NEW JERSEY.

George E. Schenck to be postmaster at Haddon Heights, N. J., in place of Lizzie B. Minton, removed.

PENNSYLVANIA.

Clark D. Eckels to be postmaster at Cambridge Springs, Pa., in place of William E. Root. Incumbent's commission expired February 20, 1911.

Burd R. Linder to be postmaster at Orwigsburg, Pa., in place of Burd R. Linder. Incumbent's commission expired June 22, 1910.

SOUTH DAKOTA.

Peter J. Schroder to be postmaster at Avon, S. Dak. Office became presidential January 1, 1911.

TEXAS.

John H. Carson to be postmaster at Dayton, Tex. Office became presidential October 1, 1910.

William D. McCaslin to be postmaster at Detroit, Tex., in place of William D. McCaslin. Incumbent's commission expired February 13, 1911.

Rufus H. Windham to be postmaster at Newton, Tex. Office became presidential April 1, 1911.

WISCONSIN.

Joseph W. Fritz to be postmaster at Ladysmith, Wis., in place of Joseph W. Fritz. Incumbent's commission expired February 28, 1911.

CONFIRMATIONS.

Executive nominations confirmed by the Senate April 27, 1911.

MINISTER.

Laurits S. Swenson to be envoy extraordinary and minister plenipotentiary to Norway.

COLLECTOR OF CUSTOMS.

Frederick C. Harper to be collector of customs for the district of Puget Sound, Wash.

RECEIVERS OF PUBLIC MONEYS.

Jacob L. Parrott to be receiver of public moneys at Timberlake, S. Dak.

Samuel W. Huntington to be receiver of public moneys at Lemmon, S. Dak.

REGISTERS OF THE LAND OFFICE.

Edwin G. Coleman to be register of the land office at Lemmon, S. Dak.

Paul D. Kribs to be register of the land office at Timberlake, S. Dak.

Albert Kircher to be register of the land office at Miles City, Mont.

PROMOTIONS IN THE NAVY.

Lieut. Commander John H. Dayton to be a commander.

The following-named carpenters to be chief carpenters:

Thomas O. Covell and

Caleb Whitford.

POSTMASTERS.

CALIFORNIA.

William J. Atwood, Midland.

MINNESOTA.

Nicholas J. Kohn, Fort Snelling.

NORTH CAROLINA.

Frank D. Dickey, Murphy.

OREGON.

Lawrence M. Scholl, Hubbard.

WISCONSIN.

Robert V. Baker, Kenosha.

John F. Shaw, Ellsworth.

Earle S. Welch, Eau Claire.

HOUSE OF REPRESENTATIVES.

THURSDAY, *April 27, 1911.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Almighty God, our heavenly Father, let Thy blessing descend copiously upon us, to broaden our views, quicken our sensibilities, that we may make worthy our acts in whatsoever our hands findeth to do, and thus grow daily into the likeness of our Maker. And honor and glory and praise be Thine forever. Amen.

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

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Presiding Officer had appointed Mr. CLARKE of Arkansas and Mr. GALLINGER members of the joint select committee on the part of the Senate, as provided for in the act of February 16, 1889, entitled "An act to authorize and provide for the disposition of useless papers in the executive departments," for the disposition of useless papers in the Treasury Department.

PRINTING AND BINDING, COMMITTEE ON EXPENDITURES IN THE AGRICULTURAL DEPARTMENT.

Mr. MOSS of Indiana. Mr. Speaker, I offer the following resolution, and ask unanimous consent for its immediate consideration.

The SPEAKER. The gentleman from Indiana asks unanimous consent for the present consideration of the resolution, which the Clerk will report.

The Clerk read as follows:

House resolution 129.

Resolved, That the Committee on Expenditures in the Department of Agriculture be authorized to have such printing and binding done as may be necessary for the transaction of its business during the Sixty-second Congress.

Mr. DALZELL. Mr. Speaker, I understand this committee is actually taking testimony and working through subcommittees.

Mr. MOSS of Indiana. Yes. Mr. Speaker, this resolution is offered at the request of members of the committee. This committee is actually at work taking testimony through subcommittees, and it is desirable to have it printed, so that the full committee can have the advantage of their work.

Mr. DALZELL. Mr. Speaker, I think there can be no objection.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

The question was taken, and the resolution was agreed to.

LEAVE OF ABSENCE.

By unanimous consent, Mr. MCMORRAN was granted leave of absence for two weeks on account of important business.

THE APPORTIONMENT BILL.

Mr. HOUSTON. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 2983—the apportionment bill—and, pending that, I ask unanimous consent that general debate be fixed at three hours, one-half to be controlled by the gentleman from Indiana [Mr. CRUMPACKER] and one-half by myself.

The SPEAKER. The gentleman from Tennessee moves that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 2983, known as the apportionment bill, and, pending that, he asks unanimous consent that general debate be limited to three hours, one-half of the time to be controlled by himself and the other half by the gentleman from Indiana [Mr. CRUMPACKER]. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, I would like to inquire of the gentleman from Indiana whether he thinks that that will be ample time on this side of the House?

Mr. CRUMPACKER. I supposed it would be. But one request has been made to me for time, and that is from the gentleman from Wisconsin [Mr. NELSON]. Probably I will occupy 30 minutes—possibly 40. That would leave a half hour or so that may be distributed. If there is any Member on this side of the House who desires to speak and wants time, and thinks we ought to have more time, I would be glad to have it made known.

Mr. KNOWLAND. I want 15 minutes.

Mr. CRUMPACKER. The gentleman from California wants 15 minutes.

Mr. MANN. The gentleman from Indiana [Mr. CRUMPACKER] and the gentleman from Tennessee [Mr. HOUSTON], I think, have agreed upon the number of Representatives by the apportionment. Whether gentlemen opposed to the number desire to be heard or not to any extent, I am not informed. If any gentleman desires time, now is a very good opportunity to indicate it.

Mr. CRUMPACKER. It may be that, as a matter of safety, we better have two hours on a side. I presume there will not be so much time required, but I suggest it as a matter of precaution. This is quite an important bill, and there are, perhaps, 125 Members of this body who were not Members of the last Congress, and who were not present at the discussion then,

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and, of course, I would like to give everybody an opportunity to express himself on the questions involved in this bill. I do not think the general debate will last over an hour and a half.

Mr. MANN. I suggest to the gentleman from Tennessee [Mr. HOUSTON] that he make his request for two hours on a side. If the time is not occupied, very well. Five-minute debate would follow that, of course.

Mr. HOUSTON. Mr. Speaker, judging from the number of those who have asked me for time in the discussion of this bill, I think that really one hour would be long enough for this side, and an hour and a half would be ample, and the gentleman from Indiana seemed to think that would be satisfactory. Now, of course, we will take up the bill after this general discussion, under the five-minute rule, and that would prolong its consideration for some time, and perhaps we would not get through until very late. It seems to me that three hours, one hour and a half on a side, would be ample time.

Mr. LANGLEY. Mr. Speaker——

The SPEAKER. Does the gentleman from Tennessee [Mr. HOUSTON] yield to the gentleman from Kentucky [Mr. LANGLEY]?

Mr. HOUSTON. I do.

Mr. LANGLEY. I did not quite catch the request. Did it include the statement that the general debate is to be confined to the merits of the bill? If not, I make that suggestion to the gentleman from Tennessee.

Mr. HOUSTON. I include in my request that the debate be confined to the discussion of this bill.

Mr. LANGLEY. I think it ought to be.

The SPEAKER. The rules settle that question. When the House is in Committee of the Whole House on the state of the Union considering a bill under general debate, Members are allowed great latitude in discussion. Outside of that, Members are confined to the question, if anybody raises the point.

Mr. CRUMPACKER. Mr. Speaker, if the gentleman will permit, I have had three requests since the gentleman made his motion for time, aggregating 45 minutes. I will probably occupy half an hour myself. I believe we ought to have two hours on this side, but we will not use it unless there is demand for it, of course. I wish the gentleman would modify his request and make it four hours—two hours on a side.

Mr. HOUSTON. Mr. Speaker, in response to the request made by the gentleman from Indiana and others on that side, that we have more time for discussion, I agree to the time of two hours on a side.

The SPEAKER. The gentleman from Tennessee [Mr. HOUSTON] modifies his request in two respects. He asks that the time be extended to four hours of general debate, one-half to be controlled by himself and the other half to be controlled by the gentleman from Indiana [Mr. CRUMPACKER], and that the debate be confined to the bill under consideration. Is there objection? [After a pause.] The Chair hears none.

The question is on the motion of the gentleman from Tennessee [Mr. HOUSTON] that the House resolve itself into Committee of the Whole House on the state of the Union, to consider House bill 2983, for the apportionment of Representatives in Congress among the several States under the Thirteenth Census.

The question was taken, and the motion was agreed to.

Accordingly, the House resolved itself into Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 2983) for the apportionment of Representatives in Congress among the several States under the Thirteenth Census, with Mr. GARNER in the chair.

Mr. GARNER took the chair amid applause.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 2983. The Clerk will report the bill.

The Clerk read as follows:

House bill 2983, a bill for the apportionment of Representatives in Congress among the several States under the Thirteenth Census.

Be it enacted, etc.——

Mr. HOUSTON. Mr. Chairman, I ask that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Tennessee [Mr. HOUSTON] asks unanimous consent that the first reading of the bill be dispensed with. Is there objection? [After a pause.] The Chair hears none. The gentleman from Tennessee [Mr. HOUSTON] is recognized.

Mr. SHARP. Mr. Chairman, I understand that both of the gentlemen to whom the control of time is allotted favor the same bill. I wish to ask if time will be apportioned to any Member on the floor who opposes the bill. This question was raised at the time this same bill was discussed at the last session, and a different rule was followed then, and a certain amount of time was allotted to those who opposed the bill. I would like at this time to make this inquiry, whether it is the intention of the gentlemen on either side in control of time to surrender some time to Members who oppose the bill?

Mr. HOUSTON. I will answer, Yes; time will be given to those who oppose it. I am willing to make as much concession as I reasonably can.

Mr. Chairman, according to the provisions of the Constitution and under the laws passed by Congress, the census of 1910 has been taken and certified to Congress by the proper official of the Census Bureau, the Director of the Census. Under the Constitution it is our manifest duty to pass an apportionment bill, and I take it that it is unnecessary to offer any argument or any reason why an apportionment bill should be passed. The only question to be considered by this House is the character of the bill that is to be passed, so that I do not expect to take up more than a few minutes of the time of the House, and that will be occupied in setting forth the provisions of this bill and describing it.

In the first place, Mr. Chairman, this bill provides that the membership of this House shall be 433. This involves an increase of 42 Members. It also provides that in the event the Territories of New Mexico and Arizona are admitted to the Union, they will have one Member each. This will be in addition to the 433 already provided for.

In the apportionment of the Representatives among the different States the committee was confronted with the question as to the manner and method of arriving at a just and fair apportionment, and upon this point I must say that there is a very great diversity of opinion. It is rather remarkable that after more than 100 years in the history of our Government there has been no uniform method agreed upon, either by Congress or by the officials of the Census Bureau or by statisticians in general. However, the method adopted in the formation of this bill, to my mind, adopts the simplest and the plainest and as fair a method as is available under the present conditions. The method adopted was the method known as the method of majority fractions. By that method a ratio is ascertained, and that ratio is divided among the population of the different States, each State getting a Member in the House for each full ratio and one for each majority fraction thereof.

Now, there are arguments made pro and con as to other methods—the method of 1850 and the method submitted by Dr. Hill, the chief statistician of the Bureau of the Census, which had features to commend it to the favorable consideration of the Census Committee. However, it is agreed by all that with the present population of the United States and the ratio determined upon by this committee of 211,877, as representing the average constituency of each Member, the same result is reached when you come to divide the membership of the House into the number 433. Therefore, however much any Member might prefer another method under different conditions, yet the same result is reached when you fix the number at 433 and use the method of major fractions, the method used in this bill, with the population of the United States as it now is. The same result is reached by the ratio the committee has determined upon, 211,877, and the number 433, as would be reached by this method suggested by the chief statistician, Dr. Hill. In view of that fact there can be no criticism that this method is not as fair and as just and uniform an apportionment as the later method.

This bill provides, as I have said, for an increase of 42 Members, distributed among the various States of this Union.

Mr. KENDALL. Will it interrupt the gentleman if I ask him a question?

Mr. HOUSTON. I yield to the gentleman.

Mr. KENDALL. The plan proposed by the committee allows each State to enjoy the representation that it now has?

Mr. HOUSTON. It does. I was coming to that. The plan proposed by the committee allows each State to retain its present membership. And I will say, in this connection, that the number 433 is the smallest number that will afford to each State the opportunity to retain its present membership without the loss of a single Member.

Objection has been made to the increase. The argument has been made that the House is too large and is getting unwieldy. In view of that, which I shall allude to later, it has been the general desire of the committee and of Members of the House to keep the membership as low as possible and yet prevent any State losing a Member. The bill provides that 21 States shall retain their present membership; 16 will gain 1 Member each; 5 will gain 2 Members each; 2 States, California and Oklahoma, will gain 3 each; Pennsylvania gains 4; and New York gains 6.

In this connection I will state that 25 States get a Member on a major fraction. Of these 25 it will be noticed that 15 gain a Member by virtue of the major fraction.

Now, Mr. Chairman, this brings us to the consideration of the vital question in the passage of this bill, and that is the question of the increase of membership.

The argument is made that the membership ought to be kept as low as possible. To this I fully agree when you couple with it the furnishing of full representation to all the people of the United States and to each and every State. We know that much of the confusion and much of the difficulty in the proceedings of the House with its present membership is due not so much to the fact that there are 391 Members here now, but to the fact that the parliamentary procedure in the House is such as to cause this confusion and make this an unwieldy body. But I want to call attention to the contemplated change in the seating arrangements of this House, by which it is expected that all the Members will be seated closer together and be brought nearer, so that they can hear and understand each other and understand the business of the House better. I verily believe that with this rearrangement an increase of 42 can well be had in the membership and yet the House be much more deliberative, and that we will be much better able to give careful and understanding consideration to measures before the House than we can under present conditions, with the seats arranged as they now are.

Now, Mr. Chairman, it is very important that every part of our people should have proper representation. It is unnecessary to say that one man can represent a constituency of 200,000 more fully and more capably than he can a constituency of 400,000. There are diversified interests in different sections of the country. The calls made upon Congressmen are increasing year by year. The scope of the legislation of this House is broadening. We are legislating upon more subjects than formerly. The advancement and development of new agencies and powers call for more legislation and for more work on the part of the individual Member. The best thing that could happen for the welfare of the country would be to have each Representative fully informed by an intimate knowledge of the wants and will of the people, so as to reflect those wants and that will in the legislation of Congress.

