESENTATIVES,
January 16, 1929.

Mr. KORELL introduced the following joint resolution, which was referred to the Committee on the Judiciary and ordered to be printed:

Joint resolution (H. J. Res. 381) to prohibit the exportation of arms, munitions, or implements of war to nations violating the pact of Paris

Whereas the United States of America having heretofore manifested its support of the cause of peace throughout the world by having concluded a treaty with practically all of the civilized powers of the world in which the signatory parties have condemned recourse to war for the solution of international controversies and renounced it as an instrument of national policy in their relation with one another and have also agreed that the settlement or solution of all disputes or conflicts of whatever nature or of whatever origin they may be which may arise among them shall never be sought except by pacific means, said treaty being dated the 27th day of August, 1928, and universally known as "The pact of Paris"; and

Whereas the conclusion of said treaty having imposed no legal obligation upon the United States of America or any other power to join in police action against a cosignatory which shall hereafter violate the same except to place upon each party the moral duty to refrain from giving aid or comfort to such cosignatory; and

Whereas it appearing to the Congress of the United States of America that in the event of the violation of said treaty by a cosignatory that the act of supplying the offending party with the resources of war would be tantamount and equivalent to making the state doing so an accomplice to the aggression of such offender and a breach of good faith; and

Whereas that it should therefore be the policy of the United States of America, without recognizing or assuming any obligations to join in positive measures of suppression, to manifest its disapproval of any violation of the covenants and provisions of the pact of Paris: Therefore be it

Resolved, etc., That it is hereby declared to be the policy of the United States of America to prohibit the exportation of arms, munitions, or implements of war to any State which shall violate any of the covenants and provisions of the multilateral treaty concluded on August 27, 1928, known as "The pact of Paris."

SEC. 2. Whenever the President shall recognize the act of a cosignatory party as constituting a violation of the covenants of "The pact of Paris" by proclamation it shall be unlawful, except by the consent of Congress, to export, or attempt to export, any arms, munitions, or implements of war from any place in the United States, or any possessions thereof, to the territory of such offending State or to any place outside of the United States if the ultimate destination of such arms, munitions, or implements of war is within the jurisdiction of such offending State, or in control of either its military or naval forces.

SEC. 3. As used in this joint resolution, the term "arms, munitions, or implements of war" means—

1. Rifles, muskets, carbines.
2. (a) Machine guns, automatic rifles, and machine pistols of all calibers; (b) mountings for machine guns; (c) interrupter gears.
3. Projectiles and ammunition for the arms enumerated in Nos. 1 and 2 above.
4. Gun-sighting apparatus, including aerial-gun sights and bomb sights, and fire-control apparatus.
5. (a) Cannon, long or short, and howitzers, of a caliber less than 5½ inches (15 centimeters); (b) cannon, long or short, and howitzers, of a caliber of 5½ inches (15 centimeters) or above; (c) mortars of all kinds; (d) gun carriages, mountings, recuperators, accessories for mountings.
6. Projectiles and ammunition for the arms enumerated in No. 5 above.
7. Apparatus for the discharge of bombs, torpedoes, depth charges, and other kinds of projectiles.
8. (a) Grenades; (b) bombs; (c) land mines, submarine mines, fixed or floating; depth charges; (d) torpedoes.
9. Appliances for use with the above arms and apparatus.
10. Bayonets.
11. Tanks and armored cars; aircraft designed for purposes of warfare.
12. Arms and ammunition not specified in the above enumeration prepared for use in warfare.
13. Poisonous gases, acids, or any other articles or inventions prepared for use in warfare.
14. Component parts of the articles enumerated above, if capable of being used in the assembly or repair of the said articles or as spare parts.

SEC. 4. Whoever exports, or attempts to export, any arms, munitions, or implements of war in violation of the provisions of this resolution shall, upon conviction thereof, be punished by a fine of not exceeding \$10,000 and by imprisonment not exceeding two years. It shall be the duty of the Secretary of the Treasury to report any such violation of the provisions of this resolution to the United States district attorney for the district wherein the violation is alleged to have been committed.

This resolution follows in the main the provisions of the Burton resolution, now before the House with a favorable report from the Committee on Foreign Affairs. The only difference between the two resolutions is that the last one is somewhat narrower in its scope than the first.

If adopted, the resolution I have quoted will put teeth in the multilateral treaty. It will provide a penalty for its violation. Moreover, it points the way to the imposition of more severe penalties should the one suggested prove ineffectual. I believe that it represents the natural and logical step that should be taken by our Government following the submission and conclusion of the pact of Paris. In my opinion, it advances a policy toward international relations in which the world's greatest industrial and peace-loving nation may properly assume the leadership and invite all other signatories to follow. I am anxious that the principle which it advances should be adopted if the broader principle advanced by the Burton resolution should not prove to be acceptable to the House. Incidentally, I urge everyone to read the report of the hearings on the Burton resolution.

Without undertaking to discuss at this time the provisions of the resolution in detail, I will call your attention to the fact that it does not relate in any way to articles that can be used for peaceful purposes. It deals exclusively with specific articles that are manufactured for war purposes and can only be used for carrying on warfare. If you will read it carefully, you will find that it does not even prohibit the exportation of the articles which it enumerates, except in one respect, and that is to a

country which shall violate the covenants of the treaty. It also provides that the President must recognize the act of a cosignatory as constituting a violation by requiring his proclamation before the embargo actually becomes operative. It has absolutely no application to rebellions and civil wars or even foreign quarrels that are not in contravention of the pact of Paris. Another factor which I believe is important is the clause "except by the consent of Congress," which appears in the resolution. This clause preserves a referendum on the action of the President in the event that the Members of the House of Representatives should conclude that he has acted too hastily or unwisely in an instant case.

Some people may conclude after reading the resolution that it places too great a responsibility and power upon the President. I do not think so. Presidents are expected to shoulder just such duties. We already have a law conferring authority upon our Chief Executives to place an embargo on arms when shipped to Central or South America, and two Republican and one Democratic Presidents have exercised their power under it. A specific instance of its exercise occurred in August, 1913, when President Wilson declared that in forbidding the exportation of arms and munitions to Mexico he was following the best practice of nations in the matter of neutrality. Again, upon careful examination, I think that you will find that there is nothing in the resolution requiring the President to make a decision in a close case or that will prevent him from placing an embargo on shipments to both belligerents if circumstances should dictate the wisdom of such a course. Moreover, he is not compelled to exercise his power if he does not think that it will be wise or advisable to do so. Personally, I can not conceive of the President issuing his proclamation in advance of an exchange of views among the various powers to the treaty, in a case where the act alleged to constitute the violation is not clear or in advance of the crystallization of public opinion. On the other hand, he is not bound to confer with other powers. The very broadest discretion is conferred. For one, I have every confidence that our Chief Executives will exercise it wisely. To withhold the responsibility and power from the President to decide when the embargo should become effective, in the first instance, might prevent suppressive steps being taken while Congress is not in session. Such a situation might truly render the treaty a purely "pious gesture" or a "scrap of paper" in cases where time is a vital element.

I have just said that prohibiting the exportation of arms to a signatory violating the treaty is a mild form of penalty—perhaps the mildest rebuke that could be devised, considering the nature and various ways of dealing with a serious international offense. Alongside of force, economic boycotts, withdrawal of financial aid, blockades, and various other devices it can hardly be considered even a punishment. In fact, such an embargo might easily be justified without reference to the treaty at all and solely upon the announcement of a policy that it is the desire of the United States to "starve war instead of babies." This is the purport of the Burton resolution if I understand its meaning correctly. It might be of interest to say in this connection that the United States was the first nation in the world to adopt laws requiring its citizens to observe rules of neutrality. Hence there should not be any fear of establishing a precedent. We have been setting them up for the world for a long time.

The proclamation of neutrality issued by Washington on April 22, 1793, reads as follows:

Whereas it appears that a state of war exists between Austria, Prussia, Sardinia, Great Britain, and the United Netherlands of the one part, and France on the other, and the duty and interest of the United States require that they should with sincerity and good faith adopt and pursue a conduct friendly and impartial toward the belligerent powers:

I have therefore thought fit by these presents to declare the disposition of the United States to observe the conduct aforesaid toward those powers, respectively; and to exhort and warn the citizens of the United States carefully to avoid all acts and proceedings whatsoever which may in any manner tend to contravene such disposition.

And I do hereby also make known that whatsoever of the citizens of the United States shall render himself liable to punishment or forfeiture under the law of nations by committing, aiding, or abetting hostilities against any of the said powers, or by carrying to any of them those articles which are deemed contraband by the modern usage of nations will not receive the protection of the United States against such punishment or forfeiture; and, further, that I have given instructions to those officers to whom it belongs to cause prosecutions to be instituted against all persons who shall, within the cognizance of the courts of the United States, violate the law of nations with respect to the powers at war, or any of them.

Prior to the issuance of this proclamation it had been the custom and common practice of all nations to permit their citizens to enlist in foreign armies and to aid belligerent nations to

conduct hostilities in every conceivable way. There was no restriction or restraint whatever. The only penalty that had been imposed was merely the danger which individuals ran of having their goods confiscated if they fell into the hands of belligerent powers, a penalty to which their own country warned them in advance that they would be abandoned. A notable instance of how neutrality was observed prior to Washington's proclamation was the employment of Hessian soldiers by the British Government during the Revolutionary War.

Just to give you a slight conception of how nations remained neutral prior to Washington's proclamation, reference might be made to the way maritime warfare was waged. Everyone familiar with history knows that freebooters were converted into a sort of irregular militia under the name of "privateers" and subject to the jurisdiction of Admiralty courts. To speak more plainly, warfare was waged along strictly piratical lines. Down to the end of the sixteenth century neutral commerce had not yet attained any great proportions and was left to the mercy of belligerents and the so-called privateers. With the establishment of regular navies, however, the existing customs commenced to be abrogated or modified and increasing navigation made it necessary to establish rules which are recognized to-day as part of international law in order to secure the free intercourse of nations. The first organized effort for the purpose of protecting freedom of navigation against belligerents was a league of nations formed by Russia in 1780. This league formulated a declaration which is known as the First Armed Neutrality. The substance of this declaration was that neutral nations might freely navigate from port to port and along the coast of nations at war and that the goods belonging to subjects of powers at war should be free on board neutral vessels, with the exception of contraband merchandise.

In 1871 the treaty of Washington provided:

A neutral government is bound, first, to use due diligence to prevent the fitting out, arming, or equipping, within its jurisdiction, of any vessel which it has reasonable ground to believe is intended to cruise or carry on war against a power with which it is at peace; and also to use like diligence to prevent departure from its jurisdiction of any vessel intended to cruise or carry on war as above, such vessel having been specially adapted, in whole or in part, within such jurisdiction to warlike use. Secondly, not to permit or suffer either belligerent to make use of its ports or waters as the base of naval operations against the other, or for the purpose of the renewal or augmentation of military supplies or arms, or the recruitment of men. Thirdly, to exercise due diligence in its own ports and waters and, as to all persons within its jurisdiction, to prevent any violation of the foregoing obligations and duties.

In The Hague convention of 1907 the duties of neutral powers in naval warfare were restated, as follows:

The supply in any manner, directly or indirectly, by a neutral power to a belligerent power, of warships, ammunition, or war material of any kind whatever is forbidden.

A neutral power is not bound to prevent the export or transit for the use of either belligerent of arms, ammunitions, or, in general, of anything which could be of use to an army or fleet.

From this brief and hasty review of what neutrality meant prior to Washington's proclamation and the development of neutral rights since the conclusion of the first armed neutrality pact in 1780, you will see that the traffic in arms, munitions, and implements of war by private citizens of neutral nations with the governments of foreign countries engaged in hostilities has never been recognized as legitimate commerce, that the most that can be said for it is that it has not been expressly prohibited or restricted by our Government, and that the only change that the resolution proposes to make is to prohibit private manufacturers from running the risk of having their goods seized and confiscated.

While prohibiting the exportation of arms to a signatory that shall break faith with us is a mild penalty—it is important to recall that, if the outlaw nation's resources for conducting war could be effectively cut off, it would be reduced very quickly to impotence. The experience of the last war demonstrated that even the most powerful, highly industrialized, and well-prepared nations can be successfully curbed under this kind of pressure. In my opinion the threat of an arms embargo by the United States would serve as a great deterrent to pugnacious nations contemplating future wars of aggression. The certain knowledge that an embargo would be established, coupled with the realization that the nation against which it was directed would be under a heavy handicap from the start would unquestionably cool the martial spirit and ardor for war. Under the present policy only the nation that has been strong enough to control the seas has gotten the benefit of American arms and ammunition. Hence we have had the anomalous situation of the United

States aiding the strong against the weak in every instance, regardless of the merits of the conflict.

I have just said, and I repeat, that it is altogether unlikely that the President will issue his proclamation in advance of an exchange of views with other signatory powers. Suppose he follows this course. Suppose, moreover, that the leading industrial nations of the world should decide the question of war guilt and establish a common embargo. Would the treaty have teeth? Will it be an "idle gesture" or "a scrap of paper"? Will there be a penalty provided for its violation? And while you conjure over these thoughts I will ask another question. Is it unreasonable to think that the nations that followed the lead of the United States in signing the treaty would not follow our lead in the method of its enforcement? On the other hand, suppose that all of these expectations should prove to be too altruistic. What would we have lost—anything more than a few dollars? Is the cost too great a sacrifice for such an experiment? I, for one, refuse to say so. It is notorious that our very handling of this business has condemned us abroad as a nation of war profiteers.

Just a few days ago the world was startled by the rumble of war between Bolivia and Paraguay. Drums were beating, flags were flying, and the martial spirit was running high. Through the friendly intercessions of foreign diplomats these two countries were halted on the very brink of battle. They were induced to resort to arbitration for the settlement of their differences. A pact was concluded between them in which both agreed not to resort to force. Following the signing of this agreement two friendly neighbors to our south, upon their own initiative and commendable judgment, refused to permit shipment of arms, munitions, and implements of war either from or through their respective countries to Bolivia and Paraguay. This evidence of national consciousness, in addition to being revolutionary, was inspiring. It shines out to-day as a worthy example for other nations of the world to pattern. It is destined to rank in history with the epochal proclamation of Washington. Every people and every country can profit from the precedent set up by Chile and Argentina.

The resolution which I have introduced does not go as far as Chile and Argentina have voluntarily gone. If it is adopted it will only require the United States to withhold aid in cases where a clear breach of faith has been committed against us and when our own pledged word to other nations is involved.

In conclusion let me say the paramount question in the minds of many people to-day is: What policy should the United States pursue in the event the multilateral treaty is violated? The answer to this question is one of supreme importance. It can, of course, be delayed until an actual breach occurs, but eventually it must be faced. With this question before us I ask you, Is it not better to solve the problem now while our country is at peace instead of waiting until it shall come under the strain of an emergency and the pressure of conflicting war sentiment? We have brought the principle of policy expressed in the pact of Paris to fruition. Therefore let us become the leaders in strengthening it. Let us be the first to propose one of the means by which its covenants will insure real security. Let us silence the cynics and those who taunt us with hypocrisy. It is our highest duty and for our greatest interest to strengthen the treaty. An enduring peace throughout the world is necessary for our greater progress and prosperity. Any armed conflict, however remote from our shores, will necessarily affect us. At the present time our foreign trade extends to the most distant geographical regions. Our foreign loans aggregating a substantial percentage of our national wealth are spread all over the globe. Economic conditions make world peace a necessity for us. Our adherence to the covenants of the treaty places us under a moral obligation to exert our every influence against the outbreak or the continuance of another war.

Since House Joint Resolution 381 was first introduced a number of bills and resolutions seeking the establishment of the same principle and the accomplishment of the same purpose have been received in both branches of Congress. I am glad to note and welcome their appearance. Their introduction evidences the very widespread interest that exists to-day in proposals to strengthen the covenants of the pact of Paris. I am also delighted to see the cordial and very general approval that the press throughout the country has given the various resolutions as they appeared in both branches of Congress. Favorable news comments have done much in developing public opinion supporting the cause of world peace in the United States. While it is probably impossible to obtain a vote on House Joint Resolution 381 during the short time that remains of this session of Congress, I hope that all the resolutions that have appeared will be carefully studied by the Members and that a vote may be had on one or more of them in the next Congress. I especially urge that careful attention be given to the advi-

bility of incorporating in any legislation that shall be adopted a list of the specific articles to fall under the ban which the various resolutions proposed should be placed. The difficulty in deciding what constitutes contraband has frequently given cause for disputes in the past. These should be avoided in the future, and I have endeavored to anticipate them in my resolution. In this respect it differs from many that have since been introduced.

CONSTRUCTION AT MILITARY POSTS

Mr. MORIN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table H. R. 13825, a bill to authorize appropriations for construction at military posts, and for other purposes, disagree to the Senate amendments, and ask for a conference.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to take from the Speaker's table House bill 13825, disagree to the Senate amendments, and ask for a conference. Is there objection?

Mr. LaGUARDIA. Mr. Speaker, reserving the right to object, I objected yesterday for the reason that this bill contains among other appropriations an item of \$400,000 for a new building at Governors Island, notwithstanding the fact that both the distinguished chairman of the Military Affairs Committee and the next ranking member, the gentleman from Michigan [Mr. JAMES], has agreed that nothing should be done on Governors Island which would encumber all of the land there so as to make it impossible to be used later on as a terminal aviation field. If we authorize more building and later the island will be used as a landing field, it will necessitate the destruction of the buildings now there and the loss of millions of dollars. I have conferred with the chairman and also with the gentleman from Michigan [Mr. JAMES], and they are now working out a plan which will draw a dead line so as to prevent the War Department from carrying on its intentional and destructive plans of placing new buildings all over the island in order to defeat the wishes of Congress and the logical and inevitable use of the island as a terminal aviation field.

Now, I want to ask the gentleman from Pennsylvania another question. In this bill and in another bill we have appropriated several hundred thousand dollars for new buildings at West Point. When the West Point buildings bill went through the House I raised the point that we were providing \$800,000 for that new building and asked the acting chairman if that was all that was required. He frankly stated that he would see to it that the amount would be sufficient to complete the building. No sooner had the bill passed the House than the West Point officials commenced to change the plans and the location of the building so as to put it up against a hill which would require more excavation and without any question increase the cost by \$350,000, an amount which will surely be requested in a deficiency bill next year. The War Department refuses to cooperate with us on this point, although the distinguished gentleman from Pennsylvania [Mr. MORIN] and the gentleman from Michigan [Mr. JAMES] agree that the honest thing to do is to keep faith with the House and not permit the shifting of this bill so as to require additional cost. I want to ask the gentleman from Pennsylvania if he has taken that matter up with the War Department and what assurance the War Department has given him that the intent of Congress will not be defeated.

Mr. MORIN. I will say to the gentleman that I have taken it up with the War Department, but they have not given me any assurance.

Mr. LaGUARDIA. What is the gentleman going to do about it?

Mr. MORIN. So far as it lies within my power I am going to try to see that they keep faith with Congress.

Mr. LaGUARDIA. Will the gentleman favor a bill that will fix the location of this building at West Point?

Mr. MORIN. I will, and I think that should be done.

Mr. LaGUARDIA. Mr. Speaker, with that assurance, I withdraw my reservation of objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The SPEAKER. The Chair appoints the following conferees: Messrs. MORIN, JAMES, and McSWAIN.

CARVILLE D. BENSON

Mr. COLE of Maryland. Mr. Speaker, I ask unanimous consent to proceed for one minute.

The SPEAKER. The gentleman from Maryland asks unanimous consent to proceed for one minute. Is there objection?

There was no objection.

Mr. COLE of Maryland. Mr. Speaker, it is my painful duty to announce the death of a former Member of this House on Saturday, February 8, 1929, the Hon. Carville D. Benson. I ask unanimous consent to extend my remarks by inserting a brief statement covering his public career.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. COLE of Maryland. Mr. Speaker, the Hon. Carville D. Benson, who died on February 8 last, was one of Maryland's outstanding citizens, and his life, the respect, and esteem in which he was held by the people of his State is worthy of record thereof being made in this form.

Mr. Benson was born at Halethorpe, Baltimore County, on August 24, 1872, being the eldest son of the late Oregon R. and Carville Brian Benson. During his entire life he lived in Baltimore County, Md. Following his admission to the practice of law in the State of Maryland, he soon gained the position of distinction and was recognized as a capable, earnest trial lawyer. Public life, however, soon attracted his attention, and in 1904, a comparatively young man, he was elected by his county to the house of delegates. This seat he retained from 1904 to 1910; during the season of 1906 he was speaker of the house of delegates. At the session of 1908 and 1910 he was the Democratic floor leader. Recognizing his ability as a legislator, he was elected in 1912 and 1914 to the State senate, and in 1918 was returned to the house of delegates. Upon the death of the late J. Fred C. Talbott, Representative in Congress from the second congressional district of Maryland, Mr. Benson was elected in 1918 to fill out Mr. Talbott's unexpired term, and later to a full 2-year term. He served therefore in the Sixty-fifth and Sixty-sixth Congresses. He was renominated in 1920, but was defeated in the Harding landslide. In 1924 Gov. Albert C. Ritchie appointed him State insurance commissioner, in which office he served until his death. He was a member of numerous lodges and organizations, including the Masonic fraternity; thirty-second degree Scottish Rite Masons; the Beauseant Commandery, Knights Templars; the Boumi Temple, Mystic Shrine; the Tall Cedars of Lebanon; St. John's Chapter, Royal Arch Masons; the Mount Vernon Lodge; the Chesapeake Consistory; the Towson Lodge of Elks; the Loyal Order of Moose, the Jerusalem Council; the Baltimore Athletic Club; the Real Estate Board of Baltimore; and the Southern Maryland Society. Mr. Benson died February 8, 1929, at the age of 56 years and was buried in Cedar Hill Cemetery, Anne Arundel County, on February 11, 1929. He leaves surviving his widow, Mrs. Harriette Miller Benson, and six children, namely: John O. Benson, Carville D. Benson, jr., William Howard Benson, Brian Miller Benson, Miss Harriette Benson, and Mrs. Carville Benson Beecher, and also a brother, Mr. Oregon R. Benson, jr.

From the time of Mr. Benson's first election to public office, in 1904, and prior thereto, he was most active in the cause of the Democratic Party, with which he was affiliated. He soon was recognized as a capable organizer and a forceful speaker. He represented his party in the Democratic National Conventions at St. Louis in 1916, New York in 1924, and Houston in 1928. Taking up his duties in the Sixty-fifth Congress, following as he did the almost unbroken service of his illustrious predecessor over practically a quarter of a century, his task was not an easy one. The second congressional district had become accustomed to service at the hands of Congressman Talbott, which was hard to match. The district, almost as large as any two in Maryland and one of the largest in the country, presented business and individual interests which made it necessary for him to be familiar with almost every important piece of legislation. He performed that task well, and when the test came he was reelected to the Sixty-sixth Congress by a very flattering majority. But for the landslide in 1920, it is safe to predict, Mr. Benson would have ended his life in the House of Representatives or in the United States Senate.

When one's journey through life has been so marked with public service to his people lies down to permanent rest, nothing presents a fairer estimate and a more lasting monument to that service than the expression from those who are familiar with his life, who have been closely associated with him in that public service, and who were his friends. Let me therefore set forth what a few of those possessing that advantage and pleasure had to say following his death.

Gov. Albert C. Ritchie, of Maryland:

I had known Senator Benson for the greater part of my life. Before I took any part in politics I knew him, and my admiration for him then was great. My devotion to him increased as he became successively an earnest public leader and an excellent officer of the State.

His death comes to me as a personal loss. The State, too, loses by his death. His work in the insurance department was marked by progress and by the confidence he elicited from those persons most concerned with insurance in the State.

HON. MILLARD E. TYDINGS, United States Senator, Maryland:

Carville D. Benson was the kind of man who made strong friendships. Analytical, industrious, and energetic, he was always one of the dominant figures wherever men congregated. He was interested in the individual man and in men in the mass. He understood them. He sensed their feelings and strived with might and main to improve the general condition of mankind. His contacts were permanent. His early friends were his last friends. He never traded old friends for new. He was loyal to the core to the cause and to the men he chose to follow.

He had many of the finest qualities of leadership.

He passes after a notable career of public service and leaves for all of us a void and a host of friends behind who will always think of him in the most affectionate manner.

HON. WILLIAM CABELL BRUCE, United States Senator:

I was brought into contact in many ways with Carville D. Benson. I knew him well, and met him frequently both when he was a member of the Maryland House of Delegates and when he was a member of the Maryland Senate. His conspicuous abilities and his great force of will made him one of the most influential of the members of those bodies. Later, after he had been a Member of the House of Representatives, he managed the political campaign which resulted in my election to the United States Senate. This was in 1922. His management was distinguished by the highest degree of energy, tact, and intelligence. For years—indeed, down to the day of his death—he was one of the best known of the public men of Maryland. Faithful in his family relations and friendships, honorable in his personal and business life, a forceful speaker and sagacious legislator and party leader, the death of Carville D. Benson was a grave loss to both social and political life.

HON. J. CHARLES LINTHICUM, Representative from the fourth congressional district of Maryland:

I knew "Carville Benson" (the name by which the Hon. Carville D. Benson was familiarly known to his friends) from his boyhood days. He was of purely Maryland ancestry, his people, both paternal and maternal, having been residents of the State for several centuries. From childhood he was always of a cheerful nature; he saw the bright side of things, and always tried to enjoy the good things of life; he was never happier than when he was surrounded by his family or his host of friends, and usually he was one of the ringleaders for enjoyment and pleasure. He, like all men in public life, had his enemies, but I do not believe he was an enemy to any of them; he couldn't be; it wasn't his nature to be unkind or hold enmity toward anyone.

I think he must have inherited this cheerfulness, happiness, and good will toward all from his most estimable mother, who was always so good, kind, and charitable to all and likewise a very devoted Christian.

I entered the Legislature of Maryland in 1904 with Mr. Benson, and later served with him in Congress. While we did not agree upon everything, he was earnest, energetic, and able, and I can safely say was one of the ablest men of the 1904 General Assembly of Maryland. His delegation represented the wealthiest and most populous county of our State; its needs for legislation far exceeded those of any other county; in fact, was largely in line with those of the great city of Baltimore—our metropolis.

One of the outstanding pieces of legislation which was passed at that session, and to which Mr. Benson and I gave our unstinted support was a bill by Dr. Richard S. Hill, of Prince Georges County, appropriating \$100,000 for the improvement of the Washington Boulevard. This I know to be the first piece of good-roads legislation in Maryland and almost the pioneer legislation for good roads in this country. Other speakers have mentioned Mr. Benson having served several terms in the house of delegates, was elected to the State senate, and there again, if we should evaluate the various legislative bills passed and which Mr. Benson supported, there would stand out as the most progressive, the most worthy, and the most useful piece of legislative the bill which he introduced providing a good-roads system for Maryland under the administration of Gov. Austin L. Crothers. Under this system millions of dollars have been expended in the State of Maryland upon its road system, so that every section of the State has been connected by improved highways second to none in the land. These highways have given to Maryland an impetus such as no other movement could have done.

Mr. Benson was certainly one of the most forceful leaders of our State; he had a good voice, was of commanding appearance, and always agreeable. It is a great loss to our State to have one of its useful citizens such as was Mr. Benson pass away at such an early age. It is, however, a gratification that he lived long enough to see his family grow up, well educated, and self-supporting. Certainly his great ambition in life was the welfare of his wife and his fine family of boys and girls.

HON. STEPHEN W. GAMBRILL, Representative from the fifth congressional district of Maryland:

In the death of Carville D. Benson the State of Maryland has sustained a serious loss. As a lawyer he had a fine analytical mind, which had little sympathy with technical obstructions and artifices so often

employed by lawyers not so richly endowed as he was with a comprehension of the true purposes of his profession. But it was in the broad field of public life that he found his greatest usefulness. To him public service had an appeal and a fascination, and it was in this service that he displayed a knowledge of statecraft and a personal charm which soon made him one of the outstanding figures of his State.

He was elected to Congress from the second congressional district of Maryland to serve in the Sixty-fifth Congress, and was reelected to and served in the Sixty-sixth Congress.

He performed his duties as a lawmaker with great credit and distinction. He came to Congress well versed in all the intricacies of parliamentary procedure, gained as that knowledge was through conspicuous and notable service in the Maryland House of Delegates from 1904 to 1910, being speaker of the house of delegates in 1906. As a reward for services and work well performed, his constituents sent him to the Maryland State Senate for the sessions of 1912 and 1914, and it was with this knowledge to guide him that he took up his congressional duties.

He was a man of great human qualities, free and approachable, and in all his dealings with others, whether in business or politics, he was at once frank, straightforward, and devoid of dissimulation.

His death is a distinct loss to his State and his wise counsel will be missed in the councils of his political party, for which he had such a deep attachment.

HON. FREDERICK N. ZIHLMAN, Representative of the sixth congressional district of Maryland:

I learned of the death of Hon. Carville Benson, formerly a Representative from the second congressional district of Maryland, with profound sorrow.

I knew Mr. Benson when he was a Member of the House and served with him in the State senate, and also during his two terms as Member of Congress.

He was a man of unusual courage and was an experienced and able legislator. He was a devoted and loyal friend, and a consistent worker for the advancement of the interest of the people of Baltimore County and of the State.

Maryland loses a conscientious public servant, who was intensely loyal to his native State and its traditions.

HON. VINCENT L. PALMISANO, Representative of the third congressional district of Maryland:

While I did not have the pleasure and honor of serving in Congress with the Hon. Carville D. Benson, I was associated with him at Annapolis at a time when he represented Baltimore County in the State senate, and I represented Baltimore City in the lower house. Recalling evidences of his ability at that time, and knowing independent of that the character of legislator he was, it is easy for me to say that the State of Maryland has seldom been represented in the State legislature or National Congress by a more able, astute, and capable statesman. By his straightforward manner in dealing with the people he became a leader and was admired by all who knew him.

Mr. Benson was more closely identified with Baltimore County than any other subdivision of his State, and in that county he had a host of friends and admirers and the respect of those practicing the profession of the law and of the judges who presided over the courts. Just as we attempt in life to rebuild the beauties of nature as they fade from our view and await new seasons, just as we by example try to emulate the life of those who have left a record of worth-while service, so will the people of Maryland keep ever before them much of the splendid life of Carville D. Benson. Let us be consoled with the language of the poet:

The leaves die and fade away;

They only wait through wintry hours the coming of the May.

The stars go down to rise upon some fairer shore,

And bright in Heaven's jeweled crown they shine forevermore.

An angel form walks o'er the earth with silent tread;

It bears our best-loved things away and then we call them dead.

RECESS

Mr. TILSON. Mr. Speaker, it is my intention to move that the House take a recess, subject to the call of the Speaker, in order that the electoral vote may be counted. After that function is over, Calendar Wednesday business will be called, the Committee on Territories being the committee now on call.

In accordance with House Resolution 294, Mr. Speaker, I move that the House now take a recess, subject to the call of the Speaker.

The motion was agreed to.

Accordingly the House stood in recess, subject to the call of the Speaker.

AFTER RECESS

At 12 o'clock and 58 minutes p. m. the House was called to order by the Speaker.

COUNTING THE ELECTORAL VOTE

At 1 o'clock p. m. the Doorkeeper, Mr. Bert W. Kennedy, announced the Vice President of the United States and the Senate of the United States.

The Senate entered the Hall, preceded by their Sergeant at Arms and headed by the Vice President of the United States and the Secretary of the Senate, the Members and officers of the House rising to receive them.

The Vice President took his seat as the presiding officer of the joint convention of the two Houses, the Speaker of the House occupying the chair on his left.

The VICE PRESIDENT. Mr. Speaker and gentlemen of the Congress, the Senate and House of Representatives, pursuant to the requirements of the Constitution and laws of the United States have met in joint session for the purpose of opening the certificates and ascertaining and counting the votes of the electors of the several States for President and Vice President. Under well-settled precedents the reading of the formal portion of the certificates will be dispensed with unless demand therefor shall be made. After it is ascertained that the certificates are authentic and correct in form, the tellers will count and make a list of the votes cast by the electors of the several States.

In accordance with precedents, the Chair suggests that there should be no manifestation of approval or disapproval on the part of the galleries or on the part of the members of the joint session as the counting proceeds.

The tellers heretofore appointed will take their places at the desk.

The tellers, Mr. SHORTRIDGE and Mr. KING, on the part of the Senate, and Mr. GIFFORD and Mr. JEFFERS, on the part of the House, took their places at the desk.

The VICE PRESIDENT. The Chair hands to the tellers the certificates of the electors for President and Vice President of the State of Alabama, and they will count and make a list of the votes cast by that State.

Mr. JEFFERS (one of the tellers). Mr. President, the certificate of the electoral vote of the State of Alabama seems to be regular in form and authentic, and it appears therefrom that Alfred E. Smith, of the State of New York, received 12 votes for President, and Joseph T. Robinson, of the State of Arkansas, received 12 votes for Vice President.

The VICE PRESIDENT. If there be no objection, the Chair will omit in the further procedure the formal statement just made, and will open in alphabetical order the certificates showing the votes of the electors in each State, and the tellers will read, count, and announce the result in each State as was done with respect to the State of Alabama.

There was no objection.

The tellers then proceeded to read, count, and announce, as was done in the case of Alabama, the electoral votes of the several States in an alphabetical order.

The VICE PRESIDENT. Gentlemen of the Congress, the certificates of all the States have now been opened and read, and the tellers will make final ascertainment of the result and deliver the same to the Vice President.

The tellers delivered to the Vice President the following statement of the result:

The undersigned, SAMUEL M. SHORTRIDGE and WILLIAM H. KING, tellers on the part of the Senate, and CHARLES L. GIFFORD and LAMAR JEFFERS, tellers on the part of the House of Representatives, report the following as the result of the ascertainment and counting of the electoral vote for President and Vice President of the United States for the term beginning on the 4th day of March, 1929:

Electoral votes of each State	States	For President		For Vice President	
		Herbert Hoover, of California	Alfred E. Smith, of New York	Charles Curtis, of Kansas	Joseph T. Robinson, of Arkansas
12	Alabama		12		12
3	Arizona	3		3	
9	Arkansas		9		9
13	California	13		13	
6	Colorado	6		6	
7	Connecticut	7		7	
3	Delaware	3		3	
6	Florida	6		6	
14	Georgia		14		14
4	Idaho	4		4	
29	Illinois	29		29	
15	Indiana	15		15	
13	Iowa	13		13	
10	Kansas	10		10	
13	Kentucky	13		13	
10	Louisiana		10		10
6	Maine		6		6

Electoral votes of each State	States	For President		For Vice President	
		Herbert Hoover, of California	Alfred E. Smith, of New York	Charles Curtis, of Kansas	Joseph T. Robinson, of Arkansas
8	Maryland	8		8	
18	Massachusetts		18		18
15	Michigan	15		15	
12	Minnesota	12		12	
10	Mississippi		10		10
18	Missouri	18		18	
4	Montana	4		4	
8	Nebraska	8		8	
3	Nevada	3		3	
4	New Hampshire	4		4	
14	New Jersey	14		14	
3	New Mexico	3		3	
45	New York	45		45	
12	North Carolina	12		12	
5	North Dakota	5		5	
24	Ohio	24		24	
10	Oklahoma	10		10	
5	Oregon	5		5	
38	Pennsylvania	38		38	
5	Rhode Island		5		5
9	South Carolina		9		9
5	South Dakota	5		5	
12	Tennessee	12		12	
20	Texas	20		20	
4	Utah	4		4	
4	Vermont	4		4	
12	Virginia	12		12	
7	Washington	7		7	
8	West Virginia	8		8	
13	Wisconsin	13		13	
3	Wyoming	3		3	
531		444	87	444	87

SAMUEL M. SHORTRIDGE,
WILLIAM H. KING,
Tellers on the part of the Senate.

CHARLES L. GIFFORD,
LAMAR JEFFERS,

Tellers on the part of the House of Representatives.

The state of the vote for President of the United States, as delivered to the President of the Senate, is as follows:

The whole number of the electors appointed to vote for President of the United States is 531, of which a majority is 266.

Herbert Hoover, of the State of California, has received for President of the United States 444 votes; Alfred E. Smith, of the State of New York, has received 87 votes.

The state of the vote for Vice President of the United States, as delivered to the President of the Senate, is as follows:

The whole number of the electors appointed to vote for Vice President of the United States is 531, of which a majority is 266.

Charles Curtis, of the State of Kansas, has received for Vice President of the United States 444 votes; Joseph T. Robinson, of the State of Arkansas, has received 87 votes.

This announcement of the state of the vote by the President of the Senate shall be deemed a sufficient declaration of the persons elected President and Vice President of the United States, each for the term beginning on the 4th day of March, 1929, and shall be entered, together with a list of the votes, on the Journals of the Senate and House of Representatives.

The VICE PRESIDENT. Gentlemen of the joint session, the purpose of this meeting having been accomplished, the joint session is now dissolved, and the Senators will return to the Senate Chamber.

CALENDAR WEDNESDAY

The SPEAKER. This is Calendar Wednesday, and the Clerk will call the committees.

AUTHORIZING CERTAIN PAYMENTS BY THE TREASURER OF ALASKA

The Clerk called the committees; and when the Committee on the Territories was called—

Mr. DOWELL. Mr. Speaker, I call up the bill S. 4257, on the House Calendar.

The SPEAKER. The gentleman from Iowa calls up the bill S. 4257, which the Clerk will report.

The Clerk read as follows:

An act (S. 4257) to authorize the payment of certain salaries or compensation to Federal officials and employees by the treasurer of the Territory of Alaska

Be it enacted, etc., That any salaries to United States officials or employees of the United States Government in Alaska appropriated by the Alaska Territorial Legislature, session of 1927, may be paid to such United States officials or employees of the United States by the treas-

urer of Alaska up to and including the date of March 31, 1929, any Federal law to the contrary notwithstanding: *Provided*, That subsequent to March 31, 1929, all appropriations by the Alaska Territorial Legislature shall be in conformity with the provisions of the act of Congress approved August 24, 1912, entitled "An act to create a legislative assembly in the Territory of Alaska, to confer legislative powers thereon, and for other purposes," and amendments thereto.

Mr. DOWELL. Mr. Speaker, I yield 15 minutes to the gentleman from Alaska [Mr. SUTHERLAND].

Mr. SUTHERLAND. Mr. Speaker, this bill is a sequence to a bill that was defeated on the floor of the House on the 5th of March last. Up in the Territory of Alaska an unusual situation has arisen by reason of the fact that the Territorial legislature has imposed many duties on Federal officials illegally, in violation of the provisions of the enabling act of the Territory. This has gone on for some years, although the legislature has been warned repeatedly that they should desist in the practice. Finally a suit was brought in the court at Juneau to enjoin the Territorial treasurer from paying these salaries, in addition to the regular salaries from the Government.

A bill was introduced last winter for the relief, not of the Territory but for the relief of the Federal officials. That bill provided for the repeal of a portion of the enabling act which would fix the situation whereby Federal officials might administer the Territorial administrative government permanently. They proposed to repeal all restrictions placed on Federal officials. That bill was defeated on the floor of the House; Members may recall that it was up under suspension of the rules and failed by a vote of 130 to 12.

The injunction order extended only to the secretary of the Territory, who was receiving \$2,000 from the Territory in addition to \$3,600 from the Federal Government.

He continued to perform the services without receiving the salary for a period of almost two years. The people felt that he should continue, for if he gave up the work entirely a chaotic condition would prevail in the administration of Territorial affairs.

So he kept on performing the services for nearly two years. This bill would permit the treasurer of the Territory to pay him the salary which he has earned honestly.

The bill also provides that the practice of employing Federal officials to do the work of the Territory officials shall cease. The man undoubtedly is entitled to the money. It was not his fault, but was the fault of the Territorial legislature, as is shown in the report of the gentleman from Iowa.

Mr. LA GUARDIA. Will the gentleman yield?

Mr. SUTHERLAND. I yield.

Mr. LA GUARDIA. The gentleman knows that a similar bill was before the House, and some of the friends of Alaska—and Alaska has a good many friends, sincere friends, on the floor of the House—and we went to the rescue of Alaska, and under a suspension of the rules we defeated that bill. Now the gentleman comes in here and seeks to destroy the action of the House on that bill by permitting this to pass. When this man took office he knew that he could not draw two salaries, and the gentleman is establishing a dangerous precedent for his Territory.

Mr. SUTHERLAND. I want to express my thanks to the gentleman from New York in helping us defeat the vicious measure of last March, for it was a vicious measure. The provisions of this bill are such that the Territorial legislature will desist, and if they should continue they can not ask relief from the Congress.

Mr. TAYLOR of Tennessee. Will the gentleman yield?

Mr. SUTHERLAND. I yield.

Mr. TAYLOR of Tennessee. Are there other Federal officials drawing salaries from the Territory?

Mr. SUTHERLAND. Yes.

Mr. TAYLOR of Tennessee. What class?

Mr. SUTHERLAND. Secretary to the governor of the Territory. I can not enumerate all who are receiving a salary, but I know the secretary of the governor of the Territory is receiving additional salary, and I am assured by lawyers in the Territory that it is absolutely illegal and ought to be stopped.

Mr. TAYLOR of Tennessee. This does not apply to the judiciary, the judges, or the district attorney?

Mr. SUTHERLAND. No; presumably they would not be permitted to receive it. Here is the situation. The Federal officials in Alaska are a very powerful influence politically, and they have been able to dominate the legislature. They are aided in that by the press of the capital city of Juneau. The press seems to be under the domination of the Federal officials, and when any measure of a progressive nature, any measure along the lines of establishing a better American ideal of government, comes before the legislature the press of Alaska is opposed to it. Perhaps I should qualify that by saying the

press of the capital city. These men coming down to the capital are naturally afraid of the press. I think there is a general fear of the influence of the press among statesmen of greater standing than those of our local legislators in Alaska. That is the whole trouble. The press and the Federal officials combined to place the control of Territorial affairs in the hands of the Federal officials, and that control is lodged there now.

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

Mr. SUTHERLAND. Yes.

Mr. RANKIN. My experience with the Territory of Alaska is that those people up there have been clamoring for a good many years for a greater measure of self-government—not only the people of the Territory, but the legislature and even the press itself. How do they expect the American Congress and the American people to grant them a greater measure of self-government than they have now, when they attempt to surrender what they already have as they are doing, it seems to me, to a large extent by asking for the passage of such legislation as this?

Mr. SUTHERLAND. I have to admit, although it is somewhat humiliating, that the gentleman from Mississippi raises a good point; but I say that it is not the will of the people of the Territory of Alaska that these conditions exist. It is simply weakness upon the part of our legislators in contact with the strong influence of Federal officials and the press of the capital city.

Mr. LA GUARDIA. If by the passage of this Senate bill now before the House we established this precedent, what protection will the people have if some of these Federal job holders manage to be elected to the Territorial legislature and then come here and say they were duly elected and served as legislators and want an enabling act so that they could draw two salaries? Is not the gentleman risking turning over his whole local government to these job holders he complains of?

Mr. SUTHERLAND. I hope not. I think I can assure the gentleman that if this practice continues after next March, when the legislature sits, the whole matter will be taken to the courts, and that there will be no relief for these fellows if they accept these salaries and go through with it.

Mr. LA GUARDIA. Would the gentleman be very unhappy if we were to defeat this bill?

Mr. SUTHERLAND. I feel that I owe it to this man who has given his services and who has not received a cent, who is not responsible for the situation, to do what I can to get the relief for him, and I think that the instruction in the bill to the legislature ought to be sufficient.

Mr. DOWELL. And does not this bill legislate that we do not approve of that practice and will not continue it?

Mr. SUTHERLAND. It expresses the disapproval of the Congress.

Mr. LA GUARDIA. Eliminating the personal equation, the personal relation between the Delegate from Alaska and the particular individual involved in this bill, the gentleman will state that he is opposed to the practice.

Mr. SUTHERLAND. The practice of relief in cases of this kind?

Mr. LA GUARDIA. Yes.

Mr. SUTHERLAND. Yes; I think the practice is wrong, when this thing is done deliberately. I have to admit that the practice of granting relief by Congress is wrong; but, at the same time, I reassert that this man was not responsible for it, that it was the legislature.

Mr. LA GUARDIA. The gentleman is acting out of the whole-someness and the bigness of his heart rather than being actuated by the usual acute intellect that he displays in this House.

Mr. SUTHERLAND. I thank the gentleman.

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

Mr. SUTHERLAND. Yes.

Mr. RANKIN. If this bill passes, will it not be establishing a precedent for the passage of legislation of this kind in the future?

Mr. SUTHERLAND. I do not think so. I think the remarks of the gentleman from New York [Mr. LA GUARDIA] and the gentleman from Mississippi [Mr. RANKIN] this morning on this measure will have an influence to prevent a continuation of this thing in the future. And I believe the warning contained in the bill ought to be sufficient for that.

Mr. RANKIN. The gentleman from Alaska knows, and I think he will admit, that the people of the Territory of Alaska have not had any better friend in this House than I am. I have been there and I have studied their conditions and I have done everything I could to try to give them a greater measure of control over their local affairs, but if they are going to indorse legislation of this kind and attempt to turn the Territory back to the United States, I would like to know what encouragement

it will be to those of us who have been trying to help them to continue to fight their battles in the future.

Mr. SUTHERLAND. The point is very well taken. At this time I want to express my appreciation of the help of the gentleman from Mississippi [Mr. RANKIN], which he has always given me in the Committee on Territories in any measure that seemed beneficial to the Territory of Alaska, and that would extend local self-government further, and I say the same of the gentleman from New York [Mr. LAGUARDIA]. Ever since he has been here he has always supported every progressive measure for the Territory that ever came up on the floor of the House. I do not know that I want to be in the position of apologizing to him for the passage of a bill of this kind. Nevertheless I appreciate the way he feels about it. He rendered yeoman service in the defeat of that other vicious bill, and now he feels that we are attempting to accomplish almost the same thing in this measure. I do not take that view of it.

Mr. ARENTZ. How many departments and bureaus, and so forth, are operating in Alaska in the government of that Territory at the present time?

Mr. SUTHERLAND. In the administration of Territorial affairs?

Mr. ARENTZ. Yes.

Mr. SUTHERLAND. It is pretty difficult for me to say.

Mr. ARENTZ. How many activities in administration are being done by the people of Alaska themselves?

Mr. SUTHERLAND. Virtually none.

Mr. ARENTZ. Now, it seems to me that pride alone, pride of men who have been there since the gold rush of 1898, would be a sufficient motive to cause them to run their own country and to do everything they possibly could to eliminate the various bureaus and administrations that are running every solitary affair that is run in Alaska.

Mr. SUTHERLAND. The gentleman is right. I want to say for the men who were in the gold rush of 1898, they are the men who are opposed to this, but with the advent of the bureaus have come a great many people of the States who are new to the Territory and are unacquainted, and they are in many cases employed by the bureaus, while others come under the bureau influence, and many are guided somewhat by a reactionary press that is committed to the policies of the bureaus and the exploiting interests. I do not want Members of this House to understand that the majority of the people of the Territory are in favor of present conditions; in fact, a large majority would be just the other way.

Mr. IRWIN. I understand the gentleman is against this kind of legislation, but he does honestly believe this man has earned it and ought to be paid.

Mr. SUTHERLAND. Yes, sir.

Mr. IRWIN. And the gentleman has given this matter considerable consideration, and the gentleman desires this to be a warning to the officials of the Territory?

Mr. SUTHERLAND. Yes, sir.

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

Mr. DOWELL. I yield the gentleman five additional minutes.

Mr. SUTHERLAND. I hope this will be a warning to the officials of the bureaus of the Territory, that if they expect to get more money out of the Territorial treasury illegally they will get no relief whatsoever if they are enjoined in court, and I am sure they will be.

Mr. MORTON D. HULL. Will the gentleman yield for a question?

Mr. SUTHERLAND. I will.

Mr. MORTON D. HULL. These Federal officials who are getting salaries from the Territorial Legislature are performing some regular duties, are they not, for the Territory?

Mr. SUTHERLAND. Yes.

Mr. MORTON D. HULL. They are not engaged in Federal duties?

Mr. SUTHERLAND. Yes, sir; they have rendered service for the money received.

Mr. MORTON D. HULL. That is the question; I do not know what the duties are, but why can not they be permitted to perform both duties? If they are doing work legally, why should they not be paid for it?

Mr. SUTHERLAND. Of course, they are doing it illegally.

Mr. SCHAFER. Will the gentleman yield?

Mr. SUTHERLAND. I will.

Mr. SCHAFER. Could not that be done by employing people to do this work who are not employed by the Federal Government?

Mr. SUTHERLAND. Certainly; but, of course, the Federal officials prefer to take the money and do the work.

Mr. SCHAFER. Is the gentleman in favor of this bill?

Mr. SUTHERLAND. Yes; I am in favor of it.

Mr. SCHAFER. I will say the gentleman has always been advocating before this Congress that more power should be given to the Territorial government in Alaska, but what if Congress should give more power, the facts the gentleman has brought out seem to indicate they are disposed to give over to Federal officials the powers they have already received from Congress?

Mr. LAGUARDIA. This gives them \$2,000 more power.

Mr. SUTHERLAND. I can not make a reply to the statement of the gentleman from Wisconsin under the circumstances. He is absolutely right in what he has just said.

Mr. PERKINS. I am almost persuaded to vote for anything for which the gentleman is in favor, but would not the better way to discourage such practices be by defeating this bill?

Mr. SUTHERLAND. No; I do not think so. I think the local legislature should be given a chance to redeem itself without depriving the secretary of the \$4,000 he has honestly earned.

Mr. DOWELL. As a matter of fact, this man was employed under the provisions of the Legislature of Alaska, and he performed the services, and, except for the fact that it was learned later that he was not legally entitled, he would have been paid. Yet it is a fact that he earned the money and should receive it.