There is a feature that I suppose I might as well allude to here, as it will come up for discussion, although it is not embraced in this bill.

An amendment will be offered providing that the apportionment to be made in the future shall be made by the Secretary of Commerce and Labor.

Mr. SLAYDEN. Mr. Chairman——

The CHAIRMAN. Does the gentleman from Tennessee yield to the gentleman from Texas?

Mr. HOUSTON. I do.

Mr. SLAYDEN. I did not appreciate the fact that the gentleman from Tennessee was going away from the part of the measure he has just been discussing—that of the basis for representation. It may be that I did not hear all of his remarks, but he conveyed to my mind the impression that his idea was that in order to have an effective representation the basis of that representation should be smaller than is proposed by the gentlemen who oppose the measure.

Mr. HOUSTON. My position is that increasing the number of Representatives necessarily will cause each Representative to represent a smaller constituency. That being true, he can understand and know the wishes and wants of that constituency much better than he could one double that size.

Mr. SLAYDEN. Then would it not be the wiser thing to have a constituency of 25,000 or 50,000 people, because if the gentleman's argument be sound in that respect there would be a more effective representation than if he represented a constituency of 211,000?

Mr. HOUSTON. That might be true in a sense, but there is a limit.

Mr. SLAYDEN. Where would the gentleman put the limit?

Mr. HOUSTON. It must be controlled by conditions that exist, by the amount of population, by the character of the legislative body that will be chosen.

Mr. SLAYDEN. Where would the gentleman suggest that the line be drawn?

Mr. HOUSTON. I have suggested, and this bill suggests, at the present time that an increase of 42 is what the country needs and demands. I believe that increase will give us a better representation than the present number of 391. There can be no hard and fast rule because it is to be adjusted according to the varying conditions at every census, keeping in mind always that a smaller body can legislate more easily than a larger one, and yet the wants of the people are the first consideration, and the larger body can proceed in a parliamentary way, giving proper consideration to measures if the Members will do their duty, attend to their business, be prompt in their seats, and listen to what is going on.

Mr. SLAYDEN. One further question. If it were necessary to prevent a State from losing a Representative, would the gentleman be in favor of an increase of 82 Members instead of 42 Members?

Mr. HOUSTON. Oh, the gentleman may reduce the proposition to an absurdity by putting abnormal figures to it. These things are to be considered in the light of reason and common sense, keeping in view a fair and proper representation of what the people throughout the country require.

Mr. LENROOT. Will the gentleman yield?

Mr. HOUSTON. Yes.

Mr. LENROOT. I understood the gentleman to state that a smaller body could be easier controlled through leadership than a larger body.

Mr. HOUSTON. Oh, I did not make that statement. I am very much of the opinion that a much larger body than this, if it would observe the parliamentary law and parliamentary procedure—and they all know what the procedure is—would be much more orderly and deliberative a body than this body sometimes is.

Now, Mr. Chairman, to get to the point of the amendment, I say an amendment will be offered to this bill, which I merely allude to to bring before the House and to state my objections to it, that after the next census the Secretary of Commerce and Labor shall apportion the Representatives among the States of the Union, taking the number of 430 and dividing the population by that to ascertain the ratio of the average constituency of the different districts.

Mr. SHARP. Will the gentleman yield?

Mr. HOUSTON. Yes.

Mr. SHARP. What effect would such an amendment, carried by this House, have upon a future Congress.

Mr. HOUSTON. I was just coming to that. I do not think it would have any effect. I think it would be very unfortunate if it should have any effect. It is, to my mind, attempting to do something that is not in the power of this Congress or any other Congress to do, and which, if it had the power, to my mind would be very unwise to attempt. I think that each Congress which has the duty of apportioning Representatives should meet that duty in the light of the conditions that exist at that time. It is impossible to do otherwise. I think it is wrong to attempt to forestall the action of future Congresses.

That method was adopted once in the history of our Government. In 1850 there was a similar provision enacted into law. The attempt to put this method into operation failed. The Secretary of the Interior at that time did apportion the Representatives under that statute, making the number, I believe, 233. Congress changed that number. They were not willing to abide by that and increased the number by 8, instead of standing by the apportionment made by the Secretary of the Interior at that time. Now, it is well known to everyone here that extraordinary conditions were the cause of that effort in 1850 to fix a limit upon the Representatives at future apportionments. Those were remarkable, without parallel in this country, and will not exist again.

The emergency or the exigency that was thought then to justify it was extraordinary. It did not accomplish its purpose, because the Congress which was elected 10 years later did not observe it. I think, honestly and candidly, that the proper thing for this House to do is to increase the membership now. I think it is inconsistent with that idea for this Congress to go forward and support an increase now and at the same time attempt to enact a provision that would prevent an increase by a future Congress.

Mr. MILLER. Mr. Chairman, will the gentleman yield?

Mr. HOUSTON. Yes.

Mr. MILLER. Having in mind the statement just made, is it the gentleman's opinion that 10 years from now, after the next census, that Congress would, under the law, increase the membership of this body by 42 or 62, or something of that kind?

Mr. HOUSTON. I can not give information of that kind, but I hope not.

Mr. MILLER. Is it the gentleman's opinion that the number ought to be increased beyond the 433 prescribed by this bill?

Mr. HOUSTON. At this time?

Mr. MILLER. At some future time.

Mr. HOUSTON. That can only be determined in the light of existing conditions at that future time.

Mr. MILLER. Mr. Chairman, I do not wish to interrupt the gentleman's argument, but I take it for granted that he is perhaps nearly through. I would hear, if he can state it briefly, some reason why the membership at this time should be increased by 42, other than to prevent some State from

losing a part of its quota. I have tried to listen to the gentleman. There has been a lot of confusion. I have heard but little of it, but I would like to have that emphatically stated.

Mr. HOUSTON. I think there are many reasons that justify the increase. I think it is a very potent reason that no State shall lose a Member. I think it is a controlling reason. There are other reasons. There has been a very great change in our country in many respects. I mean in the population of the different States and the different sections. Conditions are changed very much, and the condition is such now that I believe the increased membership will better afford representation than to have it remain as it is. I believe the increased membership will put it within the power of the Representative to more properly and capably represent the constituency which he will have than if the membership were kept down to 391.

Mr. MILLER. Will the gentleman permit one further question in that connection? Ten years from now will not the same argument prevail for increasing the membership of the House that we now have here, namely, to prevent any State losing its regular quota? Will not that always be before the Congress?

Mr. HOUSTON. I will answer the question in this way: I think it is possible that there will be reasons for an increased membership at that time. There have been reasons at each Congress that has had the duty of passing an apportionment bill to increase the membership, with one exception. In 1843 there was no increase, otherwise there have been at every apportionment an increase of various numbers. It is quite likely that in the future there will be a demand for an increase, and I should think it more than probable that there will be an increase. It is, I grant you, well to keep that increase as small as possible. When you come to compare the representation of the constituencies in other civilized countries, in the leading nations of the world, it will be found that they have a much smaller constituency to represent than we have. No nation has as large a constituency for each Representative as have the United States.

I here insert a table showing the number represented by each member in legislative bodies of other nations:

Countries.	Census year.	Number of members in lower house.	Ratio of members to population.	Population on which ratio is based.
United Kingdom	1901	670	61,878	41,458,721
English members	1901	495	65,712	32,527,843
Scotch members	1901	72	62,112	4,472,103
Irish members	1901	103	43,289	4,458,775
Austria	1900	516	50,679	26,150,708
Belgium	1900	166	40,322	6,693,548
Denmark	1906	114	22,853	2,605,268
France	1906	584	67,212	39,252,245
Germany	1905	397	155,546	60,641,278
Greece	1907	235	11,198	2,631,952
Hungary	1900	453	42,504	19,254,559
Italy	1901	508	63,927	32,475,253
Netherlands	1908	100	58,252	5,825,198
Norway	1900	123	18,211	2,240,032
Portugal	1900	148	36,507	5,423,132
Spain	1900	406	45,857	18,618,086
Sweden	1908	230	23,606	5,429,600
Switzerland	1908	167	21,313	3,559,349

Mr. MILLER. I would like to ask just one more question, and then I will not bother the gentleman again, for he has been very kind and patient. I understood the gentleman to say that he thought it advisable that each State should maintain as far as possible its present representation. Is it not the theory of our Constitution with reference to the House of Representatives that Members of this body represent the people rather than the States as entities, and should not the first consideration be a proper proportionate representation of the people of the country at large, having reference to certain areas and sections, rather than to the States as geographical subdivisions of the Nation?

Mr. HOUSTON. Without answering the gentleman's question, I can say that in order that the thing may be accomplished that he suggests should be accomplished, it is more easy to accomplish it by Representatives that are thoroughly acquainted with every part and section of the country, and every class of her people, and are for this reason better able to represent her entire citizenship.

Mr. Chairman, I reserve the balance of my time. [Applause.]

Mr. CRUMPACKER. Mr. Chairman, I wish we could have order.

The CHAIRMAN. The committee will be in order.

Mr. CRUMPACKER. Mr. Chairman, the frequent confusion in the House while it is undertaking to do business like that which now prevails strikes me as the very strongest argument that could possibly be made against an increase in its numerical size. Although I voted in the last Congress for an increase in membership to 433, and will probably vote here to-day for the same increase, it is a matter of great importance to the House and the country that the question of determining the numerical size of its membership be considered with deliberation. The House of Representatives is supposed to be the real representative branch of the Federal Legislature. It is supposed to faithfully reflect the will and the matured convictions of the people of the United States, and the House ought to be large enough in numbers to be a real representative body on the one hand, and on the other hand it ought not to be so large and unwieldy as to be incapable of effectively discharging its constitutional functions. This country is vast in area, diversified in climate and in interests, and from the nature of things the legislative results of the House should be the composite will of all sections of the country in relation to matters of general legislation. The districts ought not to be so large territorially, nor so large in population, that the Representative will be unable to keep in touch with the feeling and thought of his constituents.

If districts are too large, either in area or population, he can not be in the highest sense a real representative of those whose commission he carries to this body. But a man may be a representative in the highest sense in a body that is so large that he is unable and incapable of wielding any considerable influence at all. The Committee on the Census concluded that, in view of the growth of the country in population, a membership of 433 would probably be as near an ideal membership under all the circumstances as could be adopted. The average district in the country on such a basis will contain 17,695 more population than the average district contained when the apportionment was made under the Twelfth Census. It is a sort of compromise. The increase in the House is not in proportion to the increase in population, but it is substantially 50 per cent of the increase in population. A large body, it is said, is more subject to the domination and control of parliamentary cliques and machines, and there is some force in that suggestion, of course. This body is already so large that it is necessary for it to transact its business principally through the agency of committees, which it always will do. If its size is reduced so that every question may be discussed and deliberated upon the floor, it will lose its representative character and will depart from the spirit and purpose of a representative body under the Federal Constitution. We will have to do the business of the House through the agencies of committees, and we ought to do it that way.

If conditions in the House have assumed such an aspect that the independence of the Members may be menaced through the instrumentality of parliamentary machines or cliques, I think the remedy will come in a reform of the parliamentary procedure in the House. In this Congress the majority party has adopted a new method for the appointment of standing committees. That method is on trial. I do not know what it will result in or how efficient it may be to preserve the independence of the individual Members, but in my judgment the effect of the departure will be to convert the control of the House from an autocracy into an oligarchy. My judgment is, Mr. Chairman, that in the course of time it will be discovered that a majority of the members of the Committee on Ways and Means will constitute the parliamentary machine of this body, as arbitrary and as despotic as it is possible for it to be under the old method. The large States in the Union will elect the members of the Committee on Ways and Means, and each member of that committee will feel under obligations first to take care of and provide for his colleagues from his own State. I have heard some criticism of the action of the majority of the Ways and Means Committee in making assignments on standing committees in this Congress. It has been pointed out that the party Representatives in every State that has a member on the Committee on Ways and Means have been well provided for in the distribution of good committee assignments, and Representatives in the smaller States who are not fortunate enough to have a member of the great Committee on Ways and Means have to satisfy themselves with what is left. In addition to the power of appointing committees, the Ways and Means Committee is one of great influence in the affairs of the House.

In my judgment, if the majority desired to try a new experiment in the way of taking from the Speaker the power of appointing standing committees, separating the political and the parliamentary power that the rules formerly reposed in the

Speaker of the House, it would have been infinitely better to have selected a committee on selection of two or three members, under limitations providing that no member of the committee on selection should be a member of any standing committee. It should be a device simply to separate or divide the parliamentary power the Speaker must necessarily have and the political power, because it requires a combination of the two to enable the Speaker of the House of Representatives to build up a machine that will dominate House action and caucus action as well. I predict, Mr. Chairman, that the method now on trial, adopted by the majority party, will result in a dismal failure in the course of a comparatively few years. There are a good many ways by which the procedure in the House may be modified and accommodated to large membership without taking from the presiding officer the large parliamentary power that he must have. In a government by political parties the country holds the majority party absolutely responsible for the performance in good faith of the pledges it made to the voters, and the country will receive and accept no apology or excuse for its failure; and the parliamentary machinery of the House must be arbitrary in a large degree. There must be parliamentary machinery enough to enable the majority to keep faith with the country, and it seems to me, Mr. Chairman, that under existing conditions there is not one iota more of parliamentry power in the Speaker than is absolutely necessary for him to have.

But the division of the political and parliamentary power, proper, is another proposition. I will not discuss it further to-day.

There is an element that enters into the consideration of this bill, Mr. Chairman, that my friend, the gentleman from Tennessee [Mr. HOUSTON], said was a controlling one, and that is to provide a House large enough in membership so that no State will lose a Representative. I am free to admit, supporting the 433 membership as I do, that if it were not for that element there would be comparatively little sentiment in the House for the increase in the membership above 391. Ten years ago, before the apportionment was made, the numerical size of the House was 357, and the Committee on the Census reported a bill under the Twelfth Census retaining the old membership of 357, but the sentiment in favor of increasing the number high enough to take care of all the States was strong enough in the House to defeat the committee bill and agree to a substitute fixing the membership at 386.

Now, just analyze that element for a moment. I would like to feel that this increased membership can be supported upon higher grounds than that, and I do feel that there are perhaps adequate reasons why we can stand by a 433 membership above the proposition—simply to take care of the States. As I said, I supported this bill, calling for the 433 membership, in the last Congress. I confess I did it with some degree of misgiving. I did it with the understanding that we would incorporate in the bill, and we did incorporate in the bill, a provision that under subsequent censuses the Secretary of the Department of Commerce and Labor, after ascertaining the Representative population of the country, should divide the aggregate population by the arbitrary number of 433, and using the resulting quotient as the ratio of population to membership and then dividing the Representative population of each State by that ratio, and giving each State one Representative for each full ratio of population and an additional one for each major fraction thereof.