Mr. SCHAFER. Did he receive his pay from the Federal Government covering the same period of time for which he is asking pay under the provisions of this bill?

Mr. SUTHERLAND. Yes. He received \$3,600 a year from the Federal Government. Formerly he received more than that, but when the Secretary of the Interior learned that he received \$2,000 a year from the Territory his Federal salary was cut to \$3,600.

Mr. SCHAFER. Was all his time occupied in the working hours for the Federal Government?

Mr. SUTHERLAND. During the same day, possibly at different hours, these duties were performed.

Mr. SCHAFER. Is it not a fact that if we pass this bill we will send notice out to the Federal officials in Alaska that they shall continue in the future as in the past and usurp the whole functions of the Alaskan Territorial government?

Mr. SUTHERLAND. A proviso has been inserted in the bill to this effect:

Provided, That subsequent to March 31, 1929, all appropriations by the Alaska Territorial Legislature shall be in conformity with the provisions of the act approved August 24, 1912, which is the enabling act for Alaska.

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

Mr. SUTHERLAND. Yes.

Mr. PERKINS. Why is that necessary? This is a warning. Let me suggest that the best way to warn these people up there is not to vote the money.

Mr. SUTHERLAND. I think they will be warned.

Mr. LANKFORD. Mr. Speaker, I understood I was to be yielded 10 minutes by the gentleman from Iowa. If permitted, I yield five minutes to the gentleman from Mississippi [Mr. LOWREY].

The SPEAKER pro tempore. Under the rules the gentleman is not permitted to yield.

Mr. LANKFORD. Will the gentleman give me 10 minutes?

Mr. DOWELL. Mr. Speaker, the gentleman from Georgia is the ranking member of the committee, and it was my purpose to give him 10 minutes to use as he desires, if that is proper.

The SPEAKER pro tempore. Is there objection? Without objection, the gentleman from Iowa [Mr. DOWELL] yields 10 minutes to the gentleman from Georgia [Mr. LANKFORD] to be in turn yielded by him as he may desire.

There was no objection.

Mr. LANKFORD. I yield five minutes to the gentleman from Mississippi [Mr. LOWREY].

The SPEAKER pro tempore. The gentleman from Mississippi is recognized for five minutes.

Mr. LOWREY. Mr. Speaker, I ask unanimous consent to speak for five minutes, not on the bill.

The SPEAKER pro tempore. Is there objection to the gentleman's request?

There was no objection.

Mr. SUTHERLAND. Mr. Speaker, will the gentleman yield to me for a moment in order that I may ask unanimous consent to extend my remarks by printing a clipping from an Alaskan paper?

Mr. LOWREY. Certainly.

The SPEAKER pro tempore. The gentleman from Alaska asks unanimous consent to extend his remarks by printing a clipping from an Alaskan paper. Is there objection?

There was no objection.

Following is the clipping referred to:

[From the Alaskan of January 18, 1929]

That Juneau, the capital of the Territory, is the hotbed of the bureaucrats in Alaska there is none to deny. The real Alaskans residing there have been so long under the iron heel of Federal officials who swarm around there that the Alaskans not imported have become servile condoners of all the conspiracies concocted by the bureaucrats to rob the Territory.

Whenever the imported stock ask for a little additional salary to be paid by the Territory in violation of law, these Juneau people smile serenely and say "Thank you."

They have peddled out Territorial offices to legislators for a surrender of our personal rights as American citizens until there is nothing but the shell left to the organic act, our Territorial constitution. So familiar have voters of the first division become with this deplorable condition of political affairs in the capital city a resident of Juneau, nominated for a public office, is heavily handicapped as a candidate, for the people of the first division well know that the Alaskans residing in Juneau long ago became servile sycophants of the imported Federal bureaucrats and offer no resistance to their conspiracies to bleed the Territorial treasury and domineer over our legislative officials.

Mr. LOWREY. Mr. Speaker, we have just finished counting the presidential vote. As some of us expected, the Republicans have counted Al Smith out. The Democrats, you know, as far back as I can remember, have been charged with being experts in counting the vote. They used to say that we believed in a fair ballot and a free count. [Laughter.] It is also asserted that some people said we were in favor of a free ballot and a free count. We at least admit that Democrats have always been ardent advocates of full and absolute freedom.

After the vote was finished to-day I gave a good Republican friend of mine a little lesson in American history, which was appreciated, and then it was suggested that I give this lesson to the House. Away back yonder in the days of better public morals and better public ideals, Grover Cleveland was elected President of the United States in a Democratic landslide, and the Memphis Commercial Appeal came out the following day with these headlines:

Only hell and Vermont left to the G. O. P.

[Laughter.]

But four years later there was as great a landslide to the Republicans, and the Democrats were completely snowed under, and the same Memphis Commercial Appeal came out with similar headlines—

Heaven and Mississippi still stand by the Democracy.

[Laughter.]

I simply wanted to rise and call this House to witness that history still repeats itself, and heaven and Mississippi still stand for the Democracy. [Laughter.]

A friend over here inquires in an undertone, "How about Massachusetts?" When so unexpected a thing happens as that Mississippi and Massachusetts get together, it is such a good combination that it ought not to be interfered with. That is something that ought to be allowed to grow.

Mr. SCHAFER. And Mississippi still stands by the eighteenth amendment and the Volstead Act?

Mr. LOWREY. Yes, sir. And will continue to do so regardless of all political parties and all political candidates.

Mr. RANKIN. Mr. Speaker, may I have three minutes?

Mr. DOWELL. I yield to the gentleman five minutes.

The SPEAKER. The gentleman from Mississippi is recognized for five minutes.

Mr. RANKIN. Mr. Speaker, I was somewhat surprised to hear the ranking Democrat on the committee say he will vote for this bill. I am very fond of the gentleman from Alaska [Mr. SUTHERLAND]. He ably represents his people here at all times. But I can not conscientiously support this legislation.

You know we start by setting precedents here which ultimately develop into policies which are detrimental to the welfare of American institutions, and I am afraid that if I should sanction the passage of this bill, even impliedly by sitting silently by, it would rise up to smite me in the future when I shall most assuredly attempt to prevent a repetition of the passage of such legislation as this.

I have never seen in all my career finer men or finer women or more noble citizenship that I find in the Territory, strong in intelligence, virile, forceful people. I should like to see them building up there a community spirit, a local spirit, if you please, a spirit of patriotic devotion to Alaska, assuming charge of and responsibility for the conduct of their public affairs.

That has been my attitude ever since I have been a member of the Committee on Territories, and I do not feel now like receding from that position merely to pass one bill which is contrary to my ideas touching legislation of this kind. My

objections to it have been brought out in this debate, and I sincerely trust that this legislation will not pass.

Mr. DOWELL. Mr. Speaker, I yield five minutes to the gentleman from New York [Mr. LAGUARDIA].

Mr. LAGUARDIA. Mr. Speaker, I agree with my colleague from Mississippi [Mr. RANKIN] and I join with him in protesting against this measure. I shall vote against it.

Every Member of this House has the utmost confidence in the judgment of the Delegate from Alaska. He not only represents the views and the ideals of the people of his Territory but in his charming and attractive personality typifies the rugged, honest manhood which settled that great country. [Applause.] I appreciate the predicament and the embarrassment of our colleague from Alaska. He took this floor some time ago, and in one of the ablest appeals ever made in the House of Representatives defeated, decisively and overwhelmingly, under suspension of the rules, a bill which embodied the very principle contained in the bill now before the House for consideration. But, gentlemen, we must go to his rescue. He is in exactly the same position as many of us are when through personal appeals, friendship, and contact, we introduce a private bill that we are absolutely ashamed of; we bring it on the floor of the House and make a feeble attempt to support it, knowing it should be defeated and hoping for a miracle to happen. Of course, gentlemen, you can not eliminate entirely the personal equation. The gentleman from Alaska naturally knows the secretary of the Territory. The secretary of the Territory says to him, "Now, look here; you defeated the bill which would have permitted these other fellows to get their extra pay; but I will tell you what I want you to do for me; introduce a bill so that I will get mine." Why, gentlemen, what are we doing here? After having stated by an overwhelming vote that we would not permit the practice of having Federal job holders to receive pay from the Territory, thereby serving in a dual capacity and receive two pays, we are now asked to pass upon a bill which will give this privilege to one individual who has been selected and singled out. Why, the very bill itself is stultifying. After providing for the payment of the dual salary for this man, we say, "Oh, this bill is only good up to March 31, 1929, and if you come back hereafter we are not going to permit it any more."

Mr. TAYLOR of Tennessee. Will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. TAYLOR of Tennessee. Does not the gentleman think that if the Secretary of the Interior took into consideration the fact, when he fixed this man's salary, that he was being paid this additional salary that would add some merit to this proposition?

Mr. LAGUARDIA. But it was unlawful.

Mr. TAYLOR of Tennessee. The Delegate from Alaska stated that the Secretary of the Interior, in fixing the salary, had taken this into consideration.

Mr. LAGUARDIA. But any such consideration is unlawful, just as if we were to fix the salary of a Federal judge or United States marshal at so much and then say "We will fix the salary of the United States marshal in the next county at so much because as sheriff of that county he receives an additional salary." We can not take an unlawful proposition into consideration.

Mr. SCHAFER. Will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. SCHAFER. In taking the last census for Alaska, Federal employees were placed upon two pay rolls for the same period of time and this Congress passed a bill approving the disbursement for their salaries. I think the last paragraph of this bill will serve notice on the officials that they can not expect any such relief from Congress in the future.

Mr. LAGUARDIA. If that is the purpose of the bill it is something new in legislation, the fact that we have to serve notice of an existing law, because all this bill does is to reiterate existing law. I have never heard of anything in legislation which served notice on officials of existing law and that such a law is on the statute books.

Mr. UNDERHILL. Will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. UNDERHILL. Does this bill provide for anything worse than the usual practice of going ahead and doing something that is wrong and then coming to Congress for the validation of something that has already been done.

Mr. LAGUARDIA. That is what we are doing here.

Mr. UNDERHILL. That is what they do in the matter of presenting claims.

Mr. LAGUARDIA. And that is what we are doing here and I say it is wrong. This bill ought not to pass.

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

Mr. DOWELL. Mr. Speaker, I yield myself five minutes.

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

Mr. DOWELL. Yes.

Mr. PERKINS. Under the present law two salaries can not be paid to one individual performing two functions?

Mr. DOWELL. The court has so held. The Legislature of Alaska, however, when they made this arrangement of consolidating the Federal office with the Territorial office, did not have that information. The court has made that determination since that time.

Mr. PERKINS. What effect has the bill other than to say that hereafter they will have to obey the law which was enacted August 24, 1912?

Mr. DOWELL. The exception which I will try to explain.

The gentleman from California [Mr. CURRY], who is chairman of this committee and unfortunately is quite ill and unable to be present, has asked me to take up this bill in his absence and present it to the House, and I am presenting it on his behalf because he is interested in its passage and has felt that a great injustice will be done an employee unless the bill is passed.

Now, here is the situation as I understand it: The Territory of Alaska, by its legislature, believing it had the right to do it, employed some of the Government employees there and paid them a salary out of the funds of the Territory. That was done in this case, and the court held that under the law they had no right to do it. This man was employed by the Government, and his salary out of the Public Treasury was reduced because the Territory of Alaska was to pay him \$2,000 per year. He was only receiving \$3,600 from the Government, because that office had been consolidated with the Territorial office.

The court has determined that the Territory of Alaska had no right to consolidate these offices, and this man has served his term, rendered the service, and this bill is for the purpose of paying this man.

Mr. UNDERHILL. Will the gentleman yield?

Mr. DOWELL. Yes.

Mr. UNDERHILL. This has been done repeatedly, and at almost every Private Calendar reading several cases of a similar character are passed by the House without an objection on the part of anyone.

Mr. LAGUARDIA. If the gentleman from Massachusetts will permit, not of similar character.

Mr. UNDERHILL. Well, why not?

Mr. LAGUARDIA. I will say that many bills of as little merit pass the House, but not of similar character.

Mr. UNDERHILL. They are to pay employees of the Government who are drawing one salary for services rendered in another capacity, where they have rendered the service, delivered the goods, and the Government is morally bound to pay them for the services rendered.

Mr. LAGUARDIA. Yes; but they do not involve the fundamental principle of receiving two salaries from two different sources, the Territorial government and the Federal Government.

Mr. DOWELL. As a matter of fact, the Federal Government received the benefit of this, and this bill is merely to permit the Territory of Alaska to pay what they agreed to pay. As I understand, this man's salary was reduced as a Federal employee.

Mr. CLAGUE. Will the gentleman yield?

Mr. DOWELL. Yes.

Mr. CLAGUE. What was he receiving before his salary was reduced?

Mr. DOWELL. I do not know the amount.

Mr. RANKIN. Some one ought to be able to answer that question.

Mr. SUTHERLAND. I am not sure of the exact amount, but the salary of the secretary of the Territory of Hawaii is \$5,400. Under the system our secretary has been working in Alaska he was receiving \$5,600, \$200 more a year, from both the Federal Government and the Territorial government. I assume when this salary from the Territory is shut off the Secretary of the Interior will have to raise his salary to \$5,400, or somewhere near that, to correspond with the salary of the secretary of Hawaii.

The SPEAKER pro tempore. The gentleman from Iowa has used five minutes.

Mr. DOWELL. Mr. Speaker, I will yield myself more time.

Mr. GIBSON. Will the gentleman yield?

Mr. DOWELL. Yes.

Mr. GIBSON. These services were performed when it was legal to pay the secretary the \$2,000 out of the Territorial fund?

Mr. DOWELL. It was supposed to be legal and was legal until the court determined that they had no right to do it.

Mr. GIBSON. But the services were performed when it was legal; that is, before the court had determined that.

Mr. DOWELL. Yes.

Mr. GIBSON. So there is a moral obligation, to say the least, resting on the Government to pay this amount.

Mr. DOWELL. I think so.

Mr. PERKINS. Will the gentleman yield?

Mr. DOWELL. Yes.

Mr. PERKINS. Is not the effect of this proposed legislation to repeal the decision of the court in this particular case?

Mr. DOWELL. Well, you may construe it in that way.

Mr. PERKINS. In other words, the court determined that under the act of August 24, 1912, that they had no right to employ this man.

Mr. DOWELL. Yes.

Mr. PERKINS. And now we are saying, "You may pay him but hereafter you will not be able to do it."

Mr. UNDERHILL. Will the gentleman yield?

Mr. DOWELL. Yes.

Mr. UNDERHILL. But the court decides upon the law and not upon the equities of the case.

Mr. DOWELL. And while he believed he was being legally employed—

Mr. LAGUARDIA. Will the gentleman yield?

Mr. DOWELL. Yes.

Mr. LAGUARDIA. That being so, would not the proper procedure be to bring in a bill here for the relief of this gentleman and let us pay him the difference?

Mr. DOWELL. Yes; we might do it in that way, but we have the matter clearly before us now, and if he is entitled to this pay he ought to receive it, and if he is not entitled to it he ought not to receive it. It seems to me, gentlemen, when we get down to the question here, he is entirely an innocent employee who believed that the Territory of Alaska had the right to employ him; believed they had the right to consolidate the duties of these officers, and he performed these duties.

Mr. PERKINS. Will the gentleman yield a bit further?

Mr. DOWELL. Certainly.

Mr. PERKINS. This is a general act and applies to any salaries due to any employees?

The bill says—

any salaries to United States officials or employees of the United States Government in Alaska—

And so forth.

Mr. DOWELL. But it only applies to the one.

Mr. PERKINS. Now, I wonder about that. I spoke to the gentleman from Alaska [Mr. SUTHERLAND], and I am under the impression he said it might apply to a good many.

Mr. DOWELL. No; I think it applies to only one.

Mr. PERKINS. Will the gentleman yield for me to ask that question?

Mr. DOWELL. I yield on that question to the gentleman from Alaska.

Mr. PERKINS. Then I would like to ask the gentleman from Alaska if this does not apply to more than one or may apply to more than one?

Mr. SUTHERLAND. The action in the court was applied to only one individual, the secretary of the Territory.

Mr. DOWELL. That was in the construction of the law.

Mr. SUTHERLAND. There was a suit to enjoin a number of other cases, but the court never got to render a decision on the others for the reason that the judge passed away while the case was pending. So there has never been a decision with regard to the others.

Mr. DOWELL. But it only applies to one.

Mr. LAGUARDIA. The bill says that—

any salaries to United States officials or employees of the United States Government in Alaska may be paid to certain officials—

And so forth.

Mr. DOWELL. Some years ago the chairman of the committee [Mr. CURRY] introduced a bill upon which there was extensive hearings by the committee for the consolidation of the work of many of the Federal departments of the Government in the Territory of Alaska. There is no doubt, it seems to me, that there is a great need for some consolidation of the work in that Territory, and I am hoping that there will be a consolidation of some of these Federal activities in the Territory, and I believe we will get as good service and save a great deal of money to the Government of the United States. I believe it can be done, I believe that the chairman of the committee when he returns to his work—which I hope may be soon—will be glad to take up that work.

Mr. RANKIN. Will the gentleman yield?

Mr. DOWELL. I yield.

Mr. RANKIN. If you are attempting in the bill to relieve one individual, why do you not say so in the bill and limit it to that individual case?

Mr. DOWELL. The Delegate from Alaska explained the situation.

Mr. RANKIN. In other words, you will be doing this—that instead of relieving one man you are throwing open the floodgates for other fellows to creep in.

Mr. DOWELL. No; this closes the door.

Mr. UNDERHILL. Will the gentleman yield?

Mr. DOWELL. Yes.

Mr. UNDERHILL. I want to ask the gentleman why it would not be better to clean up these old cases than to have them coming back here one by one?

Mr. RANKIN. Members of the House have understood that this was merely to relieve this individual case, but at this late period in the debate it develops that the floodgates are to be opened to others who may want to get in under it. I do not think the bill ought to pass at all. It is virtually the same bill that Congress defeated a year ago.

Mr. DOWELL. No; the gentleman is not correct. The bill at the last session merely continued the situation as heretofore.

Mr. RANKIN. This comes along and wipes out the decision of the court in favor of possibly a great multitude of these claimants.

Mr. DOWELL. I think the statement of the gentleman from Mississippi is not correct. It is true that the bill recognizes the decision of the court, which was not known to anyone until the court rendered the decision. Congress recognizes the decision of the court and holds that hereafter none of these offices shall be consolidated with the Territory office.

Mr. RANKIN. The gentleman admits that it does not limit the application of the bill to any one man.

Mr. SUTHERLAND. There is no relief required for others because they received their salaries and the treasurer of the Territory has not been enjoined. They now know what the decision of the court is and they will not go beyond this Territorial legislature for they know that they will be enjoined, and there will be no relief. I think they know the attitude of Congress and the attitude of the courts.

Mr. DOWELL. As I understand, all the other officials have been paid.

Mr. RANKIN. How does the gentleman know?

Mr. DOWELL. Because I have great confidence in the Delegate from Alaska.

Mr. RANKIN. How does the Delegate know?

Mr. SUTHERLAND. Because I know that the others have received their pay.

Mr. DOWELL. There is no way to get it back. This man has earned his pay and he ought to have it. [Applause.]

Mr. Speaker, I ask that the bill be read.

Mr. LA GUARDIA. Mr. Speaker, I have a preferential motion.

Mr. TILSON. The gentleman from New York has not the floor.

Mr. DOWELL. Mr. Speaker, I move the previous question. The question was taken, and the previous question was ordered.

The SPEAKER pro tempore (Mr. MAPES). The question now is on the third reading of the Senate bill.

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

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

Mr. RANKIN. Mr. Speaker, I move to recommit the bill to the Committee on the Territories.

The SPEAKER pro tempore. The gentleman from Mississippi moved to recommit the bill to the Committee on the Territories.

The question was taken; and on a division (demanded by Mr. LA GUARDIA) there were 15 ayes and 32 noes.

So the motion to recommit was rejected.

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

The bill was passed.

On motion of Mr. DOWELL, a motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. DOWELL. Mr. Speaker, that is all from the Committee on the Territories.

The SPEAKER pro tempore. The Clerk will continue the call of the committees.

The Clerk called the Committee on Insular Affairs.

RATIFYING AMENDMENT TO CORPORATION LAW OF THE PHILIPPINE ISLANDS

Mr. KIESS. Mr. Speaker, I call up the bill H. R. 16881, to approve, ratify, and confirm an act of the Philippine Legislature entitled "An act amending the corporation law, act No. 1459, as amended, and for other purposes," enacted November 8, 1928, approved by the Governor General of the Philippine Islands December 3, 1928.

The SPEAKER, pro tempore. The gentleman from Pennsylvania calls up the bill H. R. 16881, which the Clerk will report. The Clerk read as follows:

Be it enacted, etc., That the act of the Philippine Legislature entitled "An act amending the corporation law, Act No. 1459, as amended, and for other purposes," enacted November 8, 1928, approved by the Governor General of the Philippine Islands December 3, 1928, be, and the same is hereby, approved, ratified, and confirmed.

Mr. KIESS. Mr. Speaker, I now yield 30 minutes to the Commissioner of the Philippine Islands [Mr. GUEVARA].

Mr. GUEVARA. Mr. Speaker, I consider myself fortunate in having a share in the discussion of the bill now under consideration, to ratify and validate all the provisions of the law enacted by the Philippine Legislature in its last regular session, introducing amendments to the corporation law of the Philippine Islands.

These amendments place a new instrument of progress in the hands of the people. They lay down the principle of free investment necessary to the development of commercial and trade freedom. They also strengthen credit which is essential to commerce and industry.

These amendments also constitute a friendly gesture on the part of the Filipino people toward capital, and discredit, once and for all, their supposed unfriendly attitude toward investment. The Philippine Legislature, in enacting any legislation takes into consideration, like any other legislative body, local conditions and the needs and idiosyncracies of the people for whose benefit and protection it is enacted. No legislative body can depart from this fundamental principle of legislation. To enact a law which is not calculated to meet the loyal support of the people because it does not respond to their needs and inclination, is something that is foreign to democratic institutions which are the source of inspiration of all wise and just legislation.

These are the reasons, Mr. Speaker, why the corporation law of the Philippine Islands was not substantially amended during its existence of almost 23 years. But now local conditions in the islands have greatly changed through the growth of communication facilities, trade, commerce, industry, and agriculture. And now that investment is searching every nook and corner of the country to bring about the wealth that nature has hidden in its virgin soil, it is the duty of the legislature to enact laws, not only to encourage such investment but also to protect it. But the Philippine Legislature has not limited itself to enacting laws for the encouragement and protection of investment alone but has also provided measures to protect the public from unnecessary and wasteful exploitation.

The amendments to the corporation law of the Philippine Islands enacted by the Philippine Legislature in its last session, and to be ratified now by the Congress of the United States, through the bill now under consideration, has aroused a great deal of interest in public opinion, which proves that the people are conscious of the needs and difficulties of the present time. In the earnest desire of the Filipino people, and of their representatives in the legislature, to build an economic structure more in harmony with the requirements of modern commerce and trade, quite considerable opposition was registered against some of the amendments of the corporation law. The opposition was based on (a) sincere desire to ascertain whether the interests of the people would be duly safeguarded, and (b) partisan opposition, criticizing that which they themselves would have done had they been in the position of responsibility in the legislature. For the latter I plead forgiveness; for the former, I wish to say that their interests have been duly safeguarded and protected in the enactment of the amendments to the corporation law.

Now, Mr. Speaker, I wish to examine briefly the provisions of the amendments to the corporation law, to be ratified by the Congress of the United States through the bill now under consideration.

The amendments introduce in our corporation law the right of a corporation to issue stocks or shares, with or without par value, following the principle governing these cases now in practice in the United States and all over the world.

This amendment has been strongly criticized on the ground that the no-par-value stock is or may be the source of continuous fraud. The opposition almost instilled in the public mind that the authorization to issuing no-par-value stock by the corporation is an authority given to speculators to exploit the country. Those who speak thus do not even realize that the public is often misled by the sale of stock with par value, thereby cheating the innocent investors, who are frequently persuaded by speculators to purchase stock which sells at a nominal price upon the assurance that the stock is worth much more than they are paying for it. Commercial experience has demonstrated that

many a man or woman, uninitiated in the intricacies of financial ventures, has been induced to buy worthless stock for a few dollars which carries a face value of \$100 or more. It is easy under these circumstances for the swindler to convince his victim that a real bargain is being offered and that the stock will soon be brought to par or more than par. Also those who have criticized the authority granted to corporations to issue stock with no par value have not considered, or do not want to consider, that it will permit much greater flexibility and accuracy in accounting procedure, since there are a number of satisfactory methods for carrying such issues on the balance sheet.

The opposition to the amendment, as regards the no-par-value stock, has even infected some of the distinguished legal minds in the Philippine Islands, who could not have any other apology for supporting such opposition than having been nursed by the old and stale school of thought. The opposition to this new system introduced in the Philippine corporation law has given rise more to academic discussion than to practical reasoning. But the Philippine Legislature, composed of men of broad vision and knowledge of the modern principles of trade and commerce, wisely and justly rejected such opposition and adopted the system of authorizing corporations to issue stock with no par value.

It is important to note that whether or not corporations are authorized by law to issue stock with or without par value, the fact is that their credit in the market and their standing in the public confidence are the best guaranty of the stability of their stock. The old corporation law of the Philippine Islands did not authorize corporations to issue stock or shares with no par value. This system has to some extent weakened credit in the Philippine Islands, for there are many instances in which a man buying stock has been disappointed, if not swindled, for in buying the stock he did not investigate the financial status of the corporation, blindly accepting the face value of the stock.

Also the single system authorized by the old corporation law of the Philippine Islands, as to the issue of stock or share with par value, has given rise to the evil of stock watering. Furthermore, one of the advantages of the no-par-value stock is that the holder is free from the liabilities to assessment, sometimes confronting the holder of the par-value stock, which has not been fully paid, or the nature of the payment about which serious objections in times of financial difficulties are often raised.

I am making this analytical exposition of the advantages of the no-par-value stock, in order to enlighten the mind of those of my countrymen from the misleading arguments advanced against this system in the aftermath of the approval of the law now to be ratified by the Congress of the United States. And to those of my countrymen who insist upon making political capital out of this question, I wish to say, that they owe to their country the service of their mental integrity which should be inspired by their patriotism.

I ask unanimous consent to extend in the RECORD, as a part of my remarks, the explanatory notes prepared by the joint committee on banks and corporations of the Senate and House of Representatives of the Philippine Islands, which is, as follows:

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

There was no objection.

The matter referred to is as follows:

EXPLANATORY NOTE OF REVISED AMENDMENTS

The fundamental idea underlying the proposed amendments to the corporation law is to place our corporations on a certain level with American corporations so that they may enjoy the same advantages that American corporations doing business in the Philippines are allowed to enjoy both under American and Philippine laws. In other words, the proposed amendments are intended to remove the handicaps placed on Philippine corporations when competing with American corporations doing business in the Philippines. These amendments are primarily designed to benefit Philippine corporations and Philippine business rather than American corporations and American business.

The additional powers and privileges sought to be conferred on Philippine corporations under the proposed amendments are now available to American corporations under American laws. So that, while American corporations doing business in the Philippine Islands may issue stocks without par value, and may declare stock dividends, Philippine corporations also doing business here are not allowed to do the same thing, or, at least in the case of stock dividends, it is doubtful whether Philippine corporations may legally declare them.

The changes sought to be introduced in our corporation law by the proposed amendments refer specifically to corporate purposes, stock without par value, stock dividends, the disposition of corporate assets, the modification of restrictions as to ownership of stock in agricultural and mining corporations by individuals, and investment companies.

The proposed changes do not in any way, manner, or form, alter or affect the present laws with regard to public lands.

SECTION 1. This amendment merely combines two sections of the present law referring to the same subject matter. The amendment does not alter their provisions.

SEC. 2. The purpose of this amendment is to allow the issue of several classes of stock, with such rights, voting powers, preferences, and restrictions as may be provided in the articles of incorporation. Under existing statutes ownership of stock is necessarily coupled with the right to vote, thus precluding the issue of nonvoting preferred stock. Experience in the management of corporate business has shown the convenience of giving to corporations greater elasticity in defining the relative rights of their shareholders and in determining the methods that they may seek to employ in securing proper financing. This power is specially necessary in the reorganization of weak and moribund corporations, as well as of those requiring additional capitalization to enlarge their business.

This amendment authorizes the issue of no-par-value stock. The present corporation law prohibits the issue of stock except for par value. Almost all of the States of the American Union have recognized the advantages of authorizing corporations to issue stock without par value. The value placed on the certificates of stock, which is based on the original capitalization, is very often misleading, as in many instances that actual value of such stock is very far from the actual amount received by the corporation for the same, such difference depending upon the success of the venture. It does away with the evil of stock watering and prevents the sale of below par. Stock manipulation is avoided, for stocks without par value compels investors to examine the real and true condition of the corporation to determine the real value of the shares they desire to purchase.

This amendment will place domestic corporations on the same level with foreign corporations, most of which have the powers sought to be granted by this amendment to domestic corporations under the laws of the States where they have been organized.

Moneyed corporations, such as banks, trust companies, insurance companies, and building and loan associations, are prohibited to issue no-par-value stock under this amendment. The same exception is made in many of the States of the American Union. The reason for this exception is found in the fact that moneyed corporations depend very vitally on the reputation that they enjoy with the general public, and sudden fluctuations in the market value of their stock may produce financial upheavals and panics which may disrupt its own business, as well as that of other organizations dealing with them.

It is an admitted principle of corporate finance that no dividend should be declared out of capital. For this reason the proposed amendment requires that the entire consideration received from the sale of no-par-value stock should be treated as capital and should not be available for distribution as profits.

The provisions in this section referring to no par value stock have been modeled after the statute in force in the State of New York.

SEC. 3, PAR. 2. Under our corporation law corporations may be formed for only one specific purpose. Foreign corporations, however, may engage in the Philippine Islands in various pursuits. The proposed amendment seeks to remedy this anomaly. There does not seem to be any valid reason why corporations may not engage in two or more legitimate business ventures, provided that in so doing they neither stifle wholesome competition, gain an undue advantage over competitors, nor tend to create monopolies in any line of commerce. To prevent the occurrence of these conditions corporations engaged in transportation or communication systems are restricted to their own special line of activity.

With regard to banks and trust companies, the amendment seeks to authorize what is called as departmental banking, to regulate which the amendment provides for the insertion of new articles 147 to 153 in our corporation law, the old sections 147 to 153 having previously been repealed by the insurance law.

PARS. 7 and 8. This amendment determines how the capitalization of corporations issuing no par value stocks should be expressed in the articles of incorporation.

SEC. 4. The amendments to this section seek to conform the form of the articles of incorporation to the modifications provided in the proposed amendments with regard to the purposes, classes of stock, capitalization, etc.

SEC. 5. This amendment fixes an arbitrary value for all no par value stock for the purpose of fixing the fees to be collected upon the filing of the articles of incorporation.

SEC. 6. This amendment is logical consequence of previous amendments.

SEC. 7. This amendment may be divided into two parts.

1. The present law expressly prohibits corporations from conducting the business of buying and selling real estate. This provision is now being violated almost without restriction by companies engaged in the business of subdividing real estate. The restriction is sought to be eliminated by this amendment, provided the corporation is not organized for the purpose of buying lands and selling them at a profit.

2. The present law prohibits a corporation engaged in agriculture or in mining and any corporation organized for any purpose except irrigation from being in any way interested in any other corporation engaged in agriculture or in mining. The provision is maintained in the proposed amendment with regard to corporations engaged in agriculture or in mining. With reference to other corporations, the modification sought to be introduced is treated under the section dealing with "Investment corporations" hereafter to be considered.

The present law also prohibits any member of a corporation engaged in agriculture or in mining from being a stockholder in any other corporation engaged in agriculture or in mining. This provision seems to be unreasonable, for it prevents a bona fide investor from purchasing shares of stock in several agricultural or mining companies purely as a matter of investment, with no desire either to control said corporations or as an indirect way of acquiring the ownership of large tracts of land. The proposed amendment will allow any person to own stock in two or more corporations engaged in agriculture or in mining, provided his stock does not exceed 15 per cent of the total shares of stock of any of the corporations in which he is thus interested, and provided, further, that this interest in said corporations is solely for investment and not for the purpose of bringing about or tending to bring about a combination to exercise control in any of such corporations. This amendment also allows corporations organized for any purpose, except agriculture or mining, to own stock in two or more corporations engaged in agriculture or mining, subject to the same limitations imposed upon natural persons. Corporations are made up of individual stockholders and there would seem to be no valid reason for prohibiting a corporation to acquire what each of its individual members could acquire. This provision would also be made available to agricultural and mining corporations within certain limitations.

The proposed amendment, while allowing investors in good faith to acquire interest in agricultural and mining corporations, imposes clear, definite, and effective restrictions for the double purpose of preventing the control of innumerable corporations by a group of individuals, as well as of safeguarding the policy underlying the present land laws, namely, to promote the distribution of our lands, both public and private, among the greatest number of people. While this amendment will not satisfy the advocates of organized mass production, it will nevertheless bring about the more desired condition of agricultural development by the cooperative effort of investors in good faith in adequately reasonable quantities.

SEC. 8. This amendment will authorize the organization of investment corporations in the Philippine Islands. The present law does not seem to prohibit the organization of companies for the purpose of owning stock or in any way dealing with the shares and securities of any corporation except those engaged in agriculture or in mining. The law, however, is not clear on this point, even with regard to commercial companies, and the present amendment seeks to authorize expressly the organization of said corporations. There is nothing in the present law which would seem to prevent a commercial corporation from acquiring stocks in an agricultural corporation, but it merely provides that a stockholder, whether an individual or a corporation, that already owns stock in an agricultural or mining corporation, shall not be allowed to be in any way interested in any other agricultural or mining corporation. To allow investment corporations within proper limitations to acquire stock in mercantile corporations is the purpose of this amendment.

If individuals are to be allowed to acquire stock in as many corporations as they may choose to invest in, there would seem to be no valid reason to prevent corporations organized by different individuals to acquire stocks in any kind of corporations under exactly the same restrictions and limitations. In fact, the authority with regard to corporations would seem to be more justifiable. It would make practicable the application of fundamental principles now accepted in corporate investment which require the spreading of investments over a wide field with the consequent diversification of risks. The only objection to this scheme might be that it could promote the establishment of monopolies. To guard against this possibility, there are included in this section the provisions of the Federal statutes of the United States against monopolies or combinations in restraint of trade which are accepted as sufficient to check such tendencies.

A proviso has also been inserted to the effect that moneyed corporations such as banks, trust companies, insurance companies, and building and loan associations shall not invest more than 10 per cent of its capital and surplus in stocks of another corporation. This is in line with State statutes found in the United States.

SEC. 9. This amendment authorizes the issue of stock dividends. The present law seems vague and indefinite with regard to the power of a corporation to declare stock dividends. But it is a well-known fact that many corporations in the Philippines have been declaring stock dividends, either for the legitimate purpose of increasing the capitalization from earned surplus, or for the illegitimate purpose of avoiding the payment of the income tax. The amendment will clarify the law on this subject and, while authorizing the declaration of stock dividends, it imposes the following restrictions:

1. That it must be approved by the stockholders representing not less than two-thirds of all stock entitled to vote then outstanding.

These restrictions are considered sufficient to protect all concerned, and whereas it may occur that a small minority may not be in favor of the declaration of stock dividends, which would in effect compel them to invest in stock of the corporation the amount which they are entitled to receive in cash from the profits of the corporation, the injury that may be caused to them can not outweigh the advantages which may accrue to the greater number of stockholders by allowing them to use the net surplus of the corporation for the expansion of the business. Moreover, under the present law the minority stockholders in a corporation are in condition of greater helplessness in this regard, for there is not any provision in our present law which would compel the board of directors, representing only a majority of the shareholders, to declare any dividend at all out of the net surplus of the corporation. With the declaration of the stock dividend the condition of the shareholder in this particular is greatly improved, for whereas in the case when no dividends at all are declared he holds nothing except an expectancy to receive a share in the profits when a stock dividend is declared the shareholder is given a certificate representing an interest in the corporation which he may negotiate.

SEC. 10. The proposed amendment is a logical consequence of the previous amendments in reference to no par value stock.

SEC. 11. The proposed amendment authorizes the amendment of the articles of incorporation with regard to the relative rights of the holders of the different kinds of shares of the corporation. In order to protect the rights of the minority, which may be injured by this action, the proposed amendment grants them the right to receive in cash the actual value of their shares, to be determined in the fair and equitable manner provided in the amendment.

SEC. 12. The proposed amendment changes the present law only as to form, except that it provides expressly the granting of proxies with regard to the particular case referred to in the section.

SEC. 13. The law is not clear as to right of the stockholders of a solvent corporation to dispose of all its assets, nor is there a legal procedure prescribed for carrying out such a purpose. The amendment authorizes a corporation, by the vote of stockholders representing two-thirds of its stock then outstanding and entitled to vote, to sell, lease, exchange, or otherwise dispose of all or substantially all of its assets. Dissenting stockholders are guaranteed the right to recover the actual value of their shares as may be determined in accordance with the procedure outlined in the amendment. The purpose of this amendment is to allow two-thirds of the shareholders of a corporation who desire to transfer the whole business of a corporation as a going concern to be able to carry out said purpose without being hindered by a small minority, who very often may not act in good faith.

SEC. 14. The proposed amendment only affects corporations which have no capital stock, and seeks to prohibit the system of cumulative voting with regard to said corporations; for experience has shown that with regard to said corporations, in view of the frequent absence of a great number of members, small minorities very often availing themselves of this system, are able to elect the whole board of directors.

SEC. 15. This amendment refers to voting trusts. The present law allows individual stockholders to execute voting proxies, which is in effect a power of attorney granted to a certain individual to vote a share of stock. A voting trust agreement is merely a proxy granted by several stockholders of a corporation on the consideration, among others, of their mutual agreement to create the voting trust. The present law is silent as to the right of shareholders to execute agreements for the purpose of establishing a voting trust, but it is the consensus of opinion among lawyers that such agreements are legal and permissible under the present law. As a matter of fact, many voting trust agreements have been executed in the Philippine Islands, the best known being the voting trust created in favor of the Philippine National Bank by the stockholders of the Binalbagan Estate (Inc.). Voting trusts have been found convenient and necessary instruments of corporate managements in order to establish definite and permanent policies, as a condition required by capitalists or banks before they come to the rescue of distressed corporations, with a view to securing competent management thereof. The amendment proposes to clear up the law on this subject, prescribes the procedure to be followed and, at the same time, imposes certain important limitations, as for example, that no voting trust shall be created for the purpose of placing under one management two or more corporations which under the law may not be organized as one corporation by reason of their purposes. The present amendment is permissive and not compulsory. It does not compel any individual stockholder who does not so desire to sign a trust agreement.

SEC. 16. This amendment merely converts section 36 of the corporation law into section 37.

SECS. 17 and 18. The amendments make a readjustment of the numbers of the sections of the law and authorize the dissolution of a corporation and the distribution of all of its assets among its members without the necessity of court action, provided it does not affect the rights of any creditor having a claim against such corporation. Two-thirds of the stockholders is required for this action.

SEC. 19. The proposed amendment deals principally with investment of the stock in certain corporations, and authorizes their payment by installments.

SEC. 20. This new section maintains in full force and effect the provisions of the law prohibiting monopolies and combinations in restraint of trade, and also the integrity of the provisions of the present land laws of the Philippine Islands.

SEC. 21. This section is a transitory provision for the purpose of obtaining the approval of the Congress of the United States to the provisions of this measure which may require congressional action, because of their conflict with the Jones Act.

Mr. GUEVARA. I wish to say a few words concerning the entry of American capital into the Philippine Islands. It is not necessary for me to say, for I have done so time and again, that the Filipino people not only welcome American capital but are also moved by the highest spirit of friendship toward it. The Philippines are in need of capital for their economic development. The Filipino people are aware that foreign capital is bound to come to the islands, and if they are to follow the modern trend of national life they can no longer isolate themselves from the outside world. Their preferences must necessarily be for American capital. Its prosperity is the prosperity of the Filipino people, and I consider it a privilege to say that our future and that of our country will be safer with American investors than with any other. American investment has never meant peaceful penetration. It has always been an instrument for friendly cooperation. It is law-abiding and the American Government, founded on humanitarian principles, has never used its power to make of that capital an instrument of oppression. [Applause.]

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

Mr. GUEVARA. Yes.

Mr. HOOPER. As I understand it, the real purpose of this bill is to liberalize the corporation act in the Philippine Islands?

Mr. GUEVARA. Yes.

Mr. HOOPER. And to make it more possible in a business-like way to handle business in those islands?

Mr. GUEVARA. Yes.

Mr. HOOPER. Holding corporations are provided for here?

Mr. GUEVARA. Yes.

Mr. HOOPER. And investment corporations?

Mr. GUEVARA. Yes.

Mr. HOOPER. The gentleman has recently been reelected as the Commissioner from the Philippine Islands?

Mr. GUEVARA. Yes.

Mr. HOOPER. On behalf of the committee I congratulate the gentleman.

Mr. GUEVARA. I thank the gentleman from Michigan.

Mr. MORTON D. HULL. Mr. Speaker, will the gentleman yield?

Mr. GUEVARA. Yes.

Mr. MORTON D. HULL. What particular business interests have been boosting this particular legislation?

Mr. GUEVARA. No particular business has been boosting this bill, but the Philippine Legislature itself, as representing the people of the Philippine Islands, saw fit to modernize the corporation law.

Mr. MORTON D. HULL. It was modernized in the Philippine Legislature at the request of some people there who had some particular motive in it?

Mr. GUEVARA. No.

Mr. MORTON D. HULL. Was it the sugar interests?

Mr. GUEVARA. No; it does not affect the sugar interests at all.

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

Mr. GUEVARA. Yes.

Mr. SCHAFER. Was it the rubber interests?

Mr. GUEVARA. No; because we have no rubber interests in the islands.

Mr. SCHAFER. The rubber interests have studied the question of planting rubber trees in the Philippine Islands. If this bill is enacted into law, will it remove the limitation that we now have regarding the number of acres of land that one corporation can hold?

Mr. GUEVARA. By no means.

Mr. SCHAFER. And the gentleman does not know of any particular interest or monopoly that is advocating the passage of this bill by Congress, or that has been advocating its passage before the Philippine Legislature?

Mr. GUEVARA. No. I am positive that no special interest is backing this bill.

Mr. SCHAFER. I know that the Commissioner from the Philippines [Mr. GUEVARA] has ably represented his people, and that they could not find a better representative. If this bill meets with his approval, I shall certainly not oppose it.

Mr. GUEVARA. I thank the gentleman. It has my approval. Mr. JENKINS. Mr. Speaker, will the gentleman mind going into detail and giving us a little of the history of the growth of this bill through the Legislature of the Philippines?

Mr. THURSTON. Is it not true that this bill was passed by the insular assembly at the instance of the Governor General?

Mr. GUEVARA. The Governor General recommended the modification of our corporation law. And he was in favor of the passage of this measure.

Mr. THURSTON. Does this bill in any way modify or affect the amount of land that a corporation can hold in the Philippine Islands?

Mr. GUEVARA. No.

Mr. MORTON D. HULL. How much land can they hold?

Mr. GUEVARA. Two thousand five hundred acres of land.

Mr. THURSTON. One additional question. Is any measure now pending in the insular assembly which would remove the restrictions of 2,500 acres that a corporation can own?

Mr. GUEVARA. I believe that the working of this amendment will accomplish that end.

Mr. THURSTON. And that is of highly economic importance to the development of the island?

Mr. GUEVARA. Yes.

Mr. HOOPER. As reflected by the vote in the assembly of the Philippine Islands, does the gentleman believe that this bill meets with the general approval of the business interests and the business people?

Mr. GUEVARA. Of the people, too, because the business interests represent a minority, but the people as a whole approve this amendment.

Mr. HOOPER. It meets with the approval of both the native and the American population?

Mr. GUEVARA. Yes.

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

Mr. GUEVARA. Yes.

Mr. GIBSON. The gentleman, in addition to being a very able representative of the Philippine Islands, is a distinguished lawyer of the Philippine Archipelago. He is fully familiar with the conditions there. Do I understand that this will help in the commercial development of the islands?

Mr. GUEVARA. Yes.

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

Mr. GUEVARA. Yes.

Mr. JENKINS. There was one question I asked that the gentleman did not have an opportunity to answer. I would like to know what opposition there was to the enactment of this bill?

Mr. GUEVARA. As I pointed out, the opposition was based upon the theory that the authority given to corporations to issue stock without par value would make possible the practice of fraud upon innocent investors.

But I believe it is wrong, because the issue of a stock with par value leads to the deceiving of the innocent investor. For instance, if in the market is offered for sale 200 shares of stocks, with par value of \$100 each, the innocent investor who does not care to investigate the financial status of the corporation blindly accepts the face value of it and pays \$100 for each of such stocks, which probably is not worth 2 cents.

Mr. O'CONNOR of New York. Is it not a fact that the whole theory of the no par value of stock shows that it was adopted for the purpose of preventing fraud on the innocent purchaser, and that is the reason that the no par value stock was adopted throughout the United States?

Mr. BANKHEAD. I would like to ask a question or two for information. Is the stock exchange at Manila similar to that in New York?

Mr. GUEVARA. Oh, no, sir.

Mr. BANKHEAD. Nothing of that sort?

Mr. GUEVARA. Not even a shadow of it.

Mr. HOOPER. Who drafted this law—a commission appointed by the legislature?

Mr. GUEVARA. A committee of the Bar Association of the Philippine Islands, and this committee was composed of prominent lawyers who reported and recommended the amendments to the Governor General, and the Governor General sent a message to the legislature recommending their approval.

Mr. SCHAFER. Will the gentleman yield?

Mr. GUEVARA. I will.

Mr. SCHAFER. Is this bar association composed of Filipino attorneys as well as American attorneys?

Mr. GUEVARA. Ninety per cent Filipinos and 10 per cent Americans.

Mr. HOOPER. And Filipino lawyers had a proportionate part in the representation on the board or commission which drafted the law?

Mr. GUEVARA. They constituted the majority.

Mr. HOOPER. And it meets with their acquiescence?

Mr. GUEVARA. Yes, sir.

Mr. LEHLBACH. Do I understand this bill meets with the approval of the Governor?

Mr. GUEVARA. Yes, sir. I thank you. [Applause.]

Mr. KIESS. Mr. Speaker, I move the previous question.

The previous question was ordered.

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

A motion to reconsider the vote by which the bill was passed was laid on the table.

BOARD OF VISITORS FOR PHILIPPINE ISLANDS

Mr. KIESS. Mr. Speaker, I call up the bill (H. R. 16877) providing for the biennial appointment of the board of visitors to inspect and report on the government and conditions in the Philippine Islands.

The Clerk read the title of the bill.

The SPEAKER pro tempore. This is on the Union Calendar.

Mr. KIESS. Mr. Speaker, I ask unanimous consent that the bill may be considered in the House as in Committee of the Whole House on the state of the Union.

The SPEAKER pro tempore. Is there objection?

Mr. BANKHEAD. Reserving the right to object, Mr. Speaker, is this a unanimous report from the committee?

Mr. KIESS. Yes.

Mr. BANKHEAD. There is no opposition to the bill in the committee?

Mr. KIESS. No.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

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

Be it enacted, etc., That there shall be appointed biennially, during the second regular session of each Congress prior to the Seventy-fifth Congress, a board of visitors to the Philippine Islands to investigate the state of the government of such islands, including the economic and social conditions of the people thereof. Each board shall consist of three Members of the Senate, to be appointed by the President of the Senate, and five Members of the House of Representatives, to be appointed by the Speaker of the House of Representatives, who are Members or Members elect of the next Congress. A vacancy in a board shall not affect the powers of the remaining members to execute the powers of the board. Each board shall select a chairman from among its members. Each board shall cease to exist upon the date of making the report prescribed in section 3.

SEC. 2. The members of a board shall receive no additional compensation for their services as such members; but they shall be reimbursed for necessary expenses, including actual expenses for travel of such members and a clerk, incurred by them in the performance of duties vested in the board. The expenses of a board shall be paid three-eighths from the contingent fund of the Senate and five-eighths from the contingent fund of the House of Representatives, upon vouchers signed by the chairman of the board and approved by the Committee to Audit and Control the Contingent Expenses of the Senate and the Committee on Accounts of the House of Representatives, respectively.

SEC. 3. Each board shall make a report to Congress during the first regular session of the Congress succeeding the appointment of its members, which shall contain a statement of the results of such investigation, together with recommendations for appropriate legislative or other action.

The SPEAKER pro tempore. Without objection, the Clerk will be authorized to correct the spelling of the word "effect" on page 2, line 3.

There was no objection.

The SPEAKER pro tempore. Without objection, the Clerk will also be authorized to correct the spelling of the word "three-eighths," on page 2, line 13.

There was no objection.

Mr. KIESS. Mr. Speaker, I move to strike out the last word.

The SPEAKER pro tempore. The gentleman from Pennsylvania moves to strike out the last word. The gentleman is recognized for five minutes.

Mr. KIESS. Mr. Speaker, the bill under consideration is almost identical with the bill which passed the House of Representatives on June 21, 1926. It provides for a board of visitors somewhat similar in character to those already provided by statute for such governmental activities as the Military and Naval Academies. It is not a special investigating commission. It assumes nothing in the nature of a criticism of existing conditions and in no way conflicts with or reflects upon individual investigations which have been or may be made by the executive branch of the Government for its own purposes.

We believe that in view of the responsibility resting upon Congress for the safety, security, and just government of those millions of people who live in the Philippine Islands, and in view of the remoteness of those islands and the difficulty experienced by Members of Congress in obtaining first-hand, personal information regarding the government of the Philippine Islands and the conditions in those islands, it is highly important that there should be a regular biennial official visit made by Members of Congress to gather information and to inspect governmental activities.