The two were coupled together. I had a good deal of misgiving in relation to the future. Following the Eleventh Census the membership of the House was increased so that no State would lose a Representative. Following the Twelfth Census the membership of the House was increased, so that no State would lose a Representative, and now, Mr. Chairman, we are proposing to increase the membership of the House 42, and the distinguished chairman of the committee says that the mere fact that no State will lose a Representative is complete justification for our action. Where, Mr. Chairman, is the increase in membership going to stop?

Mr. HOUSTON. Mr. Chairman, will the gentleman yield?

Mr. CRUMPACKER. I yield for a question.

Mr. HOUSTON. The gentleman states my position stronger than I stated it. I said that was one of the controlling reasons.

Mr. CRUMPACKER. I accept the modification. I did not aim to misstate the gentleman's attitude on the question. In the bill that passed last winter we provided for the future; we made the legislation prospective, just as we make all legislation.

The gentleman from Tennessee [Mr. HOUSTON] said he thought that policy was wrong. I can not see anything out of the way in the policy of now providing for the future. We are required by the Constitution to take a census of population every 10 years, and yet each of our census laws is entitled, for instance, "An act to provide for the Twelfth and subsequent censuses" or "to provide for the Thirteenth and subsequent censuses." It has been the custom of Congress for a number of decades to provide for the taking of the census not only of the immediate census in contemplation, but all future censuses. The census act that we passed in the last Congress for a decennial enumeration of population provides for future censuses as well. I do not see any objection at all to Congress at this time providing that after the Fourteenth Decennial Census the Secretary of Commerce and Labor shall proceed to apportion Representatives among the States according to the formula that was embodied in the provision of the bill which was passed at the last Congress and for which practically all the Democratic Members voted.

Mr. RUSSELL. Will the gentleman yield?

The CHAIRMAN. Does the gentleman yield to the gentleman from Missouri?

Mr. CRUMPACKER. Yes.

Mr. RUSSELL. The gentleman will admit, will he not, that this act, if we pass it as the gentleman suggests, would not be binding upon Congress 10 years afterwards?

Mr. CRUMPACKER. Of course I admit that. No act that Congress can pass now will necessarily be binding upon Congress 10 years hence, or 5 years hence, for that matter. Congress has no power to pass irrepealable legislation, like the laws of the Medes and Persians. All our laws are subject, in the future, to modification or repeal when the welfare of the country may seem to require it, and a provision of this kind must of course fall within the same rule.

Mr. RUSSELL. Then this would simply be a suggestion to the Congress 10 years hence as to what they ought to do?

Mr. CRUMPACKER. It would be more than a suggestion. It would require the repeal of a positive law to do otherwise, and if we have that statute on the books 10 years hence and a proposition were made in the Congress to repeal it with a view of enlarging the membership of the House, there would be such an expression of opposition sentiment throughout the length and breadth of the land that no party would dare to undertake it. Its moral influence would be tremendous.

Mr. RUSSELL. Does not the gentleman believe that the Members of Congress elected 10 years hence would be better judges of what the people would then need than we are now?

Mr. CRUMPACKER. The difficulty would be that they would be in the same condition then as we are now. In the making of the law, how many of us are looking at the situation in our own States? That is the question, Mr. Chairman, which I hope Congress will avoid now by making this provision as to the future.

Mr. MANN. Will the gentleman yield?

The CHAIRMAN. Does the gentleman from Indiana yield to the gentleman from Illinois?

Mr. CRUMPACKER. I yield.

Mr. MANN. The suggestion was just made that if this law were passed now, it would not be binding upon Congress, and the gentleman stated that it would not be binding upon Congress. Is it not a fact that it would be binding upon Congress unless it was repealed, either directly or indirectly?

Mr. CRUMPACKER. Certainly.

Mr. MANN. As long as it remains in force on the statute books it is binding on Congress.

Mr. CRUMPACKER. It would be binding on Congress and upon the country, and that is the impression which I intended to convey when I answered the question of the gentleman from Missouri [Mr. RUSSELL]. It will continue to be a law until it is repealed, and if we embody that amendment in the apportionment made this year by this Congress, when the next census is taken, in the absence of legislation, the Secretary of Commerce and Labor will proceed at once to apportion Representatives among the States in accordance with the formula which the law will contain. It is no surrender of legislative power to the head of a department. We prescribe what the ratio shall be. We prescribe in effect what the membership and what the numerical size of the House shall be under subsequent censuses, and the duty that will be imposed upon the Secretary of Commerce and Labor is not a discretion, but it is just a ministerial duty to make the arithmetical calculations involved in the apportionment.

I say, Mr. Chairman, this amendment is one of great importance, and in my judgment, if it shall be incorporated in this bill, it will stand and continue to be the law of this country for decades and possibly for generations.

The gentleman from Tennessee referred to the act of 1850. That was altogether a different provision. In 1850 Congress fixed the membership of the House at 233, and it provided that the Secretary of the Interior, after the enumeration of population had been made, should proceed to apportion 233 Representa-

tives among the States according to the method outlined in that law.

The difficulty with that law was that it set aside the plain, simple, old-fashioned major-fraction method, the one that the gentleman so heartily approved in opening this debate.

The amendment that I shall propose to the bill retains the major-fraction principle.

The apportionment under the census of 1850 was made by the Secretary of the Interior according to that law, and it continued in force, and the apportionment of 1860 was made in a way in accordance with that law; but under that method of apportioning Representatives it was discovered that five or six States had major fractions unrepresented, and to cure what Congress thought was an injustice a special act was passed which increased the membership by giving those States Representatives for the major fractions.

There will be no such question under the proposition that will be presented to the House for consideration in connection with this bill. It preserves the major-fraction rule. It will give to every State Representatives for the full numerical ratio and a Representative for each major fraction.

In 1870, after the Civil War, when questions were before the country respecting the right of representation on the part of some of the insurrectionary States, the act of 1850 was repealed. Conditions then were exceptional. The probabilities are that if it had not been for the Civil War we would be operating under the act of 1850 to-day. Let me ask Members of this House if it is not true that the almost unanimous sentiment of the country to-day is against an increase in the membership above 391?

Mr. SHERLEY. Mr. Chairman——

The CHAIRMAN. Will the gentleman from Indiana yield to the gentleman from Kentucky?

Mr. CRUMPACKER. Certainly.

Mr. SHERLEY. I did not hear the beginning of the gentleman's statement, and I do not know whether he stated what the effect of the act of 1850 was on the apportionment of 1860.

Mr. CRUMPACKER. The apportionment of 1860 was made under the act of 1850, but in working out the problem of distribution it left four or five States with major fractions that were without representation, and Congress by a supplemental act gave each of those States a Representative on account of their major fractions.

Mr. SHERLEY. Did it have the effect of reducing the representation of any State?

Mr. CRUMPACKER. Oh, yes; you can not have an arbitrary number without reducing the representation of some States. The only way to maintain the representation of the States in each decade is by increasing the total number, because the distribution of population throughout the country is very unequal.

Mr. SHERLEY. It might be that in fixing an arbitrary number a number might be fixed large enough to take care of the increase of the next 10 years. I was not suggesting any argument against the gentleman's proposition, because I favor it very strongly, but I wanted to get at the facts as to how it worked in the one instance when it was tried.

Mr. CRUMPACKER. The purpose of the act of 1850 was to fix the membership for the future at 233, and the Constitution requires Representatives to be apportioned among the States according to population. Naturally some States would lose and some States would gain at the expense of others.

Mr. SHERLEY. The gentleman does not touch upon my question. In fixing an arbitrary number, if you fix the ratio small enough and the total large enough it is possible to guarantee that in 10 years no State would lose any of its membership, and I was simply asking what was the fact as to whether there was a loss or not in the apportionment of 1860.

Mr. CRUMPACKER. I think not in 1860; because the apportionment under the census of 1860 was made in 1861 or 1862 after some six or seven States had withdrawn from the Union and the membership of 233 was apportioned among the rest of the States.

Mr. SHERLEY. So it really never had a trial?

Mr. CRUMPACKER. No; that is the real truth about it.

Now, I feel that the importance of this proposition can not be overestimated. I feel that legislation upon this line at this time may be depended upon as permanent legislation. Its moral influence will be so strong as to relieve the future from these troublesome problems that confront us, and in a large measure induce our action respecting the numerical size of the House.

Mr. TAYLOR of Colorado. Will the gentleman yield?

The CHAIRMAN. Does the gentleman from Indiana yield to the gentleman from Colorado?

Mr. CRUMPACKER. I yield.

Mr. TAYLOR of Colorado. I want to ask if the committee has considered the question as to the effect of those States whose legislatures are now in session, whether or not, under the provisions of section 4 of this bill, the legislature can now redistrict the State and put in a proviso that it shall only become operative when Congress enacts and the President approves a measure of this kind? Would that be proper redistricting legislation at this time?

Mr. CRUMPACKER. I think so. Several States have already done so. The Legislature of Indiana redistricted that State for congressional purposes without any conditions on a basis of 13 Representatives. It will require a House of 433 to enable the State to maintain this membership, but it anticipated the wisdom of Congress in fixing the total membership at 433 and redistricted the State accordingly.

Mr. TAYLOR of Colorado. I understand that the State of North Dakota passed such an act and the governor vetoed it, did he not?

Mr. CRUMPACKER. I do not know. The governor had a right to veto an act of that kind, but if he had not vetoed it, I think it would have been a valid act. Mr. Chairman, there is another amendment that I propose to submit, and that is in section 4 of the bill. In section 4, line 17, the clause "by the legislatures thereof" was not contained in the bill as it passed the House about two months ago.

Mr. KENDALL. Mr. Chairman, I want to direct the attention of those Members who are apprehensive that a larger House might be beyond control in a parliamentary way that there are not 100 Members now present, and yet the confusion is such that gentlemen can hardly be heard at all.

Mr. SHERLEY. I suggest to the gentleman from Iowa that it might be very much worse if you had 200 disorderly Members.

Mr. KENDALL. Yes; but the gentleman has a right to presume that a large part of the membership will be absent, as it is now.

Mr. SHERLEY. But the ratio, while it may be the same, will leave a very much larger membership present.

Mr. CRUMPACKER. Mr. Chairman, section 4 of the bill makes provision for a change of membership, and provides that additional Representatives shall be elected from States at large if there is no local provision otherwise, and where there is no change in the representation Members shall be elected from the districts as they are at the present time until the States change the districts. The section provides:

SEC. 4. That in case of an increase in the number of Representatives in any State under this apportionment such additional Representative or Representatives shall be selected by the State at large and the other Representatives by the districts now prescribed by law until such State shall be redistricted by the legislature thereof in the manner herein prescribed; and if there be no change in the number of Representatives from a State, the Representatives thereof shall be elected from the districts now prescribed by law until such State shall be redistricted as herein prescribed.

Now, the words "by the legislature thereof" were not in the bill as it passed the last Congress. They were put in by the committee, but the House struck them out. They are incorporated in this bill. What is its effect? In the discussion of the campaign publicity bill some days ago, when reference was made to the question of primary elections and things of that kind, gentlemen on the other side said, "Leave those questions to the States." I think under the act of 1901 this clause was in the bill. Up to that time there had been no other method established by any State in the Union for the redistricting, except by the legislature thereof. Since then a number of reforms have been accomplished; a number of States in the Union have established the institution of initiative and referendum. Some States are so equipped with the lawmaking machinery that they can legislate; they can redistrict their territory for congressional purposes without the aid or assistance of the legislature. Voters may initiate propositions, and they may refer them to the people. This provision, if it has any effect at all, will prevent those States from exercising that great function of redistricting their States for congressional purposes by the initiative and referendum altogether.

Mr. BARTHOLDT. Mr. Chairman, will the gentleman yield?

Mr. CRUMPACKER. Yes.

Mr. BARTHOLDT. Where a legislature is elected under an unfair gerrymander, as is the case in Missouri, would it not be fair for the people to have a chance to vote on a fair and equitable apportionment scheme?

Mr. CRUMPACKER. That is the proposition I am just coming to. There is a temptation in all the States for the party

in power to take a little advantage in constituting congressional districts, a little party advantage. I do not believe, as a rule, any real permanent advantage ever came to a party for doing an unfair thing under the name of redistricting for perpetrating a gerrymander, but it happens sometimes, and we all have faith in the people. Representatives of States that have the initiative and referendum, are you willing to say that the people of your States may have the final determination of all legislation excepting the creation of congressional districts, a class of legislation that is more liable to be biased by party advantage than any other legislation? I stand here, Mr. Chairman, in this respect as the champion of the referendum, in the States that have established that institution [applause], and if politicians in the State legislatures make districts to suit their own particular ambitions or to enable their parties to secure an unfair advantage, should not the people of those States have the right to pass upon those acts of the legislature?

Mr. RAKER. Mr. Chairman, will the gentleman yield to a question?

Mr. CRUMPACKER. Yes.

Mr. RAKER. I understood that the gentleman is discussing section 4 of the present bill.

Mr. CRUMPACKER. Yes.

Mr. RAKER. Now, with the exception of the last paragraph of that section, will the gentleman please tell us what difference there is in that bill, the one now presented, subdivision 4, and the act of January 16, 1901?

Mr. CRUMPACKER. Mr. Chairman, I said a moment ago there is absolutely none. The act of 1901 embodied this provision, but I said that up to that time there was not a State in the Union that had the institution of the referendum. There was not a State in the Union that had any other method of doing that business than by the legislature. Take the State of Missouri. Several years ago in the State of Missouri when the distinguished Gov. Folk was in the gubernatorial chair a legislature that I understand was altogether friendly to him made a law providing that if the legislature should fail to redistrict the State of Missouri for legislative and congressional purposes, the governor of the State should have the power to do it. That law is on the statute books to-day. There is a Democratic legislature now and a Republican governor. Has the State of Missouri the right by legislation to say how her districts shall be be made?

Mr. RAKER. Mr. Chairman, I understood the gentleman to state that it is practically the same with the subdivision as the act of 1901.

Mr. CRUMPACKER. It is not the same. It is the same in letter, but altogether different in spirit and purpose.

Mr. RAKER. Wherein is it different?