It is my opinion that such a board of visitors visiting the islands regularly every two years will serve to allay any fears on the part of residents in those islands that the Congress is likely to neglect their duties to the Philippine Islands. There is no other way in which the citizens of those islands can present their grievances in person before a committee of the Congress without incurring the expense of a long and costly journey.

The practice of sending a board of visitors to West Point and Annapolis at regular intervals has worked admirably. It has served to keep the Congress in constant touch with actual conditions at the academies. The Congress has not waited until serious difficulties arose, and as a result the conduct of the academies has been most satisfactory. In the Philippines no such policy has been followed. It is believed that this has been detrimental to the progress and prosperity of those islands.

The bill makes provisions for carrying out President Coolidge's recommendation contained in his message of December 6, 1927, to the Seventieth Congress, when, in referring to the Philippines, he said:

It would be well for a committee of the Congress to visit the islands every two years.

This legislation has also the indorsement of the Bureau of Insular Affairs of the War Department and is favored by the representatives of the Philippine government.

Mr. SCHAFER. Mr. Speaker, will the gentleman yield for a brief question?

Mr. KIESS. Yes.

Mr. SCHAFER. I have been reading section 2. I would like to be informed whether, in the gentleman's opinion, provision is made for only one clerk for the committee. The language of the bill can be construed so as to provide one clerk for each member of the committee.

Mr. KIESS. The intention was to provide for one clerk for the committee.

Mr. UNDERHILL. The word "members" is plural, not singular, and consequently it means the committee and not the individual members.

Mr. JENKINS. Is it not true in your handling of the affairs of Porto Rico that very frequently delegations come from Porto Rico?

Mr. KIESS. Yes; every year.

Mr. JENKINS. Is it not true also that they do not come from the Philippines?

Mr. KIESS. Yes.

Mr. JENKINS. Is not the object of this bill to obtain contact with the Filipinos when it is too expensive for the Filipinos to come here?

Mr. KIESS. Yes. This would give the Filipinos a chance to get in touch with Congress.

Mr. DALLINGER. Is it not a fact that as chairman of the Committee on Insular Affairs it is your experience that in every case where people have appeared from the islands, pro or con, any change, the one thing that they have great hope for is that a committee will visit the place and study the conditions on the ground?

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

Mr. KIESS. Mr. Speaker, I ask for five additional minutes.

The SPEAKER pro tempore. The gentleman from Pennsylvania asks unanimous consent to proceed for five additional minutes. Is there objection?

There was no objection.

Mr. KIESS. In answer to the inquiry of the gentleman from Massachusetts [Mr. DALLINGER] I will answer yes.

Mr. COCHRAN of Missouri. Mr. Speaker, will the gentleman yield?

Mr. KIESS. Yes.

Mr. COCHRAN of Missouri. This appears to be rather a little joy ride for Members of Congress. Are you going to appoint similar commissions or committees to visit Hawaii and Porto Rico?

Mr. KIESS. I may say to the gentleman that our particular committee has no jurisdiction over Hawaii or Alaska. They are under the Committee on Territories. Our committee has

the Philippines, Porto Rico, the Virgin Islands, Samoa, and Guam.

Mr. COCHRAN of Missouri. We have a representative over in the Philippines. He reports annually to the President, and his report comes to Congress, and the Bureau of Insular Affairs reports to Congress. It seems to me that this is an absolutely useless expenditure of funds, to send Members of Congress over there, because Congress as a whole is not going to listen to the representations of a few men who take a ride over there.

Mr. KIESS. It is going to be a considerable sacrifice to some Members who may be appointed on this committee to go to the Philippines, which will take three months or more out of the year.

I have had an experience recently in Porto Rico after the hurricane. I went down there and personally saw the damage and talked with the people. It had a wonderfully beneficial effect there. It showed those people that Members of Congress were sufficiently interested in them to take the time to go there and travel over the island.

I believe that if this bill is passed and this commission is sent to the Philippines it will bring the Philippine people in closer relations to the people of the United States, and so long as we are going to keep them I think we ought to do everything we can to better our relations.

Mr. SCHAFER. Would it not be a good thing to be sure that at least one member of this committee should be a Member of Congress who favors Philippine independence?

Mr. KIESS. The appointments will be made by the Speaker, and I am sure we all have confidence in him. The bill does not provide that the members shall necessarily be members of the Committee on Insular Affairs. That question was brought up by the committee, and it was the unanimous opinion of the committee that we should not put that restriction in the bill. We do not want anyone to feel that the members of the Committee on Insular Affairs desire to press a bill limiting the membership of the proposed committee to members of the Committee on Insular Affairs.

Mr. THURSTON. Is it not a fact that the War Department recommends this?

Mr. KIESS. Yes. The War Department and the Philippine representatives have urged it for a number of years. The Resident Commissioner from the Philippines [Mr. GUEVARA] is here and will speak for the bill later.

Mr. RAGON. I certainly hope this bill will pass unanimously. I think I am one of the early proponents of this measure. The gentleman from New York [Mr. WAINWRIGHT] and I discussed this bill for some time before he first introduced it several years ago. I think the purpose this bill will serve will meet the commendation of every man on the floor of this House. I am no longer a member of this committee, but having been a member of it for the last six years I feel an abiding interest in the provisions of this bill and its effects on the Philippine Islands.

For years we have had people go to the Philippine Islands. They come back and write syndicated articles for some of the great newspapers, either fighting Philippine independence or espousing the cause of Philippine independence. The result of that propaganda has been to secure the individual opinion of various persons as to conditions existing in the Philippine Islands which, from my own investigation of the question, has proven to be, in nine cases out of ten, an absolute enlargement and all out of proportion to the importance of the thing about which they talk or write.

Mr. UNDERHILL. Will the gentleman yield?

Mr. RAGON. Yes.

Mr. UNDERHILL. And those opinions largely depended upon from whom they received the greatest courtesies and entertainment?

Mr. RAGON. Absolutely. I will tell you what I can do. I can meet a man who has made a trip to the Philippine Islands, and before I have talked with him for three minutes I can tell with which crowd he associated while he was there.

Now, it has always been the opinion of the committee bringing out this bill that what we need in Congress is a nonpartisan committee that can go to the Philippine Islands and meet the people, representing all factions, and ascertain their needs. They would know the committee bore an official authority, so that they could come before it and give such information as they had bearing upon the economic and political progress of the islands.

I think it is more important that we send this committee there now than ever before. I do not want to deal with any delicate relations, but I am going to venture this expression here this afternoon, that we have been playing entirely too much politics with the Philippine Islands. It has been too much of a Democratic and a Republican argument for the good of the islands.

I can see a certain amount of the criticism that was leveled at the head of the Governor General during the administration of President Wilson might have been just. I can see some of the criticism which was leveled at the head of General Wood was perhaps just. But back of the criticisms of both I think was an unnecessary—and in some instances an ignorant—political motive which prompted them. I do not know but what we could have had better Governors General than either one of those gentlemen, but that is beside the question. However, I do say to men on both sides of this aisle to-day that I do not believe that in the history of the Philippine Islands there has ever been a better condition than exists there to-day under the present Governor General of the Philippine Islands. [Applause.] I have been one who has fought as stubbornly as anyone for the protection of these islands, and these men on the committee know it; but I believe in giving credit where credit is due. And one of the regrets that comes to me is the news that is now published in the columns of the press that perhaps the Philippine Islands is going to lose their present Governor General. He has been a good man. He has the support of all the factions over there. I do hope and trust that when this committee goes over there it will have in view only one thing, and that is to get at those things that are important for the progress of that community. [Applause.]

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

Mr. RAGON. Mr. Speaker, I ask unanimous consent to proceed for five additional minutes.

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

There was no objection.

Mr. RAGON. There are 12,000,000 people over there. Among them are many poor people. To my mind those islands represent one of the greatest prospects in all the world for a great future, and I think their progress depends upon the sane and sensible view we take here in Congress as to their future.

I have seen some suggestions brought before the Ways and Means Committee recently, and if those suggestions are carried out I say to you they will reflect, in my opinion, to the everlasting shame upon the treatment that America is according the Philippine Islands. [Applause.] I do hope and trust that the Members of Congress will inform themselves upon the great questions that are pending before the Ways and Means Committee with reference to placing a duty upon sugar, cocoa, coconut oil, and so forth, coming from the Philippines. I trust you will study these questions before you lend your support to the placing upon these products tariff rates that will eventuate in the practical starvation of the Philippine Islands.

What these islands need to-day more than anything else, my friends, is capital. There is but one source of capital to which they can look for support, and that is American capital; and I say to you that American capital is timid now because of the uncertain political status of the islands, and whenever you take off the inducement of free entry into American ports of Philippine products you are absolutely going to foreclose forever from the Philippine Islands American capital.

Mr. PERKINS. Will the gentleman yield there?

Mr. RAGON. Yes.

Mr. PERKINS. What about the proposed restriction on the quantity of imports of sugar and other products; would that have the same effect?

Mr. RAGON. I think unquestionably it would.

Mr. UPDIKE. Will the gentleman yield?

Mr. RAGON. Yes.

Mr. UPDIKE. Does not the gentleman think this bill will tend to establish the confidence of investors in the Philippine Islands when men of authority go over there and interest themselves in the condition of the Philippine Islands?

Mr. RAGON. There is no question about it; and if any tariff changes must be made with respect to the Philippine Islands they ought to at least await the investigation started by this committee.

This committee will serve the same purpose as your committees in Congress. They will investigate, and the information they secure will be first-hand information. It will not come from the unsustained lips of some propagandist or some member of a faction, but your committee will be over there and they will see and will bring back first-hand information.

Mr. JENKINS. Will the gentleman yield?

Mr. RAGON. Yes.

Mr. JENKINS. Does not the gentleman think the fact that this is to be a continuous committee is very important?

Mr. RAGON. I think so; I have always insisted it should be a continuous committee, and the only objection I see to the present bill is that the committee dies as soon as it makes its report. I think the committee that goes there this year should

be the committee to go there two years hence, because the committee going there this year two years hence will see the progress or the lack of progress which has been made in the islands.

Another thing is that this involves a great study of the people, their habits and customs, some of which run back into the centuries, longer than the life of America, and this necessarily entails a great deal of study, and a man must familiarize and acquaint himself with all these things in order to properly understand the Philippine question. If you change the personnel of the committee every two years, then you have a crowd of freshmen on each committee every two years solving the problems of the Philippine Islands. That is one thing which I contend has been the trouble all the time with a solution of the Philippine problems—we have handled them too much with the hands of inexperience.

Mr. DALLINGER. Will the gentleman yield?

Mr. RAGON. Yes.

Mr. DALLINGER. There is nothing in the bill to prevent the Speaker from reappointing.

Mr. RAGON. Not a thing; and I hope that the committee that is pressing this bill will keep it fresh in the minds of the administration of the House that they do that.

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

Mr. RAGON. Mr. Speaker, I ask unanimous consent to proceed for two minutes more, and I shall not ask for any further time.

The SPEAKER pro tempore. Without objection, the gentleman from Arkansas is recognized for two additional minutes.

There was no objection.

Mr. BRIGGS. Will the gentleman yield?

Mr. RAGON. Yes.

Mr. BRIGGS. Has the gentleman any suggestion to make as to the appointment of this committee to handle a matter of so great importance to the Philippine Islands and the Congress, so that we can be sure that the divergent views that are entertained shall be represented on the committee, so that the Congress may have the full benefit of the conclusions which are reached and not have, perhaps, just a reflection of a one-sided opinion or a confirmation of impressions that already exist?

Mr. RAGON. I agree with the gentleman, and I think that is the purpose of the bill, and I think that is in the minds of the proponents of the measure and the Speaker of the House. I think it would be quite unfortunate to put on the committee a solid group of either Republicans or Democrats, and I think, as the gentleman from Wisconsin suggested, it would be an unfortunate thing if all those who are on the committee were unqualifiedly in favor of immediate independence; and, on the other hand, I think it would be quite unfortunate if everybody on the committee was against it.

Whether the Philippine Islands are now ready for independence is beside the question in respect of the issues involved in this bill. So far as I am concerned, my attitude is known in the committee; but I do think that in the absence of any plan to give them independence at any time in the future, that the best step and the most sensible step that this Congress and succeeding Congresses can take, would be to have a committee that would go there and not stay a month, but, if necessary, stay two months; go into the interior of that country; see their products, their natural resources, and then bring back to the Congress some first-hand information upon which we can depend in order to properly legislate for these people. [Applause.]

Mr. HOOPER. Mr. Speaker and gentlemen, I do not like the casual way in which the gentleman from Missouri [Mr. COCHRAN] referred to the proposed "joy ride" of members of the commission to be appointed by the Speaker. If that is a "joy ride," I took a joy ride to the Republic of Panama, and it was one of the best rides I ever took in my life. I came home more full of information gained in the space of 20 days than I could have gotten at home in my life. The information that I acquired will be useful to me as long as I remain a Member of Congress and the rest of my life. I think "joy rides" of this kind are essential in such matters. A Congressman can go and inform himself about matters of which he has very little knowledge and come back and give that information to Congress; he does more than that, he carries information to his district for which his friends and constituents are truly thirsty.

I have been used to public speaking all my life in one way or another, and I do not believe I was ever able to interest the people in what I said as I did when I came home and told them about the little time I spent in Haiti and on the Isthmus of Panama learning about that great governmental institution, the canal.

The Philippines are an empire; we are legislating for an empire and know shockingly little about it. It extends from

near Formosa on the north almost to the great island of Borneo on the south, more than 1,000 miles. It has more than three times as many people as the thirteen Colonies contained when they became the United States of America.

How are we going to find out, how are we going to act intelligently, how are we going to legislate for the benefit of eleven or twelve million human beings unless from time to time Members of the legislative branch of the Government go there and inform themselves about it?

I do not expect to be one of the members of that commission going on the "joy ride," as the gentleman from Missouri calls it. But I want to see Members of this House go there; I want them to get the information first hand that will enable them to go from Luzon on the north to Sulu on the south; I want them to see what I have read about, but of which I know nothing from observation. I want them to come back and tell us what they saw, and I hope there will never be any question when a bill such as this one comes before the House of Representatives upon the part of any person about sending the very best and the very wisest men we can from this body to bring back that information which we need and which the people of the Philippine Islands need so that we may have proper legislation for these people.

There will always be a division in Congress as to whether it was best for the United States to acquire the Philippine Islands, but they are the possessions of the United States to-day, and in all human probability they will be a part of our territory for many and many a long year to come, at least until we are convinced beyond the shadow of a doubt that the people of those islands, so well represented by this able lawyer, the Resident Commissioner from the Philippines [Mr. GUEVARA], are capable of self-government. [Applause.] We will never cast them adrift until we are satisfied that they will become the prey and victim of nations ready and eager to take up the task where we laid it down. [Applause.]

Mr. QUIN. Mr. Speaker, I move to strike out the last word.

The SPEAKER pro tempore. The gentleman from Mississippi is recognized for five minutes.

Mr. QUIN. Mr. Speaker and gentleman, in my judgment this is a wise bill, though, as was stated by the gentleman from Arkansas [Mr. RAGON], it may be necessary to amend it in some particulars. It was my pleasure to go to the Philippine Islands not long since. I rode in an automobile from north to south of the island of Luzon. Our people in the United States are trustees, and this Government of ours acts in a measure as a trustee for the Philippine Islands. If I had my way about it, that race of people would be given their independence; but since this Government does not see fit to follow that policy, there is an obligation resting upon this Congress to see to it that the very best thing possible is at all times done for what I conceive to be an oppressed people, who, if properly treated, have a great future before them.

The people in those far-distant islands are rapidly developing, and as an evidence of their civilization we have this distinguished gentleman on the floor of the House, who represents them, the Commissioner from the Philippine Islands [Mr. GUEVARA]. Then, also, there is our friend Senator Quezon, president of the Philippine Senate, and an able man does not live in the Orient than Mr. Quezon. These gentlemen are a type of the high-class citizenship who are there, but it seems that the propaganda put over this country through newspapers and magazines and on every boat that carries anybody to the Philippine Islands, has been more or less successful. Even before you are off the Government transport propagandists are there telling you that the people of the Philippine Islands are not capable of self-government.

The United States Congress ought to familiarize itself with the conditions there, and with the people and with the chances that they would have in the future. This committee provided for would be appointed by the honorable Speaker of this House, not from people holding one view but from people of different views. There are some people who think that the people of the Philippine Islands ought never to have their independence; some who think they should not have the chance. We know that they will not have the chance if you are going to cut off their imports into the United States. If we are going to hold the islands, let us do what is just. Our trade relations with that little Republic depends upon a sensible Congress. Instead of talking about stopping their imports from coming into this country, or cutting off the reciprocal relations that exist and putting them on a parity with foreign nations, we ought to be encouraging reciprocal relations. The idea of cutting off their imports seems to me to be utter nonsense. It will not alone affect their commerce but it will be detrimental to the success of the Filipino people as a nation.

They are not a homogeneous people. There are many classes and different strata. They have poor people just like we have in the United States. They have some few rich, cultivated, and cultured people. I never saw anywhere in the United States a more refined and elegant set of ladies than I saw at some of the entertainments I attended in the city of Manila. I have attended entertainments in practically 15 States of this Union, in the most cultivated and refined homes, and I pledge you my word that the swarthy-complexioned ladies who have been cultivated and trained and who attended those entertainments in Manila had all of the earmarks of refinement and culture and I might even say of aristocracy. The people of this country do not understand, because of this propaganda, what the Filipino people stand for and what prospects they have if they are given a chance. Up to this minute since our Government took over these islands they have not been given the chance that they are entitled to, in my humble judgment. [Applause.]

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

Mr. GUEVARA. Mr. Speaker and gentlemen of the House, I am rising now to give my hearty support to the bill introduced by the gentleman from New York [Mr. WAINWRIGHT] providing for the biennial appointment of a board of visitors to inspect and report on conditions in the Philippine Islands.

I regard the provisions contained in the bill now under consideration as a constructive step to be taken to put the Congress of the United States in a close contact with the people of the Philippine Islands. This should have been done long ago. A frequent visit on the part of the Members of the Congress of the United States to the Philippine Islands will convey to its inhabitants the great interest that this Government takes on their behalf and its desire to know conditions and needs requiring the enactment of necessary legislation.

This visit will have the effect of promoting mutual sympathy and friendliness between the two peoples while living under the shadow of the same flag and protection of the same Government.

The state of isolation which has characterized the relationship between the United States and the Philippine Islands has given rise to some kind of misconception of such relationship on the part of a group of the American people. Why? Because the Philippine Islands, which are 10,000 miles away from Washington and 7,000 miles from the nearest port of the United States, can not be fairly known by the American people unless their Representatives in Congress visit that country as frequently as they can.

The passage of the bill now under consideration will also facilitate a mutual understanding between Americans and Filipinos, whose present problems demand an immediate solution. One of the effects of the state of isolation in which the Philippine Islands has been placed in relation with the United States is the move now on foot on the part of the people of a certain section to curtail the free-trade relations existing between the two countries. The American people as a whole have always considered the Philippine Islands as a foreign country, and they have but a slight idea as to the true nature of the aims and purposes of their Government toward the Philippines.

This movement to curtail the free-trade relation between the United States and the Philippines is causing a tremendous financial loss in the business life of the islands. Native capital is frightened by this movement and is now lying idle in the bank chests. American capital which is needed for the economic development of the Philippine Islands, in accordance with the program of the United States Government, is naturally fearful of making investment in view of the proposed curtailment to our free-trade relations. Uncertainty is now the characteristic of the business life in the islands. It is a miracle that business in the Philippines has not come to a standstill. In a word, Mr. Speaker, there is a tremendous economic crisis in the Philippines in view of the proposed curtailment of the existing free trade. If the board of visitors created by the bill now under consideration had been approved two years ago when it was first introduced by its author, this agitation for free-trade curtailment would not have taken place. I am afraid, Mr. Speaker, that this unfortunate situation now prevailing in the islands may cause a depression also on the cotton textile trade from the United States. The Philippines are one of the best customers for exports of cotton textile from the United States, as was recently testified before the House Ways and Means Committee. Depression in the Philippines will, of course, reduce the purchasing capacity of the Filipino people for cotton textiles as well as other American products. [Applause.]

Before concluding I wish to congratulate the author of the bill now under consideration, the gentleman from New York [Mr. WAINWRIGHT], for his constructive plan to place the Congress of the United States in a position to acquire true knowl-

edge and information regarding the Philippine Islands and its people.

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

Mr. GUEVARA. Yes.

Mr. UNDERHILL. Does the gentleman not think that as well as informing Members of Congress of affairs over there the view of such a committee would be very informing to the Filipino people of the attitude of this Nation, and the general character of the men who are its representatives?

Mr. GUEVARA. Yes; I think so.

Mr. WAINWRIGHT. Mr. Speaker, I move to strike out the last word, and ask unanimous consent to extend my remarks in the RECORD.

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

Mr. WAINWRIGHT. Mr. Speaker, and gentlemen of the House, everything that could be said in favor of this bill, everything that I, as the sponsor for and introducer of this measure, might have said, every reason that could be advanced for its passage, has already been said and so well said, probably so much more cogently and better said than I could say it myself, that I would not be justified in consuming much more of the time of the House on this measure. May I express my great gratification at the turn this debate has taken, my enthusiasm, one might say, at the sentiments expressed and the attitude which the gentlemen who have spoken have assumed toward this measure and toward our duty and relation to the Philippine Islands. The character of the debate and the views expressed here justify the enthusiasm, the respect, the regard that I have for this body in which I have the honor to serve.

This is not a new proposition nor a new measure. This bill, substantially in its present form, passed this House unanimously in the last Congress.

The proposed procedure has been recommended by the President of the United States. I violate no confidence in saying that I had, or until the day he left for the Philippine Islands had—I have not had the honor of hearing from him in regard to it since then—the very great approval of the present Governor General of the Philippine Islands, whom you remember made a notable visit to the Philippine Islands some two years ago. No one can go to the Philippines and not realize the enormous responsibility which rests upon our country in regard to the future of this people. As the gentleman from Arkansas [Mr. RAGON] said, the Philippines are a great empire. We should particularly realize the grave responsibility resting upon the Congress of the United States to promote the prosperity and the progress and to develop and safeguard the future of this great island empire. They stretch for a thousand miles in length, are several hundred miles across, and have more than 11,000,000 people. No one who visits them, as I have, can fail to be impressed with the lack of the knowledge of our people of these islands; yes, with the lack of interest that our people have displayed in these brothers of ours for whose fate we have been made responsible. One of the resolutions which I made when I returned from the Philippines after my election but before I took my seat in Congress was to try to establish procedure such as this as a link, you might say, between the Congress of the United States, which is the branch of our Government charged with the fundamental responsibility with regard to these islands and the people and government of the islands themselves.

It is indeed remarkable, Mr. Speaker, in the light of the responsibility we have assumed toward these islands, and in view of all the perplexing questions and situations that have arisen from our relation with them, that no provision has been made in all these years for authoritative and official visits to the islands on the part of the branch of the Government primarily concerned with all fundamental policies and measures. Let us not forget that under the Constitution the responsibility rests directly on Congress. In my judgment, that responsibility can not be satisfactorily met, or our duty fully performed, except by periodic visits by authoritative representatives of the Congress itself as here proposed. The great advantage that must ensue, can not fail to more than justify the comparatively trivial expense involved. Also, the advantage of regular and periodic visits must be obvious. Again, advantage will come not only from the informative value of such visits but from the inevitable gratification which the people of the islands themselves will derive from this manifestation of the interest and concern in their welfare by the direct representatives of our own people.

Mr. JENKINS. Will the gentleman yield?

Mr. WAINWRIGHT. I will.

Mr. JENKINS. It is the fact that the gentleman is the author of this measure, the original measure.

Mr. WAINWRIGHT. I am glad to assume full responsibility for it.

Mr. JENKINS. One question, and I do not think this was brought out heretofore as I am able to gather. Does not the gentleman think that the establishment of a biennial visit to the Philippine Islands by a committee on a permanent basis will have a tendency to induce the Philippine business men, those who have the problems in the island to face, to gather themselves together and be a medium by which our commission sent over there can take up those problems and thereby sew both countries together, so as to be of great benefit both to this country and the Philippine Islands?

Mr. WAINWRIGHT. Of course, I do. It will establish a direct medium of communication between our people and their people and their government and our Government, which has never yet existed and can not fail to increase the mutual regard and improve the relations between the two peoples.

Mr. SCHAFER. Will the gentleman yield?

Mr. WAINWRIGHT. I prefer not to do so just now. I have been so glad to hear the distinguished Delegate from the Philippine Islands express himself as he has in favor of this measure. I consider this is a procedure not only for the immediate future but for all time, for so long as we are charged with the responsibility of exercising sovereignty over those islands, and caring for the relations between the Philippines and the United States. [Applause.]

Mr. DENISON. Mr. Speaker, I move to strike out the last three words. Mr. Speaker, I came into the Chamber after most of the discussion on this resolution was over. I have read the report and I have taken the floor to say that I am in favor of it. I remember very well when we commenced to expand after the Spanish War, and we took over Porto Rico, Cuba, and the Philippines; there was a great national campaign in this country in which the question of imperialism on the part of our Government in taking over these islands was the paramount political issue. It was often stated during that campaign that our Government was not suited to governing distant possessions, and there was some force in that argument; it was claimed that Members of Congress will not take an interest, will not take sufficient interest in such insular possessions to enable them to legislate intelligently for them. Now, I have always endeavored since I have been a Member of Congress to induce the Members to visit our distant possessions and become better acquainted with them, to learn something about those peoples and the conditions which exist there in order to enable us to legislate intelligently and govern them properly. But it has been very difficult.

I might mention the Panama Canal Zone. We have a community down there of 50,000 or 60,000 Americans, our own citizens. They have no right to vote. They have no representative in Congress. And yet they have all the same problems that we have in this country and many more besides; and we have the greatest project down there that any government ever had—the Panama Canal. Congress has to legislate for them, and we are the only ones that can legislate for them. Yet the average Member of Congress does not feel enough interest in the welfare of our people down there to go there and study their conditions. In order to induce Members of Congress to go to the Panama Canal Zone and study the conditions there in order to enable them to legislate more wisely, the Government furnishes to Members free transportation to and from the Canal Zone any time they wish to go; yet even with that inducement not many Members go down there.

I have taken the floor to emphasize this point, that it is important for the Members of Congress to visit these insular possessions and become acquainted with conditions there, so that we can legislate more wisely for them, and such a trip ought not to be called a "junket" or a "joy ride." That sort of loose remark injures the cause of the people who are dependent upon us for legislation; and the Members of this body and of the Senate ought, when they can, so long as we have jurisdiction of these possessions and so long as we have to govern them from here, to take advantage of every opportunity they have to visit them and study their conditions.

I think this bill now under consideration is a great step in the right direction, and we ought to do this not only with reference to the Philippines, but also with reference to Porto Rico and the Virgin Islands and Hawaii.

Mr. UNDERHILL. And Alaska?

Mr. DENISON. And the Members ought to take some such action to get better acquainted with conditions in Alaska, and, as I have just said, with the people on the Canal Zone. The people on the Panama Canal Zone have to have laws the same as we have here, and there is often need of changes in those laws. And yet there is no one to do it unless Congress does it.

As chairman of the subcommittee on the Panama Canal, I go down there as often as I can. I spend my own money in studying conditions down there. Some day soon when I can have opportunity I am going to address the House on the conditions on the Canal Zone. There is every reason why we should take this action now and provide for an official committee to visit the Philippines and get information for the benefit of Congress in considering any legislation that may be needed in carrying out our great responsibilities toward those people.

Mr. KIESS. Mr. Speaker, I yield five minutes to the gentleman from Pennsylvania [Mr. SHREVE].

The SPEAKER pro tempore. The gentleman from Pennsylvania is recognized for five minutes.

Mr. SHREVE. Mr. Speaker and Members of the House, I have been deeply interested in the discussion this afternoon, because it has been my good fortune to spend some time in the Philippines. I have been greatly interested in the intelligent and splendid people who live over there. I want to speak not only in the interest of the Filipino but of Americans in the Philippines. Not much has been said about the American side of it. That is the reason why I rise on this occasion, to let you know a little of what our own people are doing over there at the present time.

Of course, you gentlemen know that for eight years I have been handling appropriations for the Department of Commerce, and during those eight years we have had our attachés and trade commissioners visit the various countries of the world. One of those countries, I am happy to say, is the Philippine Islands. It was natural that I should be interested in the work being done there in connection with international trade, and to ascertain whether it was really a worth-while proposition or not. I was invited one night to a banquet given by one of the great American commercial companies of the United States. I was invited to attend that banquet to meet their traveling men. I suppose that night there were 20 of their representatives from 20 different countries, and I want to say to you that they were speaking not less than 20 different languages. Many of them came there speaking through interpreters.

After I had left the islands and had gone over to China, one day I was riding along in a ricksha and I saw a little mark on the tire of the vehicle which caused me to ask the ricksha driver to hesitate a moment. I found on examination that that tire was made in my city, and I found that that same tire was sent out to the Philippines and distributed from that point along with many other things that they were distributing.

I want to say to the House that we should pass this bill for no other purpose or reason than that Manila is a distributing point of great value to American business. The Philippine Islands are in the Orient along the edge of China; China will offer great possibilities; we find that the Philippine people can manufacture anything and do it more cheaply than we can do it; and the longer I stayed the more I was pleased and delighted with what I found there, and I rejoiced to learn how glad those people were that the Philippine Islands were a part of the United States of America. I found that the Filipinos were proud of the fact; when they came here to the United States they were able to meet on an equality.

I never discussed the question of independence. In fact, I was the guest of Senor Osmeña, the president of the Philippine Senate, for a week, and he did not discuss the question of independence. We talked of other things. I was also a guest of a leader on the other side. I was honored by having a visit with General Aguinaldo for half an hour, and I know how he feels on these questions.

I do not intend to quote him, but I want to say to you that I found nothing from the highest to the lowest but splendid friendship for the people of the United States, and I am heartily in favor of this bill.

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

Mr. PERKINS. Mr. Speaker, I ask unanimous consent that the gentleman's time may be extended for one minute.

The SPEAKER pro tempore. The gentleman from New Jersey asks unanimous consent that the gentleman from Pennsylvania may proceed for one additional minute. Is there objection?

There was no objection.

Mr. PERKINS. I would like to ask the gentleman if he knows of anything that will interrupt the pleasant relations between the Philippine people and the American people quicker than to put restrictions on their imports to this country?

Mr. SHREVE. The gentleman is absolutely right about that. [Applause.] We must leave conditions just as they are. We now have the confidence of the Philippine people and have had that confidence for many years. I do not feel that at this time

we should do anything that would cause them to lose that confidence. I will say to the distinguished gentleman from New Jersey that I fully agree with him.

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

Mr. TILSON. Mr. Speaker, I rise in opposition to the pro forma amendment. It seems to me that this bill is distinctly worth while, for the many valid reasons which have been cited by others who have taken the floor before me. One point, however, it seems to me, has not been impressed as it might be. Much has been said about the information which the members of the proposed board will bring back from the Philippines, and this, of course, is important. I, for one, believe that Members of Congress should visit the places on this globe where this country has great interests just as often as possible and learn just as much about them as possible. I have no patience with people—newspaper correspondents and others—who continually refer to these trips of Members of Congress as junkets, joy rides, and things of that sort. [Applause.] Such characterization of trips of this character is entirely out of place. It is misleading and very unfair as well as unjust to Members of Congress who honestly and earnestly seek for information concerning matters with which we must deal here in this House.

Mr. THURSTON. Will the gentleman yield?

Mr. TILSON. Yes.

Mr. THURSTON. Is it not true that great corporations require some of their officers to visit their outlying plants?

Mr. TILSON. Of course they do, and the corporations pay for the visits, whereas most of the Members of Congress who visit these places do so at their own expense. Yet they are glad to do it, because they realize the benefits flowing from such visits.

I think that the board to be appointed under this bill will probably render its greatest service not by the amount of information which its members may bring back—because such information, to a certain extent, might be gathered through other sources—but by the benefit to the relations between us and those people that will flow from the appointment of an official board by this country to visit them. Such an official board will have a great effect upon the people there. It will seem to them that this great Government of ours has a particular interest in them sufficient to justify us in appointing an official board to visit them to hear anything they may have to say in the way of grievances, protests, requests, or anything else they may wish to submit. It seems to me that perhaps the very greatest good that will flow from the appointment of such a board will come in this way. I regard it as of very considerable importance that the people of these distant lands, bound to us by the ties now existing, should understand how deeply we are interested in them and their well-being. [Applause.]

Mr. GARRETT of Tennessee. Mr. Speaker, I move to strike out the last four words. The sentiment of the House is manifestly practically unanimous in favor of this resolution and sufficient argument, I think, has been made to justify it in the public mind and to prevent any sort of public criticism of the Congress from any who are at all thoughtful for passing this resolution and sending some of its Members to the Philippine Islands each year for the purpose of studying questions growing out of our relations with that people.

This is a thing which I have long thought ought to be initiated. Out of 24 years of service in the House, something like 18 years, as I now remember it, were spent by me as a member of the Committee on Insular Affairs. I was appointed to that committee to fill a vacancy that occurred during my first term, and I served on it until a few years ago when I retired from all committees of the House except the Committee on Rules. I had the honor of being chairman of that committee for a brief period. I was associated very closely with those who drafted the present organic law of the Philippine Islands, commonly known as the Jones Act, as well as the Porto Rican act.

Yet in all this time, charged with a responsibility of legislation, conditions were never such as that I was able to visit the Philippine Islands. Notwithstanding I sometimes think I gave more attention to them than anything else in my entire service here, I never felt I had the real grasp of the situation there that gave me as good equipment as I would like to have had, at least, in dealing with legislation affecting that people.

I do not know why this has not been done long ago. It ought to have been done. I know it ought to be done now; at least, I feel so.

Let me say this further word, not exactly upon this resolution but in view of some of the questions that have been asked here this afternoon. I think it was in the first Congress of which I became a Member, the Fifty-ninth, or if not, the Six-

tieth, that the free-trade relations were established by law between the United States and the Philippine Islands.

Prior to this time duties had been levied on products coming in from the Philippines and I believe duties levied on products that we exported to the Philippines, the revenues going into the Philippine treasury. President Taft, then Secretary of War, who had been the first Governor General of the Philippines, had such a keen sense of justice upon this subject as that he was perhaps the leading advocate of the establishment of the free-trade relations between the Philippine Islands and the United States. There were many at that time in the party of which Mr. Taft was a member who were very reluctant. Upon the Democratic side there were some who were also reluctant, not so much because of the economic ideas involved as because of a belief that the establishment of free-trade relations between the Philippine Islands and the United States would postpone the day of independence. This was particularly true of some of the strong "independence" people upon my side of the Chamber. But all that was overcome and, as I remember it now, by a pretty unanimous vote—I have forgotten just what the vote was—we established those relations.

I just want to say in passing—I shall not be here to deal with it—that to my mind it is inconceivable that this Government now will turn the hands of the clock back to where they stood 25 years ago. [Applause.] I do not anticipate that anything of that sort is going to happen. [Applause.]

Mr. KIESS. Mr. Speaker, I ask unanimous consent to return to section 1 of the bill in order that I may offer a perfecting amendment.

The SPEAKER pro tempore. The gentleman from Pennsylvania asks unanimous consent to return to section 1 for the purpose of offering a perfecting amendment. Is there objection?

There was no objection.

Mr. KIESS. Mr. Speaker, I offer an amendment. On page 2, line 5, at the end of the line, strike out the period and insert "and shall appoint a clerk and fix the compensation of said clerk."

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

The Clerk read as follows:

Amendment offered by Mr. KIESS: Page 2, line 5, after the word "members," strike out the period and insert "and shall appoint a clerk and fix the compensation of said clerk."

Mr. UNDERHILL. Mr. Speaker, I want to ask my chairman if this provides that the commission or committee shall fix the salary or is that left with the Committee on Accounts, as the rest of the fiscal relations of the bill are left?

Mr. KIESS. The bill provides that the board shall select a chairman from its members and this amendment provides for the selection of a clerk. My attention was called to the fact that section 2 provides for the expenses of the clerk, along with the members, but there is no provision made for the selection of the clerk or the pay of the clerk. This will leave it to the members of the commission.

Mr. UNDERHILL. In the second section, is it not left with the Committee on Accounts?

Mr. KIESS. The expenses are to be paid out of the contingent fund, with the approval of the Committee on Accounts. This does not change that part.

Mr. UNDERHILL. The clerk is a part of the expense.

Mr. KIESS. There is some ambiguity in the second section where it says "actual expenses for travel of such members and a clerk."

Mr. UNDERHILL. That is for the traveling expenses of the clerk. Now, you provide further on, in section 2, for the payment of the clerk.

Mr. BANKHEAD. No; if the gentleman will pardon me, I took the liberty of calling this ambiguity in the bill to the attention of the gentleman from Pennsylvania [Mr. KIESS]. If the gentleman from Massachusetts will get the text of the bill and read the second section he will see it carefully provides for the payment of the traveling expenses of the members of the commission and a clerk, but nowhere in the bill, unless the amendment now proposed is adopted, is there any authorization for the employment of a clerk by the commission or the fixing of his compensation.

The amendment was agreed to.

Mr. KIESS. Mr. Speaker, I ask unanimous consent to return to section 2 of the bill in order that I may offer a perfecting amendment.

The SPEAKER pro tempore. The gentleman from Pennsylvania asks unanimous consent to return to section 2 of the bill for the purpose of offering an amendment. Is there objection?

There was no objection.

Mr. KIESS. Mr. Speaker, I offer an amendment. Line 8, page 2, strike out the word "a" and substitute the word "such"; and also in line 13 of the same page, strike out the word "a" and substitute the word "such."

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

The Clerk read as follows:

Amendment offered by Mr. KIESS: Page 2, line 8, after the word "of," strike out "a" and insert in lieu thereof the word "such"; and also in line 13, strike out the word "a" and insert in lieu thereof the word "such."

The amendment was agreed to.

Mr. KIESS. Mr. Speaker, I move that the debate on this bill be now closed.

The motion was agreed to.

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

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

On motion of Mr. KIESS, a motion to reconsider the vote whereby the bill was passed was laid on the table.

Mr. LOWREY. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made in the House this afternoon.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

THE SAMOAN GROUP OF ISLANDS

Mr. KIESS. Mr. Speaker, I call up Senate Joint Resolution 110, on the Union Calendar, and ask unanimous consent that it be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. The gentleman from Pennsylvania calls up the Senate Joint Resolution 110, and asks unanimous consent that it be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Joint resolution (S. J. Res. 110) to provide for accepting, ratifying, and confirming the cessions of certain islands of the Samoan group to the United States, and for other purposes

Whereas certain chiefs of the islands of Tutuila and Manua and certain other islands of the Samoan group lying between the thirteenth and fifteenth degrees of latitude south of the Equator and between the one hundredth and sixty-seventh and one hundred and seventy-first degrees of longitude west of Greenwich, herein referred to as the islands of eastern Samoa, having in due form agreed to cede absolutely and without reserve to the United States of America all rights of sovereignty of whatsoever kind in and over these islands of the Samoan group by their acts dated April 10, 1900, and July 16, 1904: Therefore be it

Resolved, etc., That (a) said cessions are accepted, ratified, and confirmed as of April 10, 1900, and July 16, 1904, respectively.

(b) The existing laws of the United States relative to public lands shall not apply to such lands in the said islands of eastern Samoa; but the Congress of the United States shall enact special laws for their management and disposition: *Provided*, That all revenue from or proceeds of, the same, except as regards such part thereof as may be used or occupied for the civil, military, or naval purposes of the United States or may be assigned for the use of the local government, shall be used solely for the benefit of the inhabitants of the said islands of eastern Samoa for educational and other public purposes.

(c) Until Congress shall provide for the government of such islands, all civil, judicial, and military powers shall be vested in such person or persons and shall be exercised in such manner as the President of the United States shall direct; and the President shall have power to remove said officers and fill the vacancies so occasioned.

(d) The President shall appoint six commissioners, two of whom shall be Members of the Senate, two of whom shall be Members of the House of Representatives, and two of whom shall be chiefs of the said islands of eastern Samoa, who shall, as soon as reasonably practicable, recommend to Congress such legislation concerning the islands of eastern Samoa as they shall deem necessary or proper.

(e) The sum of \$25,000, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, and to be immediately available, to be expended at the discretion of the President of the United States of America, for the purpose of carrying this joint resolution into effect.

Mr. KIESS. Mr. Speaker, Senate Joint Resolution 110, which provides for accepting, ratifying, and confirming the cessions of certain islands of the Samoan group to the United States has been given careful consideration, and this resolution has the unanimous indorsement of the committee.

These islands form what is now known as American Samoa. A brief reference to the historical background of these islands is given in the report accompanying this resolution:

Prior to 1898 the Samoan Islands were governed as an independent kingdom. When King Malletoa died, in that year, the Samoans were unable to agree upon the choice of his successor and disorders arose. These became so pronounced that in March, 1899, naval craft of the United States and Great Britain shelled some of the Samoan villages and subsequently, on April 1, 1899, landed a force which participated in hostilities at close range, the Samoans finally yielding.

The following year the United States, Great Britain, and Germany divided the Samoan Islands by treaty, which the Senate ratified on February 13, 1900. The United States thus fell heir to the island of Tutuila and others of the group, which constitute what is now known as American Samoa. On February 19, 1900, an Executive order was signed by the President, reading as follows:

"The islands of Tutuila, of the Samoan group, and all other islands of the group east of longitude 171° west of Greenwich are hereby placed under the control of the Department of the Navy for a naval station. The Secretary of the Navy shall take such steps as are necessary to establish the authority of the United States and to give to the islands the necessary protection."

The Secretary of the Navy issued an order conforming thereto on the same date.

The islands of American Samoa from east to west are Rose Island, Tau, Olosega, Ofu, Aunuu, and Tutuila. The islands of Tau, Olosega, and Ofu are generally known as the Manua group, while the island of Aunuu is embraced in the name of "Tutuila." Rose Island is a coral atoll, uninhabited, and of practically no value. Two hundred and ten miles to the northward of Tutuila lies Swains Island, the United States sovereignty over which was extended by a joint resolution of Congress approved March 4, 1925. It thus became part of American Samoa. Pago Pago (or Pango Pango) Bay nearly cuts the island of Tutuila in twain and furnishes the safest and best harbor in all the South Seas.

On April 17, 1900, the high chiefs of Tutuila, without solicitation, ceded the islands of Tualitu and Aunuu to the Government of the United States, and by deed signed July 14 and executed July 16, 1904, the islands of the Manua group were ceded to the United States. The preamble of the cession of Tutuila recites that the step is taken "for the promotion of the peace and welfare of the people of said islands, for the establishment of a good and sound government, and for the preservation of the rights and property of the inhabitants of said islands," and goes on to declare that "the chiefs, rulers, and people thereof are desirous of granting unto the said Government of the United States full power and authority to enact proper legislation for and to control the said islands, and are further desirous of removing all disabilities that may be existing in connection therewith and to ratify and confirm the grant of the rule of said islands heretofore granted," etc. It was the understanding that the United States was "to erect the same as a separate district to be annexed to the said Government, to be known and designated as the district of Tutuila."

It was not until July 21, 1902, that official recognition of the cession of Tutuila was made by the President, when Theodore Roosevelt sent a greeting to the chiefs and people expressing the great appreciation of the people of the United States in receiving the islands, and stating that the local rights and privileges would be respected. A watch, a medal, and a diploma were sent to each signer of the deed of cession. Similar recognition was made of the 1904 cession.

Since that time the government of American Samoa has been administered by a naval officer, in whom has been vested supreme executive, legislative, and judicial power.

Although acknowledged by the President, the cessions of 1900 and 1904 have never been acted on by Congress. The enactment of legislation for the islands, which was one of the stated purposes of the cession, has not been accomplished.

The United States in taking over this group of islands was particularly desirous of obtaining the use for naval purposes of the harbor of Pago Pago, on the island of Tutuila, where a naval station has since been established. The Samoans, by the action of their high chiefs, were particularly anxious for the establishment of a good and sound government. They had every reason to believe that when they surrendered the sovereignty of their islands they would become citizens of the United States. At the present time they are not citizens of the United States. The American flag flies over Pago Pago, but the citizens are only citizens of American Samoa.

The inhabitants are of the Polynesian race, a race which has produced magnificent specimens of the human race. They are a peaceful, gentle, kindly race, proud in bearing, still very primitive and backward as compared with the white races. They still live much as did their forefathers.

The present government is unusual and the result only of Executive orders. In many respects the government has been good for the Samoans, inasmuch as it has prevented the alienation of their lands and taken care of their physical well-being. There is, however, a lack of continuity in the administration and certain features of the administration which need correction, particularly with respect to the judiciary.

The joint resolution is intended to provide for the ultimate remedying of this situation. It makes provision for (a) acceptance, ratification, and confirmation of the cessions of these islands of eastern (American) Samoa.

It specifies (b) that Congress shall enact special laws for the management and disposition of public lands in the islands and that the revenues derived therefrom shall be used for the benefit of their inhabitants.

It further stipulates (c) that until Congress shall provide for the government of the islands, civil, judicial, and military powers shall be vested in such persons as the President shall direct.

Finally, the resolution provides for a commission to be appointed by the President, composed of 6 members, 2 of whom shall be Members of the Senate, 2 of the House of Representatives, and 2 of whom shall be chiefs of the islands, to recommend to Congress necessary and proper legislation concerning the islands.

Due to many causes, the islands of western Samoa, now under the mandate of New Zealand, have been disturbed by civil difficulties. Many of these difficulties are due to a lack of understanding of the psychology of the Samoans and to the particular circumstances existing in the islands. There has been some agitation and some uneasiness as to the ultimate decisions of the United States Government, so that it is believed that the passage of this joint resolution will make for a better understanding in this little community. [Applause.]

Mr. MORTON D. HULL. Will the gentleman yield for a question?

Mr. KIESS. Yes.

Mr. MORTON D. HULL. What is the explanation of the fact that while the islands were acquired more than 25 years ago no legislative action, apparently, like this has been taken?

Mr. KIESS. That is rather hard to explain. We had almost a similar condition in the Virgin Islands. It was not until 10 years after we acquired them that we gave them citizenship; that was done at the close of the Sixty-ninth Congress. You will also remember that neither Porto Rico nor the Philippines had an organic act until 1916, 18 years after we took them over. I should say that it has been largely the neglect of Congress.

Mr. DENISON. I would like to say that I think the reason that there has been no action by Congress is that Congress did not have the necessary information.

Mr. MORTON D. HULL. Mr. Speaker, I move to strike out the last word in order to get some information. What has been the government of the Samoan Islands during this interval?

Mr. KIESS. They were accepted by the President of the United States and placed under the control of the Navy Department. There is a naval station and a naval officer who governs Samoa.

Mr. MORTON D. HULL. What kind of a civil government does he administer?

Mr. KIESS. He is the government.

Mr. MORTON D. HULL. How many people are there there?

Mr. KIESS. Nine or ten thousand people.

Mr. MORTON D. HULL. And he issues his decrees in the form of a civil code?

Mr. KIESS. Yes.

Mr. MORTON D. HULL. He is the judge and executioner all in one?

Mr. KIESS. Yes; but we have been very fortunate in having good men in that position; otherwise there would have been more complaints. The government of the islands has been well done by the Navy Department. We have not given the islands the recognition that the native chiefs thought they were to receive when they ceded the islands to the United States. The action provided in the resolution will make them feel that they are a part of the United States. As I said, they are not now citizens of the United States but are citizens of American Samoa. While the United States flag flies over them they are not citizens of the United States.

Mr. MORTON D. HULL. We have provided a civil administration for the Virgin Islands, the gentleman says?

Mr. KIESS. Yes; we did that two years ago, near the close of the Sixty-ninth Congress.

Mr. TILSON. Mr. Speaker, I move to strike out the last word. When the gentleman from Pennsylvania [Mr. KIESS] called up this resolution I asked him to make an explanation of it because of the fact that the action proposed seems somewhat overdue, it being 25 years since the original action was taken referred to in the resolution. As I understand the situation, these islands are practically on the same footing as the island of Guam, in which we have a government under the direction of the Navy Department. An officer of the Navy is the governor; a chaplain of the Navy, I believe, is the superintendent of public instruction of the island. The Navy doctors are the only doctors on the island, and they give free attention

to all the people on the island. There are about 16,000 people on the island of Guam, almost twice as many as there are on the Samoan group covered by this resolution. There has been no complaint, so far as I have heard, from either Samoa or the island of Guam as to the administration of governmental affairs. The administration there by the Navy Department has been beyond all reproach. The people on the island of Guam are eminently satisfied, so far as I was able to ascertain from a personal visit to the island, except that they would like to have the little recognition that they are under our flag and that they belong to some country in the world. I suppose that this is the idea which the gentleman from Pennsylvania wishes to embody in this resolution in connection with the Samoans. They wish by this action to be officially and formally taken under the wing of the United States.

Mr. MORTON D. HULL. This resolution calls for further legislation. It provides for the appointment of a commission.

Mr. TILSON. Yes; and the commission will recommend what further laws and regulations are needed there. Meanwhile I suppose that they will continue under the control of the Navy Department, just as is the case with the island of Guam.

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

Mr. TILSON. Yes.

Mr. DENISON. We took over the Panama Canal Zone in 1904.

The fundamental act for the Canal Zone was not passed until 1912. In the meantime Executive orders ruled the Canal Zone, and most of the legislation enforced in that interval between 1904 and 1912 was legislation by the President under Executive order. Some question was raised as to its validity, and in the canal act of 1912 Congress ratified those Executive orders.