Mr. CRUMPACKER. Because, I undertook to explain to the gentleman the difference, that there was not a State in the Union, and never had been up to that time, that had any other method than to make the redistricting acts by the legislature, so that it would not interfere with the right of a single State. Since 1901, the gentleman knows, many States have changed their method, and the proposition now is to say to the States, "You shall not exercise that power as you think wise, but you must exercise it as Congress says you shall."

Mr. RAKER. One more question.

Mr. CRUMPACKER. Oh, I have answered the gentleman sufficiently, and if he can not see the difference between the provision in 1901 and this provision, considering the conditions and circumstances, I despair of convincing him.

Mr. RAKER. Oh, the gentleman need not despair for me. I have compared the bill, and I am asking a question, Why does the gentleman insert the word "select," in line 14, in this subdivision, instead of electing your Representatives? What is the object of this important change?

Mr. CRUMPACKER. I do not know. I did not prepare this bill. This is the Houston bill. This is the bill that the committee reported. The word "select" may have been used before, but it does not make any difference.

Mr. HAMLIN. Mr. Chairman, will the gentleman yield?

Mr. CRUMPACKER. Yes.

Mr. HAMLIN. Mr. Chairman, I want to correct the statement of the gentleman from Indiana, which he undoubtedly made without proper investigation, to the effect that the legislature of Missouri had enacted a law providing for the redistricting or districting of the State into congressional districts by the governor We have no such law, and there is no such law on the statute books.

Mr. CRUMPACKER. I, of course, am glad to hear the gentleman's views, but I have heard from a good many men from the State of Missouri who held a different view of the question.

Mr. HAMLIN. Has the gentleman examined the statutes? They are available.

Mr. CRUMPACKER. I have not, but I just used that as a matter of illustration——

Mr. HAMLIN. The gentleman is a good lawyer, and if he wants to state a fact why did not he examine the statutes for himself?

Mr. CRUMPACKER. I may be a little bit careless in stating things in the way of argument, but I merely used that law for the purpose of illustration. The point I am undertaking to make is that if any State should do in relation to congressional districts what the legislature, as the gentleman has said, has done in relation to legislative districts, this law will prevent them from doing it. You are State-rights people. Are you in favor of giving authority to Congress to interfere with the power of your State legislatures to handle by proper means legislative matters that are purely local? Are you willing to go on record in favor of a proposition of an act of Congress that will limit the power of the State legislatures to redistrict their States for congressional purposes? If Congress has the power to do this, it has the power to say what kind of districts you shall make. That may be the next step in legislation, depending upon exigencies and party conditions.

Mr. HAMLIN. Answering the gentleman's interrogatory, I am willing to let this law contain the same provision in that regard that the law passed by the Republicans in 1872, in 1882, in 1891, and 1901 contained. I am willing to stand by that.

Mr. CRUMPACKER. Mr. Chairman, that is the only argument there is in favor of it—that the provision was in an act of Congress at a time when, by all history and conditions and public sentiment, there was no possibility of its interfering with any legislation of a State. The gentleman says, because it occurred under those circumstances, that he is willing to stand by it now when it will overthrow the cherished institutions of a great many States of the Union. If he is willing to stand by the provision on that kind of an argument, I have no criticism to make.

Mr. OLMSTED. Will the gentleman yield?

Mr. CRUMPACKER. I will yield to the gentleman from Missouri [Mr. RUSSELL], who has been standing on his feet some time.

Mr. RUSSELL. Something was said about the law of Missouri and the question of the governor redistricting the State. I will say to my friend now that I have a copy of the law that has been frequently referred to in this House upon that subject, and it plainly applies to the redistricting of the State for electoral purposes and not for congressional purposes. I have a copy of it here.

Mr. CRUMPACKER. I notice this: When this measure was up for consideration in the last Congress this question came up in the committee and the Missouri situation was discussed, and every Member, I think, on the other side of the House stood together; they stood in solid phalanx for this provision. It looked like there was some fear lurking in this little clause. I can not believe that the whole Democratic Party is so hostile to the institution of referendum that they are opposed to submitting to the voters of their several States the right to say whether they are ready to perpetrate an unjust and unfair gerrymander. I can hardly believe that the whole Democratic Party occupies such an attitude as that. Then, what is the reason——

Mr. TAYLOR of Colorado. Will the gentleman yield for a question?

Mr. CRUMPACKER. I will.

Mr. TAYLOR of Colorado. I frankly say, Mr. Chairman, that I have not looked into this provision, and I never saw the bill until a few moments ago. It has just been reported in. But I represent one of the States where we have the initiative and referendum, adopted last fall, and I am very heartily in favor of it. I would like to ask whether the gentleman has looked into the matter sufficiently to say, in the event that a legislature does enact a reapportionment law that the people of the State look upon as unfair and they determine to refer it to the voters, can not the voters pass upon it and determine whether or not it is a good law, and, if they reject it, let the legislature pass a fair and just law? And the legislature would have to pass a law some time or other in conformity with this, the will of the people. In other words, the initiative would not apply to this matter, but merely to the referendum. The action of the people would be merely a veto on a bad gerrymander.

Mr. CRUMPACKER. I understand it may. The initiative applies to all kinds of legislation where they do not have it in modified form—a mild type of it. When the act of Congress says it shall be done by the legislature thereof, that makes the legislature the supreme power.

Mr. TAYLOR of Colorado. To initiate?

Mr. CRUMPACKER. No; to make the law. No power shall overthrow that—the referendum or anything else.

Mr. TAYLOR of Colorado. Let me ask you this question: Suppose the constitution of the States provide that all those legislative acts may be referred. Now, would it not have the effect——

Mr. CRUMPACKER. That involves the question of whether the Congress has jurisdiction over the subject, and if it has, its laws are supreme.

If it has authority to legislate, its laws are higher than initiatives and acts of the legislatures, and constitutions in the bargain.

Mr. TAYLOR of Colorado. I do not seem to be able to make myself clear. My impression is—or that is my first thought about it—that it would be merely a veto power that the referendum would have.

Mr. CRUMPACKER. Let me say to my good friend from Colorado [Mr. TAYLOR] that there is one easy way out of it, and that is by striking out the provision. Then you will not lose any sleep, and you can square yourself with your constituents when you go home by saying to them that you voted against the provision that it seemed might at least take from them the power to say whether your legislature had done an unfair thing in the dividing of the State into congressional districts.

Mr. TAYLOR of Colorado. If I thought the gentleman's construction was correct, I certainly would vote with him.

Mr. CRUMPACKER. There is danger of it.

Mr. OLMSTED. Mr. Chairman——

Mr. CRUMPACKER. I yield to the gentleman from Pennsylvania.

Mr. OLMSTED. I would like to ask the gentleman from Indiana this question: Suppose any State should in its constitution provide for the initiative and referendum, or suppose it would in its constitution provide that the redistricting for congressional purposes should be made by the governor, or by a commission of 3, or 5, or 11, where, in the Constitution of the United States is there anything conferring upon Congress the authority to overturn those State constitutional provisions and dictate to the State the manner in which it shall be redistricted?

Mr. CRUMPACKER. There is some reference to the right of Congress to provide the manner, and some other things, in which Representatives of the House may be chosen.

Now I want to conclude in a minute.

Mr. OLMSTED. Shall choose the Representatives, but not make the districts in which they are to be chosen. The Constitution does confer upon Congress powers to regulate "the times, places, and manner of holding elections for Senators and Representatives." If that gives Congress authority to dictate how districts shall be created it gives Congress itself authority to divide the States into districts.

Mr. SMALL. Will the gentleman yield?

Mr. CRUMPACKER. Yes.

Mr. SMALL. The gentleman has stated that since 1901 several States have adopted the referendum, but has urged that against the reason for the inclusion of these words in section 4, "or by the legislature thereof." I desire to ask the gentleman if he can cite any State which has the referendum in which the question must not originally be referred by the legislature to the people before the people have a right to vote upon it?

Mr. CRUMPACKER. I do not know what the State provisions are, but I am simply contending that the States shall have the right to do this if they see fit to do so; and this provision, if it is enforced at all, will prevent the States from doing it. The States may desire to do it, and it may seem desirable. And now, let the States have the right in their own way to do these things and not undertake to control them by congressional legislation.

Mr. SMALL. Now, another question: In those States which have the initiative, is it not up to the legislature finally to confirm or approve it before it shall become a law?

Mr. CRUMPACKER. I do not know.

Mr. NORRIS. Oh, no; that is not necessarily so.

Mr. CRUMPACKER. People may initiate in States and have a provision referred, and if it is agreed to by the voters it is a law on proclamation of the governor, and I think it is irrepealable in some States by even the legislature.

Mr. NORRIS. That is right.

Mr. CRUMPACKER. The legislature can not even repeal a law made in that way.

Mr. SMALL. And the initiative may be put in force without any subsequent act of the legislature?

Mr. CRUMPACKER. Oh, surely. The people can make laws while they are farming and carrying on the various activities of industrial life without going to the expense of having a legislature in session; and I think, if they see fit, they should make legislation fixing the boundaries of congressional districts.

Mr. RUCKER of Colorado. Mr. Chairman——

Mr. CRUMPACKER. I yield to the gentleman from Colorado for a question.

Mr. RUCKER of Colorado. What is the amendment that the gentleman from Indiana suggests ought to be made?

Mr. CRUMPACKER. Just to strike out the language "by the legislature thereof," in line 17, on page 4. That is all.

Mr. RUCKER of Colorado. Now, let me suggest to the gentleman, would it not be better for this amendment to be made by the legislature of the State, and that would include the authority by initiative or referendum, or by the legislature in the States where they do not have initiative and referendum?

Mr. CRUMPACKER. Well, that is a question that we might consider. I am going to support this amendment and give the House an opportunity to vote on it, on a motion to recommit with instructions.

Mr. RAKER. Mr. Chairman, will the gentleman yield for a question?

The CHAIRMAN. Does the gentleman yield to the gentleman from California?

Mr. CRUMPACKER. Yes; I will yield for a question. Then I must conclude.

Mr. RAKER. Do I understand that in the gentleman's State he has the initiative and referendum now?

Mr. CRUMPACKER. Oh, no.

Mr. RAKER. And do I understand that you are afraid in your State that if it is given to the legislature to redistrict your people will not have the opportunity to provide by the initiative and referendum for this apportionment of which you are so heartily in favor? Is that right?

Mr. CRUMPACKER. Oh, no. The State of Indiana does not happen to have the initiative and referendum, but I happen to be one of the lawmakers for California and for all the States of the Union. This provision here happens to be one of general legislation, one of general policy.

Mr. RAKER. I understand the gentleman is heartily in favor of the initiative and referendum?

Mr. CRUMPACKER. I am heartily in favor of allowing the States, under reasonable limitations, to do what they please, and I am against any act of Congress that will take from the States their power over a matter of this importance. [Applause.]

Mr. RAKER. The gentleman does not answer the questions.

Mr. CRUMPACKER. Now, Mr. Chairman, I expect to move to recommit the bill at the proper time with instructions to amend by incorporating section 3, that one making provision for the future, and the amendment I have just discussed.

Now I yield 20 minutes to the gentleman from Wisconsin [Mr. NELSON].

The CHAIRMAN. The gentleman from Wisconsin [Mr. NELSON] is recognized for 20 minutes.

Mr. NELSON. Mr. Chairman, I do not know that anything which may be said here and now can prevent the proposed increase in the membership of this House. However, I wish to utter my sincere and earnest protest because I believe that it is bad public economy; that it will prove harmful to the House, decreasing its efficiency as a legislative body, and that it means a loss of rights, privileges, and power to every Member.

PUBLIC ECONOMY.

At the opening of this session of Congress the great party now in power in this Chamber announced to the country that it had voluntarily lopped off useless employees and thus had effected a saving to the taxpayers of the country of $182,000. This announcement, I am convinced, was received by the people of the country with real satisfaction; not so much because of the amount of money saved, but because it suggested the new public spirit that is passing over the land. It suggested that the old sordid, selfish, and narrow practice was a thing of the past, and that the party now in power would move upon the higher basic principle of subordinating private gain and personal advantage to the public good.

THE REAL TEST.

May I remind gentlemen upon that side of the center aisle that it is not the first step that counts most, however important it may be in itself. It is the next and the next and the next, and so on to the end. It is an old proverb and true that it is not safe to praise the day until the night has come. Perhaps it is not safer to praise a political party until its course has been run. Sometimes it happens that when an evil spirit

is driven out it returns accompanied by other evil spirits, and then the last state is worse than the first. No political party can save $1 to-day of the people's money, then waste that dollar to-morrow and throw two good dollars after it, and expect praise for public economy. It was comparatively easy after all to lop off the salaries of employees, but the real test comes to us in this apportionment measure. Are we willing to risk our political lives in the interests of good public service? The real test is the personal test. I fear, however, that we will not stand this test. Personal self-interest is the controlling factor back of this proposed increase of membership. We might as well admit it and be honest with each other and the public.

CONSISTENCY VERSUS SELF-INTEREST.

Gentlemen, you have claimed that you propose to lop off the salaries of needless employees. I call your attention to the fact that this harmful increase of membership involves an increase of salaries to the amount of $315,000, or $33,000 more than the sum you claim you will save in the salaries of employees. If that saving was a virtuous act, why not be consistent and save this larger amount also? Is your self-interest in the way? I call your attention to the further fact that when you reckon the allowances for stationery and the mileage of these 42 additional Members once or twice a session, depending upon the frequency of extra sessions, and also the salaries of secretaries, you have reached a sum over $400,000, or more than twice the amount that you claim to save in lopping off the salaries of employees.

Now, if that was a praiseworthy act, then this is doubly so. Why not be consistent?

But that is not all. When you stop to reckon the cost of printing incident to the RECORD, incident to the circulation of speeches, incident to the circulation of documents; when you count the cost of the extra allowance for seeds and for bulletins for 42 more Members, and the use of the franking privilege; when you reckon the cost of providing for 42 rooms in the Office Building, with fixtures and furniture and supplies, and the extra employees necessary to take care of this increased membership; and, finally, when you estimate the increased appropriations that must be made—for these 42 additional Members will ask for their proportionate share in the public-building bills, in the river and harbor bills, and in many other public bills—you will find that half a million dollars is the minimum of tax burden you have imposed upon the country for all the years to come to meet your own selfish interests. [Applause.]

Again I say to you, if that first saving was a virtuous act, you have now a chance to more than treble it in quality and quantity.

HARM TO THE HOUSE.

But, Mr. Speaker, there is a more serious objection than the mere matter of money expense. I believe that it will tend directly to decrease the efficiency of this House as a legislative agency in the public service. [Applause.] Writers upon legislative institutions now claim that the Senate is the superior legislative body in this country. I regret to say I believe that is true. They say it is due to the flexibility of the Senate rules, to the longer tenure of Senators, but especially to the reduced membership of the Senate as compared with the House.

If that be true, it is not the fault of the framers of our Constitution, because that instrument gave equal power to each branch of this Congress. It is the fault of those who have gone before us. They let their self-interest, their political ends, interfere, just as Members now propose to permit their political ends to interfere with doing justice to those who are to come after us.

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

Mr. NELSON. Gladly.

Mr. JAMES. Is it not the experience of the gentleman that the less numerous branch of every legislative body is the one most generally extravagant with the people's money? And is it not further true that the appropriations made by Congress are always swelled by the other branch less numerous than this?

Mr. NELSON. No; that is not quite true. This House initiates appropriation bills and the other branch generally has to swell them in order to get what that body thinks proper and necessary. But we are not discussing that subject. We are discussing the difference between 391 and 433 Members in this body.

Mr. JAMES. I was merely suggesting that as an answer to the gentleman's position on the subject of economy. Is not the truth about it this, that that body which is most numerous and nearest the people always guards more carefully the public money, and that body farthest removed and least frequently elected is most extravagant with the people's money?

Mr. NELSON. That is due not to the number of Members in each body, but to the fact that the Senators are removed from the people by being elected by the State legislatures. [Applause.]

But to return to the point I was about to make when the gentleman from Kentucky interrupted. The amount of power in each legislative branch is equal under the Constitution. For the sake of illustration, let us assume that the power of each branch of the Congress may be represented as 100 legislative units. There are 92 Members of the Senate. It follows that each Senator represents about 1.2 units of legislative power; but with 391 Members in this House now, our power is so subdivided that each Member has less than 25 per cent of the power of a Senator. In other words, the power of each Senator is four times as great as the power of each Representative.

The Senator has, in fact, four times the opportunity of a Member in debate, four times the opportunity for offering amendments, four times the opportunity for service upon important committees, four times the opportunity of taking part in legislation upon the floor, and his vote counts four times as much in the enactment or defeat of legislation. And yet the committee proposes further to subdivide power of representation in this House by increasing its membership by 42, an increase of over 10 per cent. But gentlemen may say that the power remains in the House, however subdivided it may be among a numerous membership. This is technically true, but writers on legislative institutions assert that a legislative body, as a whole, in standing, dignity, power, and influence, is directly proportioned to the standing, dignity, power, and influence of its individual Members. This seems to me to be quite true, because I believe that a great legislative body can no more be constructed out of four or five hundred Lilliputian legislators than you can create a great world power out of a hundred million pigmy men and women. I will state the effect in this exact form: As we increase the membership we decrease the Member.

Mr. SIMS. Mr. Chairman——

The CHAIRMAN. Does the gentleman from Wisconsin yield to the gentleman from Tennessee?

Mr. NELSON. Certainly I yield.

Mr. SIMS. I want to ask the gentleman if he is in favor of legislation by the initiative and referendum?

Mr. NELSON. I am.

Mr. SIMS. Then, if the gentleman is in favor of legislation by all the people, how does he square that by his argument for a reduced number in the legislative body?

Mr. NELSON. Oh, the claim that increase of membership makes the House more representative is sham, and the gentleman knows it as well as any of us. It is self-interest which is the real controlling motive here. This talk about getting nearer the people by increasing the membership is as meaningless as it is misleading and wholly devoid of real merit. The real purpose and motive that is back of this proposed increase was admitted by the chairman of the Committee on Census [Mr. HOUSTON]. He said it was the controlling motive, and it was also admitted by the ranking Republican member [Mr. CRUMPACKER] when he said that, looking to the future, he proposed to offer an amendment that would make it more difficult hereafter for self-interest to control the action of Members in fixing the membership of the House.

Mr. SIMS. I understood the gentleman to say that an increased number of legislators would reduce the power and dignity of the body and would weaken it.

Mr. NELSON. In the use of the initiative and referendum the gentleman knows that the people will vote only on one or a very few propositions, and that they will have a long time to consider them. The gentleman knows that a reduced membership is more efficient than a great, big, unwieldy body of four or five hundred men.

Mr. SIMS. What does the gentleman mean by "efficiency"?

Mr. NELSON. I mean by that, attending to the business of the country properly. But my objection, Mr. Chairman, goes further. In this increase I see a loss to every Member and to his constituency in representation. I appeal to every Member within the sound of my voice, if he has proper self-interest, if he has a proper self-respect, to vote against this surrender of his rights, powers, and privileges. If he has not, I ask him to consider his constituency and his successors in years to come.

Mr. CARLIN. Mr. Chairman——

The CHAIRMAN. Does the gentleman from Wisconsin yield to the gentleman from Virginia?

Mr. NELSON. I will yield.

Mr. CARLIN. I understood the gentleman to say that a smaller number of men would constitute a better legislative

body than a large one. If that be true, to carry out the gentleman's argument to the last analysis, would not the gentleman reduce the number below 391?

Mr. NELSON. With great pleasure; I would gladly vote for that proposition.

Mr. CARLIN. The gentleman would vote to reduce it to 191?

Mr. NELSON. I think about 200 or 250 would be a good working House of Representatives.

Mr. CARLIN. If the gentleman's argument is good, that a smaller number is better than a larger number, why not reduce it to 100?

Mr. MANN. The gentleman's logic would reduce it to 1.

Mr. CARLIN. The logic of the gentleman from Wisconsin would reduce it to 1, not mine.

Mr. NELSON. To reverse it, if the gentleman's logic is right, a million is preferable to 250. [Applause.]

Mr. CARLIN. Well, do not let us reverse anybody's logic; let us take it as the gentleman stated it, that a smaller number is better than a larger number.

Mr. NELSON. I am talking about a reasonable thing and not something extreme either way. I am opposed to diminishing the number so that it would be lessened in efficiency, and I am opposed to increasing it, for the same reason.

Mr. CARLIN. The gentleman thinks that about 250 would be the proper number?

Mr. NELSON. I would vote for that.

Mr. MANN. The gentleman's position is that he is against the number of 433?

Mr. NELSON. Yes; it is a choice between 391 and 433, and I am in favor of 391, and at the proper time I shall offer an amendment at the proper place in the bill to that effect.

Now, I call the attention of the House to this fact, that we have striven for reforms in this body; we have sought to make it a more efficient legislative body; we have sought to restore the rights, privileges, and the prerogatives of the Members of this body——

Mr. CARLIN. Will the gentleman yield further?

Mr. NELSON. Very well.

Mr. CARLIN. If the gentleman thinks a membership of 250 is about what this House ought to be, why not offer his amendment for that instead of for 391?

Mr. NELSON. Because I am trying to attain that which is possible. I know that an amendment to fix the number at 250 would strike directly at the self-interest of too many Members, and I might possibly get the 391.

Mr. CARLIN. Does the gentleman think it possible to do so?

Mr. NELSON. I fondly hope so.

Mr. CARLIN. That does not answer the question. Does the gentleman think it possible?

Mr. NELSON. Oh, if you upon the Democratic side would rise to the occasion—you are responsible, if anybody shall be responsible, for this increased membership of the House.

Mr. CARLIN. We are going to rise to the occasion. That is what I am trying to tell the gentleman now.

Mr. NELSON. The country will hold the Democratic Party responsible for this increase in the burden of taxation placed upon the people, for the destruction of the efficiency of this House, and for the reduction of the individual rights of Members.

Mr. CARLIN. Does not the gentleman recall that the last House, a Republican House, voted for a membership of 433, and was he not a Member of that body?

Mr. NELSON. Only a fraction of the Republican Party voted in that way.

Mr. CARLIN. But it was a Republican House, and it passed that bill.

Mr. NELSON. Ah, by Democratic votes. [Applause on Republican side.]

Mr. CARLIN. The gentleman can not put the responsibility upon the minority, although we are glad in this instance to take the responsibility.

Mr. NELSON. But now you are in control, and you will be responsible.

Mr. CARLIN. We expect to be responsible for many years to come.

Mr. MANN. Great expectations!

RIGHTS OF MEMBERS SURRENDERED.

Mr. NELSON. Mr. Chairman, we have striven to improve the efficiency of this House; we have striven to restore the rights and privileges of Members. Now we are taking a step that tends directly to destroy all of the good that we have accomplished. The present honored Speaker of this House is entitled to great credit, not only for having labored for the efficiency of the House as a legislative body but for restoring the rights and privileges to the membership of this body. With many on this side he labored to change the rules of the House to accomplish these desirable improvements; but now I fear that his eyes are fixed upon Missouri more than upon the United States.

What was our complaint? We complained of too much centralization of power in the hands of the few. An increase of 42 Members must necessarily, if the work of the country is to be done, tend to centralize power in the few or the one. We have complained that the Hall of the House is too large, and we have taken steps to remedy that evil; but if we now increase the membership we destroy our own purpose and we make the House too cramped to accommodate this increased membership.

We have complained of too much speech making in this Chamber, but an addition of 42 Members must necessarily tend to aggravate the talk evil. We have complained of lack of time to do the work of the country. Surely an addition of 42 Members, with increased roll calls and in other ways of wasting time, must directly tend to intensify that evil. We have complained of lack of individual recognition. The increase of membership must further destroy the opportunity of individual recognition in this House. We have complained of lack of committee assignments upon working committees. The increased membership must further tend to diminish every Member's opportunity for good committee assignments. The leaders have complained time and again of a growing lack of interest in the routine business of the House. An increase of membership, lessening each Member's proportion of the work, must directly tend to diminish individual interest in the routine of legislation. Writers in the press and in the magazines say that the great men, the Reeds, the McKinleys, the Clays, the Calhouns, the Websters, are no longer here.

If that be true, will this increase of membership, further diminishing our rights, privileges, and powers, induce Members of great talent and ability to serve in this House? Surely not. I most earnestly protest against this increase as an outrage upon the rights of Members and their privileges. [Applause.]

THE WISCONSIN SPIRIT.

It is not only economically bad, but it can not be defended upon any moral basis. Wisconsin is one of the States that will lose a Member if this proposed increase is not passed. Why should we not vote solidly for it? Self-interest would dictate that we should. We are against it because we know that the Wisconsin spirit would condemn us if we did. We would be sham representatives of old Wisconsin if we voted otherwise. Wisconsin not only preaches the doctrine of subordination of private gain and personal advantage to public good, but Wisconsin puts it into practice, and it is the Wisconsin spirit that is permeating the Nation to-day. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. NELSON. May I have more time?

Mr. CANNON. Mr. Chairman, I ask unanimous consent that the gentleman's time may be extended.

Mr. CRUMPACKER. I will yield the gentleman five minutes.

Mr. NELSON. I thank both gentlemen, but I shall conclude presently. Is this proposition morally right? Gentlemen can easily see that if a "slush fund" was provided by private subscription with which to continue Members in this House it would be reprehensible, but here it is proposed virtually to provide an insurance fund at the public expense to maintain Members in this House. If a private jack pot is wrong is a public jack pot right?

Mr. RUCKER of Missouri. What is a jack pot?

Mr. NELSON. The gentleman knows; he lives in Missouri, and it was in Missouri that the jack pot was worked off. [Applause.]

Mr. RUCKER of Missouri. The gentleman has no right to assume that I know. I was asking the question what it is. I asked for the benefit of my friend from Illinois who applauded.

Mr. NELSON. I know the gentleman knows so much that he knows what a jack pot is.

Mr. RUCKER of Missouri. That is an assumption.

Mr. CARLIN. Does the gentleman from Wisconsin know about a jack pot?

Mr. NELSON. We do not have the real jack pot in Wisconsin, but there has been of late too much use of money. I desire to say to the gentleman that if he cares to read the best corrupt-practices act ever enacted anywhere I want him to read the act that is about to be placed upon the statute books of Wisconsin. [Applause.]

Mr. CARLIN. Does the gentleman speak for the State of Wisconsin? Can the gentleman tell what acts they are going to put upon the statute books?

Mr. NELSON. I know their ability, desire, and pledge to do so. I have read the bill drafted, and I speak with knowledge so far as that is concerned.

Mr. CARLIN. I am glad to know the gentleman can do that.

Mr. KOPP. Will my colleague yield for a question?

Mr. NELSON. I will.

Mr. KOPP. I am interested in knowing just why 433 was agreed upon. Can the gentleman explain that?

Mr. NELSON. I think that everybody knows it was to prevent a loss to some States of Members in this House, and that is the controlling reason why so many now intend to vote for this proposed increase in representation.

But I must move on. I wish to remind gentlemen that we are sworn to faithfully discharge the duties of our office, and I believe that we can not keep that obligation if we permit our private interests or personal advantage to influence us against the public good. I believe that the right spirit can be defined in this way. It is said by the Highest Authority that "Greater love hath no man than this, that a man lay down his life for his friend." May we not paraphrase that by saying, Greater love hath no man for his country than he who risks his life, if need be, for the public good, and may we not reverse it and say, Less love hath no man for his country than he who prostitutes the public service, as proposed in this bill, for private, personal, and political ends?

Mr. Chairman, to my mind it is perfectly clear that economically this proposed increase means an extravagant waste of the public funds; morally it seems a clear violation of our constitutional obligations in spirit if not in letter, and politically it appears to be in veiled form indirect treason to the best interests of our common country. [Applause.]

Mr. HOUSTON. Mr. Chairman, I yield 30 minutes to the gentleman from North Carolina [Mr. SMALL], a member of the committee.

[Mr. SMALL addressed the committee. See Appendix.]

Mr. HOUSTON. Mr. Chairman, I yield to the gentleman from Maryland [Mr. LEWIS] 10 minutes.

Mr. LEWIS. Mr. Chairman, I hope that I will be understood as being entirely sincere in confessing the embarrassment a new Member must feel, exaggerated in my case by the attitude I am compelled, apparently, to take this afternoon. It is not an attitude of opposition to the bill, because it heartily meets my favor, but an attitude which may seem to older Members as rather forward in a gentleman as new as myself—a didactic or schoolmaster attitude. With this sincere apology I trust I shall not be misunderstood.