Mr. TILSON. I understand that is in effect the situation in these Pacific islands, where Executive orders are tantamount to law.

Mr. JENKINS. And after this commission reports, some sort of an organic law would be adopted?

Mr. TILSON. Yes. It probably will be done after somebody who knows the situation makes recommendation of what the law should be.

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

Mr. TILSON. Yes.

Mr. HOCH. The first section provides:

That said cessions are accepted, ratified, and confirmed as of April 10, 1900, and July 16, 1904, respectively.

This is what lawyers would call a *nunc pro tunc* order. Will any consequences flow from now dating back to the ratification of the cession of these islands? Are there any obligations that will arise by virtue of dating back this order, instead of having it take effect now? We provide here that we shall be considered as having taken legal possession of those islands as of those dates after 25 years have gone by. Did the committee give any consideration to what legal or other consequences flow from that side?

Mr. KIESS. That question was raised, and we were advised that there were no reasons why this resolution, if passed, would affect any action that has taken place in these years.

Mr. BANKHEAD. Mr. Speaker, I move to strike out the last word for the purpose of getting a little more light on the question. This is a rather unique legislative and historical situation with which we are confronted. It is apparent here that we are entering by ratification of these old treaties upon some expenditure, and it probably may amount to considerable expenditure out of the Treasury before we get through with the business. Was there any information before the committee as to whether or not these little specks on the horizon out there in the south Pacific had any mineral or agricultural or economic value to the Government of the United States? I do not know whether they are worth \$25,000, and that is the initial appropriation we are making. It seems to me that the information presented here by the committee is very vague and indefinite as to the real value of this proposal to our Government in the future. We have enough troubles out there, it seems to me, now in the Philippines and in the other places where our flag is flying without assuming additional burdens for some inconsequential stretch of territory which we do not know anything about, and that may never be of any economic or strategic value to the Government or the people of the United States. Can the gentleman give us any information whatever on that phase of the matter?

Mr. KIESS. Mr. Speaker, in answer to my colleague I will say, of course, that in the consideration of this measure we did not take the view that we were now planning to buy the islands. We have them, and we are told by the Navy Department that the harbor there is one of the best harbors

in that section of the Pacific, and naturally we are not going to part with it. As to the natural resources and the real economic value of the islands, I think that the Delegate from Hawaii, who has told me that he would ask for recognition in a few minutes, is in better position to tell us about those facts than anyone on the floor, because the Hawaiian Islands are so much nearer to the Samoan group than we are here in Washington. But we are of the opinion that inasmuch as we have accepted these islands by cession we can not turn them adrift. We have done much for them and there is no question but that their condition is much better than are the conditions in what were German and British Samoa, both of which groups are now under the mandate of New Zealand.

There is much more discontent and trouble in those islands than in American Samoa. The Samoans are a proud, sensitive people, and they feel that they have not been properly treated, in view of the fact that they have been brought under our flag, but have never been made United States citizens or given a civil government.

Mr. BANKHEAD. That is entirely responsive to my inquiry, as the gentleman said we are not going to buy the islands, but notice we propose to buy \$25,000 worth of legislative advice. I notice some commissioners are to be appointed. I must confess I am more concerned with regard to the expenditure over there than in reference to the sentimental side of the proposition. I do not see the necessity of authorizing an amount that large just to get some legislative recommendations about what we shall do with those islands through acts of Congress. It seems to me a rather exorbitant authorization. Does the gentleman propose that those commissioners shall go over there to confer with the chiefs of these islands, designated as joint commissioners, or propose they meet half way, or that those chiefs shall come to the city of Washington to negotiate with the representatives of the Congress? What is the program with regard to the expenditure of that \$25,000?

Mr. KIESS. This is a Senate bill, introduced by Senator BINGHAM, who for many years lived in Hawaii. He is naturally interested in the subject, and the resolution was introduced in the Senate and passed and came to our committee. Exhaustive hearings were had, and I will be glad to send to my colleague a copy of these hearings, which will give him more information than I can in the short time at my disposal. However, this report of the Senate bill has the unanimous indorsement of our committee. I believe that when the Delegate from Hawaii speaks he will be able to give additional information.

Mr. BANKHEAD. The gentleman understands I am not opposing the bill. I was merely endeavoring in good faith to get information.

Mr. KIESS. I do understand.

Mr. HOUSTON of Hawaii. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, about 2,300 miles to the southward of Hawaii there lies a small group of islands which has been under the control of the United States flag for some twenty-eight odd years. They only cover a territory of about fifty-seven and a fraction square miles and have only about nine thousand and odd people. It was first discovered in 1722 by a Dutch exploring expedition. We first cast our eyes in that direction in 1878 when there was negotiated a treaty by Mamea for the Samoan Government and the American Government which was ratified by the Senate. That treaty gave to the United States the use of the harbor of Pago Pago. That harbor is the best harbor in that part of the South Seas. It is a hurricane-proof harbor and those of you who are familiar with the history back in 1888 will recall the occasion when three of our men-of-war were wrecked at Apia, Samoa, during the troubles that occurred at that time. There were then lying in the roadstead of Apia 3 German, 3 American, and 1 British ship, and the only ship saved was the British ship, the *Calliope*, which was of a newer character than any of the rest of them. Ours were all wooden frigates. Now along about 1898 the King of Samoa, Malietoa, died and there were fresh troubles as the result of his succession.

We sent another force down there. The Germans sent a force down there, and the British also, resulting eventually in a convention in which the British and the Germans recognized our rights and claims over a certain part of the Samoan group, namely, the island of Tutuila and the Manua group. The British and the Germans arranged a separate negotiation between themselves and the British surrendered to the Germans their right to the part that had been allocated to them, so that the Germans succeeded to the rights and claims, whatever they may have been, to the islands of Savali and Upolu. Upolu is where Robert Louis Stevenson lived for many years and where he died.

That convention, which was ratified here in Washington February 16, 1900, did not cover any rights or titles over the islands, because they were still governed by the native chiefs and kings. But we did want to occupy the harbor, which occupation we had been given the right to by the treaty negotiated in 1878. So, following upon these events, subsequent to the death of Malietoa, during which we lost two officers and two men and the British one officer and two men, the President, by Executive order on February 19, 1900, directed the Navy Department to take over the government and control of the two islands set apart to us in this tripartite convention, and the Secretary of the Navy on his part thereafter issued the necessary instructions setting up those islands as a naval station and directing the commandant of that naval station to take care of their government.

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

Mr. HOUSTON of Hawaii. I ask unanimous consent, Mr. Speaker, to proceed for five minutes more.

The SPEAKER. The gentleman from Hawaii asks unanimous consent for five minutes more. Is there objection?

There was no objection.

Mr. HOUSTON of Hawaii. The government, by Executive order, having been established, the chiefs of Tutuila and Manua, by two different instruments, made a voluntary cession of their islands to the United States Government, and that in fact was the passing of title to ourselves. In that way, I will remind you, the government of the Republic of Hawaii was passed on to the Government of the United States, only in the case of Hawaii there was a joint resolution passed here ratifying and accepting the cession that had been made by the Republic of Hawaii. This resolution is in effect the same thing, and we are pursuing the same course as was pursued at the time of the annexation of Hawaii. In both instances it was the act of the people of those Territories. In this case it is the act of the people of Samoa, and they have asked, and rightly ask, this, "What has become of this cession we have made to the United States Government?" They are quoted as having said in 1902 that the chiefs and people of Tutuila no longer want to be ashamed that the cession that they have made has had no notice paid to it.

The Secretary of the Navy at that time made a recommendation that the cession be accepted, but no action was taken except that, following upon that recommendation, President Roosevelt sent a communication to the chiefs and people of American Samoa, expressing the appreciation of the people of the United States at receiving the island.

That was in effect one way perhaps of taking over territory, but it is not the way in which the Government usually does such things, and it was not the action of the legislative branch of our Government. They would like to receive a ratification of this cession. They came over of their own free will. They do not complain of the government, but they would like to have the government set up by legislative action rather than by Executive action, which is the case at the present time.

I think that, in brief, explains the question, but I shall be glad to answer questions.

Mr. DENISON. On which one of these islands is our naval station?

Mr. HOUSTON of Hawaii. On Tutuila.

Mr. DENISON. Are there any large towns in that island?

Mr. HOUSTON of Hawaii. The people are mainly in villages. The total population amounts to only 9,000.

Mr. DENISON. The gentleman means on the two islands?

Mr. HOUSTON of Hawaii. On the groups of islands.

Mr. DENISON. How many islands do we get by reason of this cession?

Mr. HOUSTON of Hawaii. We get, I think it is, six islands, small and large.

Mr. DENISON. Are there any Americans there besides the naval officers who have control.

Mr. HOUSTON of Hawaii. Only those who are engaged in the missions. There are several missions there—one of the London Missionary Society, one of the Methodist Church, one of the Mormon Church, and one of the Catholic Church.

Mr. DENISON. The people of these islands belong to the Maori race, do they not?

Mr. HOUSTON of Hawaii. Yes; they are Polynesians—pure Polynesians, of the race to which the Hawaiians belong, the Marquesans, the Tongans, and the Tahitians.

Mr. DENISON. How far are these islands from those on which Apia is located and which now belong to New Zealand?

Mr. HOUSTON of Hawaii. Eighty miles. The island of Upolu is within sight of Tutuila. [Applause.]

The SPEAKER. The time of the gentleman from Hawaii has again expired.

Mr. KIESS. Mr. Speaker, I desire to offer an amendment. On page 3, line 4, after the word "hereby," I move to insert the words "authorized to be."

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

The Clerk read as follows:

Amendment offered by Mr. KIESS: Page 3, line 4, after the word "hereby," insert the words "authorized to be."

Mr. BANKHEAD. Will the gentleman allow me to suggest that he include in his amendment the striking out of the words "and to be immediately available."

Mr. KIESS. Mr. Speaker, I accept the amendment to strike out the words "and to be immediately available."

The SPEAKER. Is that offered as a part of the original amendment?

Mr. KIESS. It is.

The SPEAKER. Without objection, the amendment will be modified.

There was no objection.

The SPEAKER. The Clerk will report the amendment as modified.

The Clerk read as follows:

Amendment offered by Mr. KIESS: Page 3, line 4, after the word "hereby," insert the words "authorized to be"; and in line 5, after the word "appropriated," strike out the words "and to be immediately available."

Mr. ABERNETHY. Will the gentleman yield?

Mr. KIESS. Yes.

Mr. ABERNETHY. As I understood the gentleman's statement a while ago, the greatest benefit that will come to the United States is this harbor. That is practically so, is it not?

Mr. KIESS. That is true.

Mr. ABERNETHY. And that is desirable as a base; is that correct?

Mr. KIESS. That is the reason the islands were taken over, as I understand.

Mr. ABERNETHY. And we have had control of them for a number of years?

Mr. KIESS. Since 1900.

The SPEAKER. The question is on the amendment offered by the gentleman from Pennsylvania.

The amendment was agreed to.

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

A motion to reconsider the vote by which the Senate joint resolution was passed was laid on the table.

SENATE BILLS REFERRED

Bills and a joint resolution of the Senate of the following titles were taken from the Speaker's table and under the rule referred as follows:

S. 432. An act for the relief of Martin E. Riley; to the Committee on Claims.

S. 1109. An act for the relief of Little Rock College, Little Rock, Ark.; to the Committee on Claims.

S. 1979. An act for the relief of the Union Shipping & Trading Co. (Ltd.); to the Committee on War Claims.

S. 2409. An act to amend section 1223 of the Revised Statutes of the United States; to the Committee on Military Affairs.

S. 4250. An act for the relief of David E. Jones; to the Committee on Claims.

S. 4815. An act for the relief of members of the crew of the transport *Antilles*; to the Committee on War Claims.

S. 4819. An act for the relief of Roy M. Lisso, liquidating trustee of the Pelican Laundry (Ltd.); to the Committee on Claims.

S. 4841. An act establishing a fund for the propagation of salmon in the Columbia River district; to the Committee on the Merchant Marine and Fisheries.

S. 4938. An act granting war-risk insurance to the estate of Herbert Toll; to the Committee on Claims.

S. 4981. An act to include in the credit for time served allowed substitute clerks in first and second-class post offices and letter carriers in the City Delivery Service time served as special-delivery messengers; to the Committee on Post Offices and Post Roads.

S. 5040. An act to amend the act entitled "An act reclassifying the salaries of postmasters and employees of the Postal Service, readjusting their salaries and compensation on an equitable basis, increasing postal rates to provide for such readjustment, and for other purposes," approved February 28, 1925; to the Committee on Post Offices and Post Roads.

S. 5127. An act to carry into effect the twelfth article of the treaty between the United States and the Loyal Shawnee Indians proclaimed October 14, 1868; to the Committee on Indian Affairs.

S. 5255. An act for the relief of present and former postmasters and acting postmasters, and for other purposes; to the Committee on Post Offices and Post Roads.

S. 5270. An act to authorize the Secretary of War to donate a bronze cannon to the city of Phoenix, Ariz.; to the Committee on Military Affairs.

S. 5361. An act for the relief of Bertha Hanson; to the Committee on Claims.

S. 5443. An act to enable the Postmaster General to make contracts for the transportation of mails by air from island possessions of the United States to foreign countries and to the United States and between such island possessions, and to authorize him to make contracts with private individuals and corporations for the conveyance of mails by air in foreign countries; to the Committee on Post Offices and Post Roads.

S. 5453. An act authorizing the payment of Government life insurance to Etta Pearce Fulper; to the Committee on Claims.

S. 5474. An act authorizing the Director of the Census to collect and publish certain additional cotton statistics; to the Committee on the Census.

S. 5550. An act 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; to the Committee on Public Buildings and Grounds.

S. 5621. An act to repeal paragraphs 127 and 128 of the act entitled "An act to discontinue certain reports now required by law to be made to Congress," approved May 29, 1928; to the Committee on Expenditures in Executive Departments.

S. 5684. An act to amend the War Finance Corporation act approved April 5, 1918, as amended, to provide for the liquidation of the assets and the winding up of the affairs of the War Finance Corporation after April 4, 1929, and for other purposes; to the Committee on Banking and Currency.

S. 5544. An act to increase the membership of the National Advisory Committee for Aeronautics; to the Committee on Naval Affairs.

S. J. Res. 206. Joint resolution to authorize the President of the United States to appoint a Yellowstone National Park boundary commission to inspect the areas involved in the proposed adjustment of the southeast, south, and southwest boundaries of the Yellowstone National Park; to the Committee on the Public Lands.

ENROLLED BILLS SIGNED

Mr. CAMPBELL, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 3955. An act for the relief of the C. Tisdall Co., Herbert W. Smith, Newman Bros., Thomas J. Murphy Co., formerly Edward A. Brown Co., and Giles P. Dunn, Jr.;

H. R. 4258. An act to authorize credit in the disbursing accounts of certain officers of the Army of the United States and for the settlement of individual claims approved by the War Department;

H. R. 7166. An act to allow credit in the accounts of disbursing officers of the Army of the United States on account of refunds made to purchasers of surplus war supplies;

H. R. 15386. An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1930, and for other purposes;

H. R. 16500. An act granting pensions and increase of pension to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; and

H. R. 16522. An act granting pensions and increase of pension to certain soldiers and sailors of the Regular Army and Navy, etc., and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors.

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 3771. An act vacating the alley between lots 16 and 17, square 1083, District of Columbia.

BILLS PRESENTED TO THE PRESIDENT

Mr. CAMPBELL, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, bills and joint resolutions of the House of the following titles:

H. R. 56. An act to authorize the Postmaster General to issue receipts to senders for ordinary mail of any character, and to fix the fees chargeable therefor;

H. R. 58. An act to authorize the assignment of railway postal clerks and substitute railway postal clerks to temporary employment as substitute sea-post clerks;

H. R. 132. An act authorizing the erection of a sanitary fire-proof hospital at the National Home for Disabled Volunteer Soldiers at Dayton, Ohio;

H. R. 496. An act authorizing an appropriation for development of potash jointly by the Department of Agriculture and the Department of Commerce by improved methods of recovering potash from deposits in the United States;

H. R. 967. An act for the relief of George J. Illichevsky;

H. R. 1939. An act for the relief of James M. Thomas;

H. R. 2492. An act to extend the benefits of the United States employees' compensation act of September 7, 1916, to John L. Jenifer, a former employee of the Government Printing Office, Washington, D. C.;

H. R. 3949. An act for the relief of Frank F. Moore;

H. R. 3967. An act for the relief of the next of kin of Edgar C. Bryon;

H. R. 4267. An act for the relief of Ernest J. Hiscock;

H. R. 4776. An act for the relief of Dr. Stanley R. Teachout;

H. R. 5713. An act to permit certain warrant officers to count all active service rendered under temporary appointments as warrant or commissioned officers in the regular Navy or as warrant or commissioned officers in the United States Naval Reserve Force for purpose of promotion to chief warrant rank;

H. R. 5780. An act 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.;

H. R. 6865. An act to prescribe more definitely the rates of compensation payable to steamships of United States registry for transportation of foreign mails;

H. R. 7392. An act for the relief of John I. Fitzgerald;

H. R. 7409. An act for the relief of John J. Campbell;

H. R. 8807. An act for the relief of James O. Williams;

H. R. 8901. An act to amend and further extend the benefits of the act approved March 3, 1925, entitled "An act conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and enter judgment in any and all claims, of whatever nature, which the Kansas or Kaw Tribe of Indians may have or claim to have against the United States, and for other purposes";

H. R. 8968. An act to allow credit in the accounts of William A. Schoenfeld;

H. R. 9716. An act for the relief of Charles H. Salley;

H. R. 9943. An act for the relief of Sawyer Motor Co.;

H. R. 10015. An act authorizing the promotion on the retired list of the Navy of Herschel Paul Cook, lieutenant, junior grade;

H. R. 10327. An act for the relief of Charles J. Hunt;

H. R. 10624. An act for the relief of William J. Casey;

H. R. 10760. An act 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;

H. R. 10913. An act to compensate Talbird & Jenkins for balance due on contracts with Navy Department dated March 20 and October 9, 1919;

H. R. 11289. An act for the relief of Katherina Kautz and Fred G. Kautz, heirs of the estate of Christian F. Kautz, deceased;

H. R. 11616. An act to authorize alterations and repairs to certain naval vessels;

H. R. 11749. An act for the relief of H. A. Russell;

H. R. 12007. An act for the relief of Mr. and Mrs. Peter J. Egan;

H. R. 12322. An act to quiet title and possession with respect to certain lands in Faulkner County, Ark.;

H. R. 12347. An act granting all right, title, and interest of the United States to the piece or parcel of land known as the Cuartel lot to the city of Monterey, Calif.;

H. R. 12415. An act to grant freedom of postage in the United States domestic service to the correspondence of the members of the diplomatic corps and consuls of the countries of the Pan American Postal Union stationed in the United States;

H. R. 12520. An act for the relief of the Nez Perce Tribe of Indians;

H. R. 12607. An act authorizing the Secretary of the Navy, in his discretion, to deliver to the custody of Naval Post 110 of the American Legion the bell of the battleship *Connecticut*;

H. R. 12711. An act for the relief of certain members of a trail crew employed by the Forest Service;

H. R. 12714. An act for the relief of the Rocky Ford National Bank, Rocky Ford, Colo.;

H. R. 12898. An act to extend the collect-on-delivery service and limits of indemnity to sealed domestic mail on which the first-class rate of postage is paid;

H. R. 13428. An act for the relief of Mackenzie Memorial Hospital and German-American Hospital and Lau Ye Kun, all of Tientsin, China;

H. R. 13449. An act to provide for the promotion of clerks and general mechanics in the motor-vehicle service;

H. R. 13450. An act to provide for the promotion of clerks, general mechanics, driver mechanics, and garage-men drivers in the motor-vehicle service;

H. R. 13451. An act to authorize the Postmaster General to hire vehicles from letter carriers for use in service;

H. R. 13565. An act to amend the act entitled "An act for the retirement of employees in the classified civil service, and for other purposes," approved July 3, 1926;

H. R. 13692. An act authorizing the Coos (Kowes) Bay, Lower Umpqua (Kalawatset), and Siuslaw Tribes of Indians of the State of Oregon to present their claims to the Court of Claims;

H. R. 13899. An act authorizing the Secretary of the Interior to issue patents for lands held under color of title;

H. R. 13977. An act authorizing the Secretary of the Interior to settle claims by agreement arising under operation of Indian irrigation projects;

H. R. 14458. An act authorizing the Rio Grande del Norte Investment Co., its successors and assigns, to construct, maintain, and operate a bridge across the Rio Grande at or near San Benito, Tex.;

H. R. 14572. An act for the relief of William Ghrist;

H. R. 15004. An act for the relief of Florence P. Hampton;

H. R. 15005. An act authorizing the Donna Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Rio Grande at or near Donna, Tex.;

H. R. 15006. An act authorizing the Los Indios Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Rio Grande at or near Los Indios, Tex.;

H. R. 15039. An act for the relief of Winston W. Davis;

H. R. 15069. An act authorizing the Rio Grande City-Camargo Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Rio Grande at or near Rio Grande City, Tex.;

H. R. 15092. An act to authorize an appropriation to pay half the cost of a bridge near the Soboba Indian Reservation, Calif.;

H. R. 15279. An act for the relief of the family of Wang Erh-Ko;

H. R. 15328. An act to authorize the exchange of 18 sections of Government land for an equal value of State land located in Box Elder County, Utah, for experiments in sheep growing, and for other purposes;

H. R. 15523. An act authorizing representatives of the several States to make certain inspections and to investigate State sanitary and health regulations and school attendance on Indian reservations, Indian tribal lands, and Indian allotments;

H. R. 15968. An act to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near St. Paul and Minneapolis, Minn.;

H. R. 16129. An act to provide for the acquisition of a site and the construction thereon and equipment of buildings and appurtenances for the Coast Guard Academy;

H. R. 16527. An act to authorize the Secretary of the Interior to purchase land for the Alabama and Coushatta Indians of Texas, subject to certain mineral and timber interests;

H. J. Res. 153. Joint resolution for the contribution of the United States in the plans of the organization of the International Society for the Exploration of the Arctic Regions by Means of the Airship;

H. J. Res. 304. Joint resolution providing for the observance and commemoration of the one hundred and fiftieth anniversary of the death of Brig. Gen. Casimir Pulaski, and establishing a commission to be known as the United States Pulaski Sesquicentennial Commission;

H. J. Res. 343. Joint resolution authorizing an extension of time within which suits may be instituted on behalf of the Cherokee Indians, the Seminole Indians, the Creek Indians, and the Choctaw and Chickasaw Indians to June 30, 1930, and for other purposes;

H. J. Res. 356. Joint resolution to authorize the exchange of certain public lands in the State of Utah, and for other purposes; and

H. J. Res. 398. Joint resolution to extend the period of time in which the Secretary of the Interior shall withhold his approval of the adjustment of Northern Pacific land grants, and for other purposes.

ADJOURNMENT

Mr. TILSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 40 minutes p. m.) the House adjourned until to-morrow, Thursday, February 14, 1929, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Thursday, February 14, 1929, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON WAYS AND MEANS

(10 a. m. and 2 p. m.)

Tariff hearings as follows:

Papers and books, February 14.

Sundries, February 15, 18, 19.

Free list, February 20, 21, 22.

Administrative and miscellaneous, February 25.

COMMITTEE ON APPROPRIATIONS

(10 a. m.)

Second deficiency appropriation bill.

COMMITTEE ON EXPENDITURES IN EXECUTIVE DEPARTMENTS

(10.30 a. m.)

To authorize the President to consolidate and coordinate governmental activities affecting war veterans (H. R. 16722).

COMMITTEE ON THE LIBRARY

(10.30 a. m.)

Authorizing the erection on public grounds in the District of Columbia of a monument or memorial to Oscar S. Straus (H. J. Res. 377).

COMMITTEE ON FOREIGN AFFAIRS

(10.30 a. m.)

To authorize an appropriation for the American group of the Interparliamentary Union.

COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

(10 a. m.)

For the acquisition, establishment, and development of the George Washington Memorial Parkway along the Potomac from Mount Vernon and Fort Washington to the Great Falls, and to provide for the acquisition of lands in the District of Columbia and the States of Maryland and Virginia requisite to the comprehensive park, parkway, and playground system of the National Capital (H. R. 15524).

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

834. A communication from the President of the United States, transmitting supplemental estimate of appropriation for the National Advisory Committee for Aeronautics for the fiscal year ending June 30, 1929, \$208,000, to remain available until June 30, 1930 (H. Doc. No. 584); to the Committee on Appropriations and ordered to be printed.

835. A communication from the President of the United States, transmitting supplemental estimates of appropriations for the Federal Board for Vocational Education for the fiscal year ending June 30, 1930, for cooperative vocational education in agriculture and home economics \$500,000, and for salaries and expenses, Federal Board for Vocational Education \$95,000; in all, \$595,000 (H. Doc. No. 585); to the Committee on Appropriations and ordered to be printed.