There are two views evidently manifest here to-day. They are views that must become manifest whenever the subject of the number of the membership of the House comes up. The membership here has two functions. There is the first function of representing the people, which requires numbers. There is again the second, the function of deliberating. It may seem a rash statement to make, but I think that the latter function has been nearly completely lost in this House, lost almost since the time of the war; and I want to suggest that in other countries with parliamentary experience as extensive as ours, a method seems to have been found which reconciles the circumstance of numbers sufficiently large to be representative with the equally important need for deliberative character in parliamentary work. What does deliberation mean? It does not mean oratory. No one, I am sure, will be so indulgent as to suggest that what is taking place this afternoon is "deliberation." It means consultation, not contentious and, perhaps, vainglorious speech. It requires an effective opportunity for each Member, at a time when the legislation is in its plastic state or its formative stages to contribute to its formation such knowledge or suggestion as he may have. That manifestly can not be well done in a body even as large as 100. It can not be done at all in a body as large as 400. Now, when I speak of the method adopted by other parliaments, understand me as speaking of absolutely every important country of Europe, except Great Britain. They have secured there not only the representative function by having a membership sufficiently large to be actually democratic—and I only stop to suggest the relation of large membership to democracy—but have safeguarded the deliberative function as well. At the opening of a session the President of the lower house of the German Parliament puts in a hat 397 names, corresponding to the membership of that body.

The first 40 taken out constitute section 1; the second, section 2; the third, section 3; and so on until the whole membership of the body has been covered. The operations of section 1 may be taken as illustrative of the operations of them all. It repairs to a room of its own, selects a chairman and a secretary. All general bills are referred to the sections in a prescribed order and are considered by all the sections, at the same time, in their different rooms. The CONGRESSIONAL RECORD is absent, the ladies and our constituents are absent, and so a great deal of "punk" is taken out of the discussion. [Laughter and applause.] The discussion of the measure, therefore, becomes meet and relevant, suggestive and consultative rather than oratorical; and all the points made are taken down by the secretary. When they are through with the consideration of the measure a reporter or spokesman is selected by the section. He is usually the man who has studied and obtained special knowledge of the particular subject, and in a body large enough to be representative there is apt to be a man specially qualified with regard to the particular subject. The spokesman reports to the Speaker of the House the fact that the section has concluded its consideration of the measure. When a majority of the reporters have so reported a meeting of the reporters of all the sections is called by the Speaker, which meeting is known as the central section. The reporters of the central section compare their reports, eliminate the mere chaff, reduce to a common method of expression the many various ways of stating a provision, and make a complete analysis of the arguments in relation to the bill, when a report is made by the reporters in common to the House itself. The measure then goes on the calendar of that body to receive such treatment as the general parliamentary rules may prescribe for its final disposition.

Now, the features of these deliberative divisions are these: Every member in such a parliament has an effectual opportunity at some time during the progress of a measure and while it is plastic and formative to contribute an amendment or suggestion; an effective opportunity to deliberate; for the real deliberation takes place in those sections as they sit coincidentally upon a particular measure. That is one of the virtues.

Another virtue is that the law of the survival of the fittest has an application to the Members without regard to whether they are new Members or old; there is a process of selection securing the talent most apposite to the measure. If it so happens that the new Member belonging to a particular section shows, let us fancy, particular knowledge about parcels post or a compensation bill, that he knows more of that subject than the others and will be best able to handle it in a competent manner, he is selected as the reporter for that measure and submits the report of his section to the central section. If, again, it transpires that in the central section he displays the same superiority, he is selected as the common reporter for the central section, representative of the whole deliberative body. In that way, in utter disregard of the mere accidents of the distribution of committee appointments, the man most competent, the person most representative of the views of the majority of the deliberative body, is selected to steer the measure before the House when it reaches that stage.

A characteristic illustration of its operation may be seen in the instance of a very distinguished man, the late prime minister of France. As every member belongs to some section and has an opportunity to participate in the consideration of every measure referred to it, it eventuated in his case, with regard to a notable measure, that he was considered the most competent master of the subject in his section. He was accordingly selected by his section as the spokesman for it. In the central section again, the same fact developed. He was again the man selected to steer the measure through the turbulent House of Deputies of France. He was next heard of throughout the world as Briand, the prime minister of France, although belonging to an extremely minor party, with very radical feelings and opinions, and in a country that respects property as much as we do here. [Loud applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. LEWIS. Mr. Chairman, I ask unanimous consent that I may extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Maryland asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. COVINGTON. I ask that the gentleman have five minutes more.

Mr. HOUSTON. The time is all promised.

Mr. TAYLOR of Colorado. I will ask the gentleman from Tennessee [Mr. HOUSTON] to give the gentleman half my time, whatever it is.

THE FUNCTION OF DELIBERATION.

Mr. LEWIS. It never could have been intended that the membership of the House should completely delegate to a mere fraction of itself the exclusive power to deliberate on its meas-

ures. That is, however, the fact. When a committee has concluded with a measure and the form it has given it is before the House, that form is commonly too rigid to receive amendment. The amendment proposed may be good, it may be insufficient in form, but capable of being made good, it matters little, it might as well be wholly bad for any real chance it may have for adoption. It is a matter of surprise, often of chagrin, to our constituents to find us voting down amendments on the floor which seem to be along the lines of our known views. There are reasons for such action, which a short experience renders plain enough. First, excluded from participation in the deliberations of the committee on the measure the average Member does not know the measure as thoroughly as he should. Second, under such circumstances he naturally presumes the committee's work to be thorough enough. Third, he feels that the House may not wisely reform the measure, and that the amendment may not consist with the rest of the measure. Added to these reasons are the appeals made in the name of the chairman of the committee—a kind of subparty potentate. One or the other or all of these reasons usually act, and so the measure is usually crystallized in the form it leaves the committee. With rare exceptions its plasticity does not survive its formative life in the committee room, and its reformation in the House becomes impossible for want of a workable deliberative function there.

AYE-AND-NAY VOTERS.

The absence of a real prerogative of deliberation in the Member is a most serious infirmity in any parliamentary body; it reduces the Members to mere aye-and-nay voters on referendums from the committees. But in our system, with a popular House designed to give legislative voice to the demands of the people and a nonrepresentative body to impose vetoes on its work, the loss of real deliberative power is a matter of grave and fundamental concern. Many consequences flow from it, none of them good, and not the least evil or the least certain of the evils, is a radical departure of character in the Member himself. Denied the opportunity to actively participate in the formation and determination of legislation, his energies seek other fields. He can attend to his "fences" if denied occupation in attending to the real needs of his people, and this diversion of character and function as a fact has become so accepted that a "hard-working Representative" is now commonly recognized as the more active seed and pamphlet distributor, the digger for jobs and for favors for his voting friends. The great honor and the great opportunity for public service designed in the Constitution has degenerated into a mere job.

EVOLUTION OF PROCEDURE—REAL FUNCTION OF COMMITTEE.

The rightful purpose of a committee is to investigate and determine particular conditions of facts. It may be likened to a grand jury and has the same inquisitorial talents and efficiency. To ascertain facts and circumstances not within the common knowledge of Members and to report its findings is a highly useful function and one that no one could wish to impair—a function sufficiently extensive and important, even legitimately confined, when we realize that it covers the whole field of "private" legislation, including every measure in which an appropriation is the principal object. This field requires acquaintance with particular facts and unstable conditions, so minute and so multiplied that the aggregate membership can not encompass them and must act in scouting parties rather than as a whole. Of its efficiency as a tribunal for acquiring facts and determining them I have heard of no general complaint. This is its natural function, and it performs it reasonably well. How stands the matter with regard to general lawmaking? I mean by "general lawmaking" those subjects with which the common knowledge of the House and the will of its Members are competent to deal. There are such subjects; they concern the general welfare; opinions upon them are determined by general knowledge, whether of reading or experience. The House, if sufficiently large in numbers to be representative, will have competent knowledge of them and will exercise a judgment broader in its vision and a constructive disposition wiser in its outlines than any mere committee can be expected to do. "In a multitude of counselors there is wisdom" with respect to such subjects, and though not so numerous they are by far the most important coming before this body. What has been the record of the committee system? Diverted from its true function and wrongly applied to general legislation, dethroning the deliberative function of the House, its results may be summarized as—

(*a*) Nonrepresentative knowledge of the subject and a fractional view in forming the measure.

(*b*) Indifference to legislation and insufficient attention.

(*c*) Particular susceptibility to obstructive influence, from its weakness of numbers and dependence on chairman. No journal and insufficient publicity of conduct of its members.

(*d*) "Packed" committees and legislation delayed a generation, and then only partial solutions, and another generation required for adequate solution.

Just as surely as the House has lost the power to deliberate, so has the committee method shown itself to be subversive and ineffectual when wrongly applied to general legislation. Is there a remedy which will relieve the committee of its abnormal duties and restore the proud power of deliberation to the membership of this House?

DELIBERATIVE SECTIONS OR DIVISIONS.

The evolution of parliamentary agencies has been usually twofold. The committee agency has already been discussed. The second agency is the deliberative division, variously called in other countries the sections, bureaus, or groups, and designed to overcome the difficulties of deliberating in bodies sufficiently large to be representative. Both agencies have developed, like the two arms of our bodies, in corresponding degrees in nearly all countries except Great Britain and our own, and are in actual use in Austria, Belgium, France, Germany, Hungary, Italy, Japan, the Netherlands, Russia, Spain, and Switzerland, and perhaps others. To prevent packing, the divisions are always constituted by lot. At the opening of the session the presiding officer draws from a box containing identification numbers for the whole membership, say 40 names, which will constitute section 1. The next 40 drawn will constitute section 2, and so forth, until the whole membership has been assigned in sections. Each section selects its chairman and secretary and keeps a journal showing the attendance of members, their votes, and so forth. The sections assemble daily in their rooms for examination and discussion of the subjects of general legislation before the House, in an order determined upon, and minutes are taken of the points discussed and of amendments and suggestions. When a conclusion has been reached a reporter (spokesman) is selected, who makes a printed report to the presiding officer, who, when a majority of the sections have so concluded, calls a meeting of the central section, composed of the reporters of the several sections, which reports the measure to the house, after having fully analyzed it, eliminated the chaff in the reports from the sections, and stated the real points in controversy, appointing a common reporter to present the subject. Rules are provided to facilitate consideration of the measures referred to the sections, and agencies provided for determining the order of precedence of measures before the sections. I append brief, and necessarily incomplete, summaries of the institution as practiced in a number of countries.

FEATURES OF DELIBERATIVE DIVISIONS.

(*a*) Real deliberation of entire membership on general legislation.

(*b*) Effective opportunity in each Member to participate in formation of measure while it is plastic.

(*c*) Full consideration of amendments while measure is in its formative stages.

(*d*) Discussions in sections more relevant, and mental attitude of Members more receptive. Chaff eliminated in central section.

(*e*) Member gets more minute acquaintance with the features of the measure; and resulting discussions in the House are in closer relation to the real controversy.

(*f*) More thorough thrashing out of arguments pro and con in the sections, and a final analysis of all in the reports.

(*g*) The survival, or natural selection, of the fittest, and utilization of the best knowledge and talent in the House, irrespective of the accidents of new membership or committee preferences.

(*h*) Elimination of packing of committees, or obstruction of progressive legislation in committees. Real publicity in sections and journal of its proceedings.

(*i*) Sections fully responsive to intelligent public demands; representative, and therefore, broader views in formation of measures.

ADAPTATION TO UNITED STATES.

There are manifestly some slight differences which would invite modifications of the institution when applied to this body. The most obvious only can be dealt with now. The political constitution of the sections would have to harmonize with the political character of the majority here, and this could be accomplished by the simple device of having two boxes to draw from, representing respectively the major and minor parties. If the membership were 433 and the majority were 83, then each would have, as near as might be, the same relative number in each section. By drawing from the boxes in each section in proportion to ratio of party representation,

both parties would be secured their numerical rights in the constitution of the sections, and the will of the majority be always in a position to act.

JURISDICTION OF SECTIONS.

Broadly speaking, the deliberations of the sections should extend to all matters in which principles and general knowledge are the necessary qualifications for judgment. This embraces nearly all legislative subjects which affect the relations of citizens to each other, and are defined by the law writers as substantive and remedial rights. Their determination make drafts upon the common sentiment and intelligence only, and do not require the inquisitorial and fact-hunting processes of a committee. This policy would refer all private measures and, perhaps, all appropriation bills to the committees, and leave to the sections those much less numerous but much more important mandates of legislation, which determine the rights of the people from age to age. Jurisdictional questions would, of course, arise. It might be a matter of doubt with some whether the question of fortifying the Panama Canal should go to committee as carrying an appropriation or to the sections as determining a serious question of national policy. But these questions arise now, and are even more complex when determining to which committee a bill shall go.

ORDER OF PRIORITY—IN SECTIONS.

Methods for ascertaining the precedence of measures for consideration before the sections are, of course, matters of the first importance, and should be adapted here, as in other countries, to the real conditions of legislative necessity. There are doubtless some subjects which should have a formal or dogmatic precedence, to be defined by rule, though I shall not stop to name them now. Generally speaking, in our system the order of priority of specific measures should be determined by a resolution of the House at the beginning of each Congress. This would mean the party caucus, and its operation ought to result in eradicating the abuses of filibustering of such recent and deleterious occurrence here. There are many ways in which the majority could make its selection of subjects for precedence of treatment, and it is accomplished abroad upon demand from a majority of the sections. The President's message, when the House is of his party, or the party platform when not, would be charts of guidance; and popular demands, acting on the majority, in cases of more recent occasion, would naturally determine the really momentous consideration of the disposition of parliamentary time.

I shall not enter into a discussion of numerous minor matters related to the main proposition—how many should constitute a section; how many a quorum for a section; how long each day the sections should deliberate; whether they ought to be reconstituted each month, as abroad, to secure wider acquaintance of Members and to prevent the development of concentrative control, as in our committees. These are matters of importance, but yet of a detail too extensive for the present state of the discussion. I have introduced a resolution (H. Res. 108) asking the Committee on Rules to investigate the subject in general and report to the next session a plan of organization which will restore to the House a real deliberative character and guarantee each Member his prerogative, an opportunity to participate in the formulation of its bills and resolutions. Its report should give us the desired information on a subject as to which our notions and practices appear to be provincial and at odds with the prevailing examples of the world. The growth and adaptation of the deliberative divisions in so many countries show the need to be universal and the institution the natural means of securing representative numbers and deliberative character, the fundamental essentials of parliamentary government.

CONCLUSIONS.

Deliberation must be restored to the membership. The House of Representatives must become what it was designed to be. It can not longer remain an agency unable to deliberate even when it wants to, under the control of obsolete and misused committees, where standpatism can pigeonhole and strangle, in suffocation rooms, legislation necessary to place the people's Government in effective relation with new and abnormal social conditions.

I know there are those who do not trust the people, do not trust even their Representatives here. Indeed, they do not want legislation at all, and think the Government should have but two functions—police to quell the violence and firemen to extinguish the flames that may imperil their property—and since both of these most useful agencies are already provided, they secretly wish that legislatures and Congress should only meet to appropriate their salaries and then adjourn. There is another class entirely honest, often mere doctrinaires, which gives itself the highly complimentary name of conservative—a conservatism, as has been said, "that is afraid to brush down the cobwebs lest the ceiling may fall."

I know the potency of inertia in public bodies and habit in individuals. I do not denounce either, but I refuse to sacrifice all progress and the future on their altars. They have surely had their day since the war, and now the cords that have bound us to their inertia are breaking from the sheer force of our growing organism. This Government, after all, is not a mere eighteenth century script, incapable of adjusting itself to modern conditions. A great transition has been achieved and will have its own. In the words of one justly celebrated:

THE LIBERAL PLATFORM.

We have come upon a new constructive age, an age of reconstruction [which] calls for high gifts and men of indomitable purpose.

We have begun to get a complete vision of our problems and of the policies that must solve them.

Many of the old formulas of our business and of our politics have been outgrown.

Responsible business and genuine representation of the people in government is our program.

We are cutting away anomalies, not institutions.

We are no longer in the temper of attack. We are ready for remedy and adjustment.

We have ceased to be divided into alarmists and defenders of society and begun to redivide ourselves into workable groups.

There are tories in both parties, but there are also liberals in still greater numbers, and the two kinds are now rapidly shifting themselves about and drawing together.

Parties are re-forming while labels remain unaltered.

Whichever party proves most fit to conceive and put through a wise, progressive program will become the liberal party of the Nation.

The real powers of the Chamber have been taken from its Members, because of the impracticability of their exerting them, acting as an entirety, and have been swallowed up by the committees; the Member as such has been extinguished, and hence the haste and struggle for positions on the committees which have controlled all the potencies of the House.

What do the people think of this, Mr. Chairman? Well, sir, they believe that the old organization and procedure of the House has been subversive of their rights and such as to prevent consideration of popular measures. I do not invent the term "morgue" as applied to the committees. The rule giving exclusive cognizance to the committees over the initiatory and formative stages of legislation has vested them with complete control of the "passes" over the whole territory of public legislation, and it commonly requires something akin to a revolution to lead a popular measure through their defenses. Hence the anomalous condition that the United States, far in advance of other nations in its private enterprises, lags far in the rear in progressive legislation. It is a generation since bills for the establishment of a parcels post have been introduced in the House. So far as I can learn this subject has never been permitted to come before the House for either decisive or deliberative consideration. In the occupation of railroading over 80,000 employees are injured and 4,000 killed each year. Compensation laws have been passed to indemnify them in the countries of Europe from Spain to the Isles of Greece. Yet here no action has been taken, because a committee refused to consider or report on the bill sent it, and a special committee appointed a year ago to investigate the subject has not so far held a meeting.

Mr. Chairman, I consider the logic of the deliberative division sound, but I should not have been bold enough to present it were it not recommended by the whole current of parliamentary procedure of the prominent nations of the world, and I feel that this is the occasion to work a reform of the methods of the House. We have a warrant—yes, even a mandate—from the people. It was their disgust with the old system, with the cliques that had absorbed in themselves the power of legislation and deprived their Representatives of their constitutional prerogatives, that largely produced the recent political revolution. Gentlemen, we are to be judged by what we fail to do as well as by the quality of what we may do. The people want tariff reform, but that is not all they want. They want this House so organized that the wisdom of measures introduced by their Representatives can be considered by this body, so organized as to promote consideration of legislation in their interests and promotive of the common welfare.

APPENDIX.

NOTES FROM "RULES AND PROCEDURE OF FOREIGN PARLIAMENTS," BY DICKINSON, 1890.

AUSTRIA.

[Page 350.]

In the Reichsrath the nine sections are chosen by lot at the beginning of each session in as nearly equal numbers as possible by the bureau of the House, and new members are added in the same way. Each section elects a chairman, vice chairman, and two secretaries.

Committees are formed for previous deliberation on the orders of the day, either by the sections of the House, the whole House, or both

together. In the first case, each section elects one or more members of the Chamber at large, and is not confined in its choice to its own members.

HUNGARY.

[Page 354.]

Besides the judicial committees the House is divided by lot immediately after its constitution into nine sections (p. 355). The sections and committees elect out of their own body, by an absolute majority, a permanent president and secretary. The sections or committees can not refuse to consider any bills which have been laid before them by the Government. As soon as the sections have finished their discussion they nominate a reporter for every subject, hand over to him the minutes relating to it, and give notice thereof to the president of the House through their own president.

[Page 356.]

When this notification has been given on the part of five sections the president of the House informs the reporters to form a central committee, and also informs the remaining section. The chair of this central committee is occupied by the president of the House or one of the vice presidents appointed by him, but without the power of voting.

Having heard the opinions of the various reporters, the central committee appoints a reporter, whose duty it is to support the views of the committee in the House.

The report of the central committee, having been printed and circulated, is placed on the order of the day within at least three days. The House can refer the matter back to the central committee or to the section for a fresh discussion, and in this case the sections can nominate fresh reporters.

BELGIUM.

[Page 359.]

The Assembly is divided by lot into six sections, consisting of 22 members each, which are renewed every month in the same manner.

Each section, after having named its president, vice president, and secretary, examines the proposals and amendments which are sent to it, following the order indicated by the Chamber, and at the conclusion of its labors nominates a reporter, who is elected by an absolute majority of votes.

When two-thirds of the sections have terminated the inquiry, the reporters named by them give notice to the president, who assembles them under his own presidency in a central section, after having warned the sections which are still in arrears. The central section, by an absolute majority, appoints one of its members to make the report to the Assembly. This report contains, in addition to the analysis of the deliberation of the sections and of the central section, the resolutions which have been agreed to. It is printed and circulated at least two days before the discussion in the General Assembly, unless the Chamber decides otherwise. The Chamber chooses for the duration of each section two prominent committees, etc.

[Page 360.]

Every month each section names one of its members to form the committee of petitions.

FRANCE.

[Page 363.]

The 11 sections or bureaus into which the Chamber of Deputies is divided by lot are rechosen every month in the same manner. They regulate their business according to the orders of the day as fixed by the Chamber and choose their own presidents and secretaries by ballot. No vote, however, is valid except at least a third of their members are present.

At the time of the committal of a bill or proposal to the sections for their consideration the Chamber can, on demand of one of its members, decide that the nomination of the members of the committee shall be made by "scrutin de liste," either in the whole House or in the bureaus.

At the commencement of each session the sections nominate for the entire year a committee of 11 members to superintend the accounts of the Chamber. At each renewal of the sections four monthly committees are named, viz, one known by the title of the "commission d'initiative," and consisting of 22 members, to which every bill emanating from a deputy is referred by the Chamber, and which is charged to report as to whether it shall be taken into consideration, etc.

[Page 365.]

The Senate is divided into nine sections, which are chosen every month by lot, and their functions are the same as those of the lower Chamber. Contrary, however, to the rule in that Chamber, the sections of the Senate have no quorum, and they can vote even if a majority of their members is not present.

GERMANY.

[Page 366.]

Besides the permanent election committee, six other committees are chosen from the sections, for the consideration of the business, etc. All the sections choose equal numbers of their members for a committee by written votes, and an absolute majority is necessary. The chancellor must be informed of their meetings (p. 368) and of the questions which are under discussion. The committees and sections issue regulations about their orders of the day, and the president has the right to fix the days for the sitting of the section.

ITALY.

[Page 369.]

The Italian Chamber of Deputies is divided by lot into nine sections or bureaus, which are renewed every two months in the same way. Each section nominates its president, vice president, and secretary by an absolute majority, and to insure the validity of its proceedings at least nine deputies must always be present.

Every section examines the motions and amendments that are sent to it in the order indicated by the president. At the conclusion of the examination it nominates a reporter. When two-thirds of the sections have nominated their reporters, the latter assemble in the central section, state the opinions of each section, and discuss together the proposals to be made to the Chamber. At the termination of the discussion they nominate by an absolute majority a reporter, who makes a report to the House, which must be printed and distributed at least 24 hours before the public debate takes place, unless otherwise ordered by the Chamber, etc.

[Page 370.]

The Chamber also nominates three prominent committees, etc. The nominations of these committees are made by secret ballot, unless the Chamber decides otherwise.

[Page 371.]

After the nomination of its officers, the Senate (a very numerous body) is similarly divided by lot into five bureaus, renewed every two months. Out of these is formed a central bureau, which in its term nominates a reporter to present its reports to the House.

All bills and motions presented to the senate are referred to its sections, or to committees specially chosen for the purpose.

JAPAN.

[Page 371.]

And in order to engage in the examination of matters falling within its province, the several sections from among the members of the House respectively elect an equal number of members to the committee. The term of membership of the standing committee lasts during a single session only.

NETHERLANDS.

[Page 372.]

The upper and lower Chambers of the States-General are each divided by lot into five sections, which are renewed every one or two months in the same manner. The lots are drawn in a public sitting by the president, who, after having called out each member's name separately, draws out of a box a ticket, which indicates the number of the section to which the respective member is to belong. Each section then elects a chairman and vice chairman, and their names are communicated to the president.

The central section is composed of the president of the Chamber and the chairmen of the different sections, sittings being also attended by the reporter. One of their number is especially elected to preside, etc.

All the bills sent by the King to the Chamber, after having been printed and circulated, are forwarded to the section. Those bills the debates on which have not yet begun at the renewal of the section are referred to the new one, and bills which are closely connected with others that were formerly sent to the Chamber may be referred to the same sections which have to deal with the previous one. The central section arranges the order in which the different bills are to be deliberated upon and informs each member, as soon as possible, of its decision, but this does not prevent any member from bringing in a motion for the purpose of amending a resolution of the central body. Should the central section consider a consultation with one or more members necessary respecting the order of the work to be done in the sections, the member or members must be communicated with through the president.

[Page 374.]

Two whole days are usually allowed to elapse between the circulation of a bill and its consideration by the sections, unless the central section is of opinion that the matter is urgent. The chairmen of the sections arrange together, if necessary, the order of debate in the sections so as to give each member an opportunity of explaining his views. Each section appoints one of its own members to act as reporter on the bills, but no member is obliged to report on more than two bills unless a new bill should be in close connection with the former one. Each member is at liberty, provided he is present at the meeting of the section, to bring forward memoranda, written or signed by himself, containing his views on the bill or some amendment of it. These notes are read and then handed to the reporter, who delivers them to the committee of reporters.

As soon as the debate in all the sections is closed, the committee of reporters is assembled, the recorder also being summoned. The committee elects one of its own members or the recorder as its general reporter. The reporters communicate to each other every question which has been discussed in the different sections, and consider also how they can best explain the principle of each bill, so as to frame their report to the House in accordance with these considerations. Should it then appear that in one or several of the sections important points have been discussed, which in others have been passed over, the committee can request the president of the Chamber to assemble these sections in order to deliberate together on these particular points. In this case the deliberations and resolutions of the committee of reporters on these points are suspended until after the further deliberation of the section.

NOTE.—Committees selected by sections.

[Page 375.]

In the case of financial bills the committee of reporters frequently presents a provisional report, and is at liberty to take a similar course with other bills if it should appear necessary to do so.

[Page 376.]

The report of the committee of reporters is laid on the table at the House, and is read by the reporter whenever the Chamber requires it.

SPAIN.

[Page 378.]

Each Chamber is divided into seven sections, which discuss separately the bills or any other subjects which may be presented to them, and decide as to whether or not they shall be further proceeded with in the House. The sections of the Senate are reconstituted every two months, while those of the lower House are nominated for the whole session, but are required to select a fresh president and vice president and two fresh secretaries every month. As soon as a measure has been fully considered by each of the sections, a committee of seven members, one from each section, is chosen to lay their opinion before the Cortes.

RUSSIA.

In the Russian Duma the institution of sections for deliberative purposes obtains, but the particulars are not available.

Mr. HOUSTON. Mr. Chairman, I yield 10 minutes to the gentleman from Ohio [Mr. SHARP].

Mr. SHARP. Mr. Chairman, I wish to thank the chairman of this committee for his very great courtesy in allowing me this time, when there are so many others who wish to be heard who champion his side of the argument.

At the outset I wish to say that I am opposed to his position and intend to vote against the bill. I wish also to commend him for his very frank statements at the beginning of his remarks, and I wish to indorse much of what he has said in that argument as it applies to the fairness with which the committee sought to frame this bill. I do not know but that the method is all right. I only object in the main to the size of the House of Representatives as it is to be made under the operations of this bill. He was very frank when he said that the chief actuating cause or motive which fixed the number of

Representatives at 433 was that no State under such a division or representation should lose a single Member. This is borne out by the statement in the report, briefly contained in three or four lines, as follows:

Under this apportionment no State will lose a Member. One of the controlling reasons in fixing the membership of the House at 433 is the fact that this number is the lowest number that will prevent any State from losing a Representative.

I could add to that by quoting the gentleman from Indiana [Mr. CRUMPACKER], whose position at this time is strangely mystifying to me, to say the least, because I remember in the last Congress he was one of the warmest advocates we had on this floor in favor of a bill that was identically, I believe, the same as the present one.

The gentleman from Indiana [Mr. CRUMPACKER], in his statement, frankly confesses that according to his view there would hardly be any division of sentiment upon this floor if we were to vote according to our own honest convictions. That sentiment would be strongly against the bill. As to the size of representation in the House of Representatives, he said the controlling motive was conceded by all to be that not a single State in the Union should lose any number of its Representatives.

But another thing that rather surprised me was his desire to foist upon a succeeding Congress, 10 years in advance, the checking of any future similar legislation, and that it should be governed or controlled or guided in any way by the precedent that we here to-day are to establish. It seems to me, gentlemen of the House, that we could show our good faith no better to succeeding Congresses in having our intentions now evidenced by our actions than by refusing to pass this bill and limiting the number down to at least 400 Members. It seems to me that, in effect, we are appealing to the country and saying, "Overlook our act to-day. We know it is unwise, but we are going to fix it in such a way that in consequence of an amendment that is to be tacked onto this bill our successors can not enlarge the size of the House any more."

Now, I think that 10 years hence human nature will be very largely what it is to-day. It has been universally acknowledged that no act of Congress to-day can bind our successors 10 years hence so as to restrict their action. And although the gentleman from Illinois [Mr. MANN] has ventured the statement that it is law, and will be a law until repealed, there are plenty of reasons which can be advanced for repealing such a law by a future Congress that may be guided, and will be guided, I will say, by the same selfish motive that actuates us here to-day.

Where is this going to end if the controlling motive to-day, as we all concede, is that no State shall lose its present number of Representatives? What is going to follow 10 years hence, or 20 years hence, or even 30 years hence? We all know that some of the States of the Union have a less population now than they had 10 years ago. Are the Representatives of States that are going ahead and doubling their population to be required to consent in future decades to a reapportionment which will add to the number of Representatives in this House simply to keep up without diminution the number of Representatives from those States that are falling behind in the procession after we set this precedent? It seems to me that it is an entirely wrong basis on which to act.

I differ with the gentleman who has charge of this bill in his assertion that the people of this country want this bill to be passed, and are only waiting for it to pass. I believe, gentlemen, there is an overwhelming majority of the people of the United States against further increasing the membership in the House of Representatives. [Applause on the Republican side.] I believe if we should submit that question to a vote to-day there is hardly a State in the Union where there would not be a two-thirds majority registered against it, and in some cases a much larger proportion.

To my friends on the Democratic side of the House I wish to say that, starting in with the splendid record we have made for economy by lopping off many useless employees, at an annual saving of some $180,000, and making provison, as I understand, for further economies—I can only suggest that by one act of ours, if we will take that step, we can say to the country that we have saved, not for this year only but for each year of the ensuing decade, at least half a million dollars extra in the expense that will be involved by adding 41 Members to this body.

Mr. TRIBBLE. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Ohio yield to the gentleman from Georgia?

Mr. SHARP. I do.

Mr. TRIBBLE. I would like to ask the gentleman whether he has figured out the amount of difference for salaries that will be occasioned by this proposed increase of membership? Will it not be $350,000?

Mr. SHARP. I think so.

Mr. TRIBBLE. And I would also ask the gentleman, Will there not have to be additional office buildings, too?

Mr. SHARP. Yes.

Mr. TRIBBLE. And will it not require the expenditure of millions of dollars to erect and equip those buildings?

Mr. SHARP. I do not think it will be that much, but the amount will be large.

I went into this question somewhat at the last session of Congress, and I hope I will not be as lonesome at this session as I was then, when I happened to be one of only two Members that voted against it.

Mr. GRAHAM. How far would the gentleman follow his logic as to economy? If we are to economize by preventing an increase of the present membership, would he follow that line of argument and reduce the present membership to, say, 300 for the sake of economy?

Mr. SHARP. I do not know but I would be willing to say 300, although it seems to me——

Mr. GRAHAM. Why not 200?

Mr. SHARP. There is an arbitrary line beyond which we should not, with reason, go. We must fix it at some limit; but I will say that it is a remarkable coincidence, as the gentleman from Kentucky [Mr. SHERLEY] pointed out awhile ago, that the least possible number was selected that would maintain the same representation that each State now enjoys—that is, by not reducing the representation of any State. That very action shows that in considering this question the committee was largely governed by the desire to make the representation just as small as possible, consistent with keeping, at least, the present representation of every State.

Mr. GRAHAM. Is not this a case where efficiency is so much more desirable than economy that the mere question of economy ought to be subsidiary?

Mr. SHARP. I fully agree with the gentleman, and I have been wondering why so many Members defend a larger representation. It is a question of efficiency. It is a question of quality and not of quantity, and the gentleman's question answers his own argument.

It seems to me, in conclusion, for my time is brief, that the Democratic Party, carrying on its splendid work of economy so well begun, could make a most favorable impression on the country by refusing now to increase the size of this House. Let its action be a landmark in the history of this country that the Democratic Congress that came into power in 1911, the Sixty-second Congress, again turned back to a precedent established 70 years ago, by which in 1840 the number of Representatives was reduced, the work of increasing the membership halted, and that number not increased for 30 years thereafter. I appeal to you, who are familiar with the history of those times, to bear witness to the fact that in those Congresses, 1840, 1850 to 1860, we had some of the ablest men who ever sat in this Chamber. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. CRUMPACKER. Mr. Chairman, I yield 15 minutes to the gentleman from California [Mr. KNOWLAND].

Mr. KNOWLAND. Mr. Chairman, I seldom agree with gentlemen on the other side of the House, but upon this occasion I heartily concur with the remarks of the gentleman who has just taken his seat [Mr. SHARP].

Were I to consult only selfish interests I would probably be in favor of the bill as it is reported to the House. If the House retains its present number of Representatives, California will gain 2 additional Members. If the membership is increased by 42, as provided in the pending bill, the State of California will be entitled to 3 additional Members. But I feel that this is a question broader than the selfish interest of any State or congressional district. [Applause.] In determining a question of such vital importance, touching as it does the very dignity and reputation of what we are pleased to term the "greatest legislative body in the world," we should be influenced by the highest and most patriotic motives.

I do not believe there is a Member on either side of this Chamber who would contend for one moment that the present House of Representatives should be enlarged were it not for the fact that by retaining the membership at its present number certain States whose populations are dwindling would lose a part of their representation. I regret that the pending measure does not contain the amendment embodied in the bill reported at the last session by the gentleman from Indiana [Mr. CRUMPACKER]. That amendment, which is again to be offered, provided in substance that as soon as the Fourteenth Decennial Census should be completed, 10 years hence, and after

each subsequent census, the Secretary of the Department of Commerce and Labor should ascertain the population of all the States and each State separately, which aggregate population should be divided by the number 430, and that the quotient of such division should be the ratio of apportionment of Representatives among the several States.

In other words, although the Census Committee at the last session reported in favor of an increase of 42 Members, by the terms of the amendment just cited an attempt was made, as far as it is possible for one Congress to bind a future Congress, to prevent increases in the future. This was a plain acknowledgment of the unwisdom of increasing the House, but, owing to the keen interest manifested by certain Members in retaining their seats, the committee voted that the reform should commence 10 years hence. The Republican caucus at that time refused to indorse the committee's report and voted to retain the House at its present membership.

For one I am in favor of beginning the reform now, and for that reason shall cast my vote in favor of retaining the present membership.

The chairman of the committee [Mr. HOUSTON] has been very frank in his statements. When he was asked by a Member as to whether he believed the same considerations would govern 10 years from now, he declared that it was his opinion that they would, and that a ratio would be established then that would not deprive any State of any of its representation. By pursuing such a policy the Capitol will eventually have to be enlarged.

I do not believe there has ever been a session of Congress—at least not during the seven years I have been a Member of this House—where there has been as much confusion as has existed during the present session. I am not partisan enough to charge that it is because the House is Democratic, but I have taken at random a number of the CONGRESSIONAL RECORDS of this session for the purpose of calling the attention of the House to the confusion that frequently exists and has existed at the present session. I read from the RECORD of April 13, where Mr. MADDEN, of Illinois, said:

> Mr. Speaker, there is nobody over here that can hear a word said by the gentlemen who have the floor.
>
> The SPEAKER. Gentlemen will cease conversation, so that Members can hear this discussion. The Chair would like to hear it himself.

Even the Chair was unable to hear what was transpiring on the floor.

On the same date my colleague from California [Mr. RAKER], who represents a district in which are located large lumber mills, likewise complained of the confusion. I know that he is accustomed to campaign among these mills, but even he, able to discuss campaign issues amidst the buzzing of saws, is unable to make himself heard and is forced to appeal to the Chair. Let us again read from the RECORD:

> Mr. RAKER. Mr. Speaker, I would like to know whether there is any possibility of gentlemen on this side having an opportunity to hear what is going on in this Hall.

He could hear in a sawmill, but he could not hear in the House of Representatives. [Laughter.]

Mr. MOORE of Pennsylvania. I would like to ask the gentleman if he has any information relating to oratory in a boiler factory?

Mr. KNOWLAND. I have not, but I am frank to admit that there are times when it would be easier to make oneself heard in a boiler factory than in the House of Representatives.

Mr. AUSTIN. We can all hear the gentleman from California quite well.

Mr. KNOWLAND. Well, the gentleman from California has a heavy voice, which everyone has not.

Mr. KENDALL. Will the gentleman yield?

Mr. KNOWLAND. For a question.

Mr. KENDALL. Does the gentleman know how many Members of the House were present on these occasions when he has read from the RECORD?

Mr. KNOWLAND. This was at the opening of this Congress when a great many new Members were here, and the gentleman knows from past experience that for the first two or three weeks new Members are pretty apt to be present. After that they are not always as anxious.

Mr. KENDALL. I think it is the experience of everybody here that usually the number present is the smallest when the disorder is the greatest.

Mr. KNOWLAND. Why, the gentleman from Iowa himself this morning was compelled to call for order during this discussion. [Applause.]

Mr. KENDALL. Mr. Chairman, I did that to illustrate the fact that there were only a few people present in the House, and yet the disorder was such that it was difficult to hear. The gentleman from California can be heard, because he always has something of interest to say and the House will listen.

Mr. KNOWLAND. I now hold in my hand the RECORD of April 14. The ex-Speaker of the House [Mr. CANNON], who now sits at my left, is even moved to complain, as the following colloquy between the present Speaker and himself will show:

> Mr. CANNON. Mr. Speaker, there is so much confusion I am unable to hear what the Clerk is reading. It is not the fault of the Clerk. What is he reading?
>
> The SPEAKER. He is supposed to be reading the Journal. The point of order made by the gentleman from Illinois is sustained, and the House will be in order.

Mr. Chairman, I do not desire to confine myself solely to this session, because I might be considered as a partisan, so I want to quote the RECORD of the last session of Congress.

Mr. AUSTIN. Will the gentleman yield?

Mr. KNOWLAND. I beg the gentleman's pardon, but my time is limited. At the last session of Congress this occurred:

> The SPEAKER. The Sergeant at Arms will tell gentlemen to be seated. The Sergeant at Arms will take the mace and see that gentlemen are seated. The Clerk will call the roll.

This was in the closing days of the last session of Congress. Mr. Chairman, I could quote numerous other examples from the RECORD if time would permit. It is needless to do so in order to illustrate my point, that in enlarging the House you will tend to make it less and less a deliberative body. We should hesitate before we add 42 to the present overlarge membership.

Some gentlemen have referred to other legislative bodies where there is a much larger representation. The British Parliament was cited. It is true that that body has 670 members, but the fact should be borne in mind that the British Parliament only requires 40 members to transact general business and in the transaction of private business only 20 members. There are only seats in the British Parliament for one-quarter of the membership of that body. The members serve without pay, which is another consideration. While the question of expense is an important consideration, it is not by any means the most material.

In that connection I have had occasion to go into this somewhat in detail. As has already been stated, the additional amount for salaries would be $315,000.

Mr. RUCKER of Missouri. Will the gentleman yield for a question?

Mr. KNOWLAND. And the amount of mileage will be $35,000, estimated. I yield to the gentleman.

Mr. RUCKER of Missouri. While the gentleman is in a streak of economy I would suggest it might be well to introduce a bill here to cut down our salaries to, say, $4,000 a year or $3,500 a year.

Mr. KNOWLAND. No; I frankly say I would not do that, and do not believe the country would desire it.

Mr. KENDALL. Oh, let the gentleman from Missouri [Mr. RUCKER] have the credit of introducing that, as he has suggested it first.

Mr. RUCKER of Missouri. Well, the gentleman from California is speaking of maintaining this body and the cost of it, and one item is the cost of the salaries.

Mr. MADDEN. Why does not the gentleman from Missouri introduce the bill?

Mr. RUCKER of Missouri. Why does not the gentleman from Illinois introduce such a bill?

Mr. KENDALL. The gentleman from Missouri originated the idea.

Mr. NORRIS. Mr. Chairman, I call for order. I can not hear the gentlemen. [Laughter.]

Mr. KNOWLAND. Mr. Chairman, I would like to refer this question of salaries to the Democratic caucus and note the riot it would create.

Mr. RUCKER of Missouri. The gentleman has no power to refer anything to a Democratic caucus.

Mr. KNOWLAND. Clerk hire would amount to $63,000 and stationery $5,250. The franking privilege, estimated, would cost the Government an additional $250,000. Now, it would require an addition to the House Office Building, and I have asked the Superintendent of the Capitol to give me an estimate as to the cost of adding 42 or 50 rooms, and he tells me that the cost would be about $125,000, which makes a total of about $793,250.

Mr. SHERWOOD. Then there is the question of the distribution of free seeds.

Mr. KNOWLAND. Oh, there are many other things that could be added that would easily bring this up to a million dollars. I do not think, however, that this should be the main consideration. It is important, however, and particularly in these times of reform, when our colleagues on the other side of the aisle are pretending to cut down expenses.

Mr. MICHAEL E. DRISCOLL. What would they do to increase the size of the Office Building—raise the building?

Mr. KNOWLAND. In order to enlarge the House Office Building, they would erect new offices above the court, but not on the outside of the building. When the building was origi-ally erected it was constructed so that it could be added to.

Mr. SHERWOOD. It will cost $800 for every room for furniture.

Mr. KNOWLAND. I have not taken into consideration the furnishing at all. When you go into this matter you will find it has many ramifications that would tend to add materially to the cost.

I want to say in conclusion that I believe for one that the time has come when we should call a halt in increasing the membership of this House. We are all desirous of retaining the good name of this body, we are all anxious that the House of Representatives shall maintain a reputation as a deliberative assembly, but if to-day, and 10 years hence, we increase the membership, this House in time will become so large and unwieldy as to interfere with the proper exercise of its constitutional functions. [Applause.]

Mr. CRUMPACKER. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. CANNON].

Mr. CANNON. Mr. Chairman, I recognize that this bill will pass and that there will be at least 433 Members in this House for the coming 10 years. I shall not discuss whether it is wise to pass the bill or not, because I want to be entirely practical for the 10 minutes that I am going to talk.

When I came into the House I helped fix the membership of the House at 293. That was fixed by an act of 1873, and I recollect the contest at that time. There was a decided sentiment in the House that the increase should not be made, but it required that number to prevent the membership of any State being decreased, and at each succeeding tenth year it has been increased by exactly the same number as would prevent a decrease in the representation from any one State. On one occasion the House refused to make the increase, but the Senate amended the bill, because a little State with two Senators and one Representative has just as much power as a great State with 30 or 37 or 38 Members, with but 2 Senators.

I am not going to discuss as to whether we can amend this bill and hold the membership at 391, the present number. We can not. Now, what can we do; what ought we to do? That leads me to say that never in the history of the country, save alone in 1840, has the membership been decreased. It was at that time decreased from 240 to 233. When 1850 came, with its census, a new piece of legislation was put upon the statute books, namely, that the membership should be in the future fixed at, say, 233, and the apportionment was fixed in 1860 by the Secretary of the Interior dividing 233 into the population; but when 1870 came the Civil War abolished the three-fifths representation as to those who were servile, and from that time to the present, each 10 years, that legislation being obsolete, we have increased, and now