836. A communication from the President of the United States, transmitting records of judgments against the Government by the United States district courts in special cases, as submitted by the Attorney General, through the Secretary of the Treasury, amounting to \$47,659.82 (H. Doc. No. 586); to the Committee on Appropriations and ordered to be printed.

837. A letter from the Assistant Secretary of Labor, transmitting report on accumulation of miscellaneous papers in the Immigration Service, Bureau of Labor Statistics, United States Employment Service, Children's Bureau, and Women's Bureau which will be of no further use in the transaction of official business; to the Committee on Disposition of Useless Executive Papers.

838. A letter from the secretary of the Federal Radio Commission, transmitting a list of useless papers accumulated in the files of the commission, which have no permanent value or historical interest; to the Committee on Disposition of Useless Executive Papers.

839. A letter from the Secretary of the Treasury, transmitting draft of a bill "authorizing the Secretary of the Treasury to sell the Government property acquired for a new post-office site in Binghamton, N. Y., and for other purposes"; to the Committee on Public Buildings and Grounds.

840. A letter from the Acting Librarian of the Library of Congress, transmitting the first Index and Digest to the Legislation of the States of the United States enacted during the biennium 1925-26, under the act of Congress approved February 10, 1927; to the Committee on Printing.

841. A communication from the President of the United States, transmitting supplemental estimate of appropriation for the Director of Public Buildings and Public Parks of the National Capital for the fiscal years 1929 and 1930, in the sum of \$48,000, together with proposed legislation to make Government property at Mount Weather, Va., available for the use of the President (H. Doc. No. 587); to the Committee on Appropriations and ordered to be printed.

842. A letter from the Secretary of War, transmitting report from the Chief of Engineers on preliminary examination of headwaters of the Mississippi River, with a view to maintaining a minimum fixed head of water in all the channels of this system at all times; to the Committee on Rivers and Harbors.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. BECK of Pennsylvania: Committee on Interstate and Foreign Commerce. H. R. 16349. A bill authorizing V. Calvin Trice, his heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across the Choptank River at or near Cambridge, Md.; with amendment (Rept. No. 2474). Referred to the House Calendar.

Mr. DENISON: Committee on Interstate and Foreign Commerce. H. R. 16603. A bill to extend the times for commencing and completing the construction of a bridge across the Cumberland River at or near Arat, Cumberland County, Ky.; with amendment (Rept. No. 2475). Referred to the House Calendar.

Mr. DENISON: Committee on Interstate and Foreign Commerce. H. R. 16604. A bill to extend the times for commencing and completing the construction of a bridge across the Cumberland River at or near Center Point, in Monroe County, Ky.; with amendment (Rept. No. 2476). Referred to the House Calendar.

Mr. DENISON: Committee on Interstate and Foreign Commerce. H. R. 16605. A bill to extend the times for commencing and completing the construction of a bridge across the Cumberland River at or near Creelsboro, in Russell County, Ky.; with amendment (Rept. No. 2477). Referred to the House Calendar.

Mr. DENISON: Committee on Interstate and Foreign Commerce. H. R. 16606. A bill to extend the times for commencing and completing the construction of a bridge across the Cumberland River at or near Neelys Ferry, in Cumberland County, Ky.; with amendment (Rept. No. 2478). Referred to the House Calendar.

Mr. PEERY: Committee on Interstate and Foreign Commerce. H. R. 16609. A bill extending the times for commencing and completing the construction of a bridge across the Ohio River at Sistersville, Tyler County, W. Va.; with amendment (Rept. No. 2479). Referred to the House Calendar.

Mr. DENISON: Committee on Interstate and Foreign Commerce. H. R. 16610. A bill to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Chester, Randolph County, Ill.; with amendment (Rept. No. 2480). Referred to the House Calendar.

Mr. DENISON: Committee on Interstate and Foreign Commerce. H. R. 16640. A bill to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Mound City, Ill.; with amendment (Rept. No. 2481). Referred to the House Calendar.

Mr. MILLIGAN: Committee on Interstate and Foreign Commerce. H. R. 16641. A bill to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Washington, Mo.; with amendment (Rept. No. 2482). Referred to the House Calendar.

Mr. PARKS: Committee on Interstate and Foreign Commerce. H. R. 16645. A bill to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Helena, Ark.; with amendment (Rept. No. 2483). Referred to the House Calendar.

Mr. RAYBURN: Committee on Interstate and Foreign Commerce. H. R. 16725. A bill authorizing L. L. Thompson, his heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across the Red River at or near Mont-

gomery, La.; with amendment (Rept. No. 2484). Referred to the House Calendar.

Mr. DENISON: Committee on Interstate and Foreign Commerce. H. R. 16764. A bill authorizing the State Highway Commission, Commonwealth of Kentucky, to construct, maintain, and operate a bridge across the Ohio River at or near Carrollton, Ky.; without amendment (Rept. No. 2485). Referred to the House Calendar.

Mr. WYANT: Committee on Interstate and Foreign Commerce. H. R. 16791. A bill to extend the times for commencing and completing the construction of a bridge across the Monongahela River at or near Point Marion, Pa.; with amendment (Rept. No. 2486). Referred to the House Calendar.

Mr. PEERY: Committee on Interstate and Foreign Commerce. H. R. 16818. A bill to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Wellsburg, W. Va.; with amendment (Rept. No. 2487). Referred to the House Calendar.

Mr. HOCH: Committee on Interstate and Foreign Commerce. H. R. 16824. A bill to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Kansas City, Kans.; with amendment (Rept. No. 2488). Referred to the House Calendar.

Mr. JOHNSON of Indiana: Committee on Interstate and Foreign Commerce. S. 4438. An act authorizing the State of Indiana to construct, maintain, and operate a toll bridge across the Ohio River at or near Evansville, Ind.; without amendment (Rept. No. 2489). Referred to the House Calendar.

Mr. PARKS: Committee on Interstate and Foreign Commerce. S. 5066. An act extending the times for commencing and completing the construction of a bridge across the St. Francis River at or near St. Francis, Ark.; without amendment (Rept. No. 2490). Referred to the House Calendar.

Mr. DENISON: Committee on Interstate and Foreign Commerce. H. R. 16531. A bill to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Golconda, Ill.; without amendment (Rept. No. 2495). Referred to the House Calendar.

Mr. JOHNSON of Indiana: Committee on Interstate and Foreign Commerce. H. R. 16920. A bill granting the consent of Congress to E. T. Franks, his successors and assigns, to construct, maintain, and operate a bridge across the Ohio River approximately midway between the cities of Owensboro, Ky., and Rockport, Ind.; with amendment (Rept. No. 2496). Referred to the House Calendar.

Mr. CORNING: Committee on Interstate and Foreign Commerce. H. R. 17020. A bill to extend the times for commencing and completing the construction of a bridge across Lake Champlain at or near Rouses Point, N. Y.; with amendment (Rept. No. 2497). Referred to the House Calendar.

Mr. MILLIGAN: Committee on Interstate and Foreign Commerce. H. R. 17024. A bill to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Carondelet, Mo.; without amendment (Rept. No. 2498). Referred to the House Calendar.

Mr. ELLIOTT: Committee on Public Buildings and Grounds. S. J. Res. 213. A joint resolution to provide for extending the time in which the United States Supreme Court Building Commission shall report to Congress; with amendment (Rept. No. 2499). Referred to the House Calendar.

Mr. ZIHLMAN: Committee on the District of Columbia. H. R. 16792. A bill to amend sections 599, 600, and 601 of subchapter 3 of the Code of Laws for the District of Columbia; with amendment (Rept. No. 2500). Referred to the House Calendar.

Mr. ZIHLMAN: Committee on the District of Columbia. S. 4063. An act to amend certain sections of the teachers' salary act, approved June 4, 1924, and for other purposes; without amendment (Rept. No. 2501). Referred to the Committee of the Whole House on the state of the Union.

Mr. ELLIOTT: Committee on Public Buildings and Grounds. H. R. 11726. A bill to authorize the construction of a memorial building at Champoe, Oreg.; with amendment (Rept. No. 2502). Referred to the Committee of the Whole House on the state of the Union.

Mr. ELLIOTT: Committee on Public Buildings and Grounds. H. R. 16661. A bill to amend the act entitled "An act authorizing the paving of the Federal strip known as International Street, adjacent to Nogales, Ariz.," approved May 16, 1928; with amendment (Rept. No. 2503). Referred to the Committee of the Whole House on the state of the Union.

Mr. ELLIOTT: Committee on Public Buildings and Grounds. H. R. 17026. A bill granting a part of the Federal building site at Savannah, Ga., to the city of Savannah for street purposes; with amendment (Rept. No. 2504). 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. BRITTEN: Committee on Naval Affairs. H. R. 15976. A bill for the relief of Lieut. (Junior Grade) Victor B. Tate, United States Navy, and Paul Franz, torpedo man (third class), United States Navy; without amendment (Rept. No. 2491). Referred to the Committee of the Whole House.

Mr. BURDICK: Committee on Naval Affairs. H. R. 16887. A bill for the relief of Capt. George S. Seibels, Supply Corps, United States Navy; with amendment (Rept. No. 2492). Referred to the Committee of the Whole House.

Mr. HOUSTON of Hawaii: Committee on Naval Affairs. H. R. 16888. A bill for the relief of Capt. Chester G. Mayo, Supply Corps, United States Navy; without amendment (Rept. No. 2493). Referred to the Committee of the Whole House.

Mr. WOODRUFF: Committee on Naval Affairs. H. R. 17001. A bill for the relief of Capt. Walter R. Gherardi, United States Navy; without amendment (Rept. No. 2494). Referred to the Committee of the Whole House.

Mr. HOFFMAN: Committee on Military Affairs. H. R. 9515. A bill for the relief of Homer N. Horine; with amendment (Rept. No. 2505). Referred to the Committee of the Whole House.

Mr. VINSON of Georgia: Committee on Naval Affairs. H. R. 13288. A bill to authorize a cash award to William P. Flood for beneficial suggestions resulting in improvement in naval material; without amendment (Rept. No. 2506). Referred to the Committee of the Whole House.

Mr. TATGENHORST: Committee on Naval Affairs. H. R. 16891. A bill for the relief of Lieut. Arthur W. Babcock, Supply Corps, United States Navy; with amendment (Rept. No. 2507). Referred to the Committee of the Whole House.

Mr. EVANS of California: Committee on Naval Affairs. H. R. 16899. A bill for the relief of Lieut. Archy W. Barnes, Supply Corps, United States Navy; without amendment (Rept. No. 2508). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. GIBSON: A bill (H. R. 17074) to provide for the acquisition of a residence for the use of the Vice President, and for other purposes; to the Committee on Public Buildings and Grounds.

By Mr. BURTNESS: A bill (H. R. 17075) to extend the times for commencing and completing the construction of a bridge across the Red River of the North at or near Fargo, N. Dak.; to the Committee on Interstate and Foreign Commerce.

By Mr. CONNERY: A bill (H. R. 17076) to amend the World War adjusted compensation act, as amended; to the Committee on Ways and Means.

By Mr. ROY G. FITZGERALD: A bill (H. R. 17077) to authorize an appropriation for the American group of the Interparliamentary Union; to the Committee on Foreign Affairs.

By Mr. HOWARD of Oklahoma: A bill (H. R. 17078) to authorize the establishment of an employment agency for the Indian Service; to the Committee on Indian Affairs.

By Mr. LEAVITT (by request): A bill (H. R. 17079) to repeal the provisions in the act of April 30, 1908, and other legislation limiting the annual per capita cost in Indian schools; to the Committee on Indian Affairs.

By Mr. SNELL: A bill (H. R. 17080) to amend section 97 of the Judicial Code, as amended (sec. 178, title 28, U. S. C.); to the Committee on the Judiciary.

MEMORIALS

Under clause 3 of Rule XXII, memorials were presented and referred as follows:

Joint resolution of the Legislature of the State of Nebraska, urging the Congress of the United States to enact into law House bill 14461; to the Committee on the Judiciary.

By Mr. CARSS: Memorializing the Congress of the United States for the relief of the Lake of the Woods settlers for past damages suffered at the hands of power trust and enterprises in Canada; to the Committee on the Judiciary.

By Mr. EATON: Memorial of the Legislature of the State of New Jersey, urging the Congress of the United States to appropriate sufficient funds to train not less than 21,000 reserve officers each year for a period of 14 days on an active-duty status; to the Committee on Appropriations.

By Mr. KVALE: Memorial of the Legislature of the State of Minnesota, memorializing the Congress of the United States to amend existing law to provide that settlers suffering alleged damage to their lands bordering on the Lake of the Woods may

have their claims filed and tried in the courts of the land; to the Committee on the Judiciary.

By Mr. HOWARD of Nebraska: Memorial from the House of Representatives of the State of Nebraska, memorializing the Congress in behalf of a Federal appropriation for the survey, improvement, construction, and maintenance of a road on the Omaha and Winnebago Indian Reservation in the State of Nebraska; to the Committee on Roads.

Also, memorial from the Senate of the State of Nebraska, pleading for Federal appropriation for survey, improvement, construction, and maintenance of a road on the Omaha and Winnebago Indian Reservation in the State of Nebraska; to the Committee on Roads.

Also, memorial from the House of Representatives of the State of Nebraska, memorializing the Congress in behalf of House bill 14461, Seventieth Congress, second session, which provides for a joint reunion of the survivors of the war of 1861 to 1865, to be held in the city of Washington in the year 1929, and to authorize the appropriation of sufficient money from the United States Treasury to pay the expenses of such joint reunion and to provide for a commission to carry into effect the provisions of said act; to the Committee on the Judiciary.

Also, memorial from the Senate of the State of Nebraska memorializing the Congress in behalf of House bill 14461, Seventieth Congress, second session, which provides for a joint reunion of the survivors of the war of 1861 to 1865, to be held in the city of Washington in the year 1929, and to authorize the appropriation of sufficient money from the United States Treasury to pay the expenses of such joint reunion and to provide for a commission to carry into effect the provisions of said act; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. BACHMANN: A bill (H. R. 17081) for the relief of James L. Hannon; to the Committee on Military Affairs.

Also, a bill (H. R. 17082) for the relief of dependent wife and child of Leonidas B. Linger; to the Committee on Military Affairs.

Also, a bill (H. R. 17083) for the relief of Herbert L. Burge; to the Committee on Military Affairs.

By Mr. BACHARACH: A bill (H. R. 17084) granting an increase of pension to Mary Conover; to the Committee on Invalid Pensions.

By Mr. BUCKBEE: A bill (H. R. 17085) granting an increase of pension to Betsy Van Amburg; to the Committee on Invalid Pensions.

By Mr. COCHRAN of Pennsylvania: A bill (H. R. 17086) granting an increase of pension to Mary L. Briggs; to the Committee on Invalid Pensions.

By Mr. EATON: A bill (H. R. 17087) granting an increase of pension to Mary E. Buffin; to the Committee on Invalid Pensions.

By Mr. HALL of Illinois: A bill (H. R. 17088) granting an increase of pension to Mary E. Avery; to the Committee on Invalid Pensions.

Also, a bill (H. R. 17089) granting an increase of pension to Matilda Edmonds; to the Committee on Invalid Pensions.

By Mr. HOOPER: A bill (H. R. 17090) granting a pension to Ella V. Zeluff; to the Committee on Invalid Pensions.

By Mr. KING: A bill (H. R. 17091) granting a pension to Mrs. Harrison Lantz; to the Committee on Pensions.

By Mr. MENGES: A bill (H. R. 17092) granting an increase of pension to Susannah Null; to the Committee on Invalid Pensions.

By Mr. REECE: A bill (H. R. 17093) granting a pension to Lucy E. Huff; to the Committee on Invalid Pensions.

By Mr. REED of New York: A bill (H. R. 17094) for the relief of John F. Green; to the Committee on Claims.

By Mr. WURZBACH: A bill (H. R. 17095) to authorize the appointment of Nannie C. Barndollar, Albert B. Neal, and Joseph B. Dickerson as warrant officers, United States Army; to the Committee on Military Affairs.

PETITIONS, ETC.

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

11172. By Mr. BACHMANN: Petition of A. G. Bihler and other citizens of Wheeling, W. Va., protesting against the enactment of the Lankford Sunday bill; to the Committee on the District of Columbia.

11173. By Mr. BLOOM: Petition of persons protesting against the enactment of the Lankford Sunday bill (H. R. 78); to the Committee on the District of Columbia.

11174. By Mr. BOYLAN: Resolution adopted by the New York State Bar Association at the last annual meeting of the association urging the passage of House bill 10639; to the Committee on the Judiciary.

11175. By Mr. CANFIELD: Petition of Dr. John B. Talmage and 48 other citizens of Lawrenceburg, Ind., petitioning against the passage of the Lankford Sunday bill, known as House bill 78; to the Committee on the District of Columbia.

11176. By Mr. CANNON: Petition of the First Baptist Church, of Oklahoma City, Okla., indorsing equal distribution of broadcasting facilities by the Federal Radio Commission; to the Committee on the Merchant Marine and Fisheries.

11177. By Mr. CARLEY: Petition of postal employees of New York, asking special rule on certain bills; to the Committee on Rules.

11178. By Mr. CARTER: Joint petition of Shasta County Board of Supervisors and the Redding Chamber of Commerce, Calif., urging the passage of House bill 14665, appropriating \$10,500,000 for the next 3-year period in building highways; to the Committee on Roads.

11179. By Mr. CULLEN: Petition of the New York Holstein-Friesian Association, urging Congress to direct its attention to the better protection of our dairy industry by adequate increase of existing tariff duties on milk, cream, cheese, butter, and other dairy products and competing products, to the end that returns to the dairy branch of agriculture may be on a fair parity with the other business industries of our country; to the Committee on Ways and Means.

11180. Also, petition of the board of trustees of the Foreign Language Information Service, urging that Congress permit aliens who entered the United States before July 1, 1924, but of whose admission there is no record, and who are not for any cause subject to deportation, to regularize their status in the United States and to obtain the certificate of arrival required for naturalization; to the Committee on Immigration and Naturalization.

11181. Also, petition by the New York State Bar Association, urging passage by Congress of the bill pending before it, designated as House bill 10639; to the Committee on the Judiciary.

11182. By Mr. EVANS of California: Petition of Mrs. L. C. Craig and 192 others, of North Long Beach, Calif., protesting against the enactment of the Lankford Sunday bill; to the Committee on the District of Columbia.

11183. By Mr. GARBER: Petition of the First Baptist Church of Oklahoma City, Okla., requesting Congress and the Federal Radio Commission to remedy certain discriminations against the churches in the matter of broadcasting; to the Committee on the Merchant Marine and Fisheries.

11184. By Mr. JOHNSON of Texas: Petition of Texas Farm Bureau Federation, protesting against a tariff on lumber, shingles, and logs from Canada; to the Committee on Ways and Means.

11185. By Mr. KVALE: Petition of the Marietta Study Club, Marietta, Minn., by Mrs. C. C. Ross, corresponding secretary, urging prompt enactment into law of the Shipstead-Newton bill, so called (H. R. 12780); to the Committee on the Public Lands.

11186. By Mr. LINDSAY: Petition of Ford & Co. (Inc.), Brooklyn, N. Y., urging passage of House bill 12693, regulating traffic, labeling, and standards of various types of preserves; to the Committee on Agriculture.

11187. Also, petition of the New York State Bar Association, favoring House bill 10639, involving certain changes in trial procedures; to the Committee on the Judiciary.

11188. Also, petition of Irving Cohen, 50 Bocrum Street, and H. Bronstein, 201 Varet Street, Brooklyn, N. Y., urging support of Mead-La Follette bill for postal employees; to the Committee on the Civil Service.

11189. Also, petition of James Kennaugh, president Local No. 10, New York Federation Post Office Clerks, New York, N. Y., urging support of La Follette and Dale-Lehlbach retirement bills; to the Committee on the Civil Service.

11190. By Mr. O'CONNELL: Petition of the Foreign Language Information Service, New York City, with reference to amendments to the immigration law; to the Committee on Immigration and Naturalization.

11191. Also, petition of George Borgfeldt & Co., New York City, favoring the passage of Senate bill 1462; to the Committee on Irrigation and Reclamation.

11192. Also, petition of Ford & Co., Brooklyn, N. Y., favoring the passage of House bill 12693; to the Committee on Agriculture.

11193. Also, petition of the New York State Bar Association favoring the passage of House bill 10639; to the Committee on the Judiciary.

11194. By Mr. O'CONNOR of New York: Resolution adopted by the New York State Bar Association, urging the passage of House bill 10639; to the Committee on the Judiciary.

11195. By Mr. QUAYLE: Petition of Henry W. C. Block, St. Louis, Mo., and other citizens, with reference in the settlement of claims of former enemies to any property turned over to the Alien Property Custodian; to the Committee on Ways and Means.

11196. Also, petition of the National Association of Retail Meat Dealers (Inc.), of Chicago, Ill., opposing an increase in tariff on meats; to the Committee on Ways and Means.

11197. Also, petition of Ford & Co. (Inc.), of Brooklyn, N. Y., favoring the passage of House bill 12693, referring to the question of standards covering the making of fruit preserves; to the Committee on Agriculture.

11198. Also, petition of George Borgfeldt & Co., of New York, favoring the passage of Senate bill 1462, which authorizes preparations to be made for completing surveys and studies for the Columbia Basin project; to the Committee on Irrigation and Reclamation.

11199. Also, petition of New York State Bar Association, urging the passage of House bill 10639, granting to an accused in the United States district court the right voluntarily to waive a jury trial and to elect to be tried by the court without a jury; to the Committee on the Judiciary.

11200. By Mr. SANDERS of Texas: Petition from the First Baptist Church of Oklahoma City, asking to remedy discriminations that are being practiced upon the Christian churches of the Nation, etc.; to the Committee on the Merchant Marine and Fisheries.

11201. By Mr. VINCENT of Iowa: Petition of Joseph Dotzler, Defiance, Iowa, protesting against any change in present tariff on hides and leather used in the manufacture of shoes; to the Committee on Ways and Means.

SENATE

THURSDAY, February 14, 1929

(Legislative day of Monday, February 11, 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. Farrell, its enrolling clerk, announced that the House had passed the bill (S. 4257) to authorize the payment of certain salaries or compensation to Federal officials and employees by the treasurer of the Territory of Alaska.

The message also announced that the House had passed the joint resolution (S. J. Res. 110) to provide for accepting, ratifying, and confirming the cessions of certain islands of the Samoan group to the United States, and for other purposes, with amendments, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 16877. An act providing for the biennial appointment of a board of visitors to inspect and report upon the government and conditions in the Philippine Islands; and

H. R. 16881. An act to approve, ratify, and confirm an act of the Philippine Legislature entitled "An act amending the corporation law, Act No. 1459, as amended, and for other purposes," enacted November 8, 1928, approved by the Governor General of the Philippine Islands December 3, 1928.

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. 3955. An act for the relief of the C. Tisdall Co., Herbert W. Smith, Newman Bros., Thomas J. Murphy Co., formerly Edward A. Brown Co., and Giles P. Dunn, jr.;

H. R. 4258. An act to authorize credit in the disbursing accounts of certain officers of the Army of the United States and for the settlement of individual claims approved by the War Department;

H. R. 7166. An act to allow credit in the accounts of disbursing officers of the Army of the United States on account of refunds made to purchasers of surplus war supplies;

H. R. 15386. An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1930, and for other purposes;

H. R. 16500. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; and

H. R. 16522. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, etc., and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors.

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

Mr. NORRIS. I wish to announce that my colleague [Mr. HOWELL] is still detained from the Senate by illness. I ask that this announcement may stand for the day.

Mr. BLAINE. I desire to announce that my colleague [Mr. LA FOLLETTE] is unavoidably absent, and I ask that the announcement may stand for the day.

Mr. JONES. I desire to announce that the Senator from Rhode Island [Mr. METCALF] and the Senator from New Mexico [Mr. LARRAZOLO] are absent because of illness.

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

SUPPLEMENTAL ESTIMATES—INCREASE OF THE NAVY (S. DOC. NO. 222)

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, transmitting, pursuant to law, three supplemental estimates of appropriation for the Navy Department for the fiscal year ending June 30, 1930: For increase of the Navy—construction and machinery, \$5,800,000; armor, armament, and ammunition, \$6,000,000; and improving and equipping the navy yards for construction of ships, \$570,000—amounting in all to \$12,370,000, which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

DISPOSITION OF USELESS PAPERS

The VICE PRESIDENT laid before the Senate a communication from the Public Printer, reporting, pursuant to law, relative to an accumulation of certain papers on the files of the Government Printing Office which have no permanent value or historical interest and asking for action looking toward their disposition as waste paper, which was referred to a Joint Select Committee on the Disposition of Useless Papers in the Executive Departments. The Vice President appointed Mr. SHIPSTEAD and Mr. FLETCHER members of the committee on the part of the Senate.

The VICE PRESIDENT also laid before the Senate a communication from the Secretary of the Interior, reporting, pursuant to law, relative to 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 value or historical 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. NYE and Mr. PITTMAN 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 Idaho, which was referred to the Committee on Finance: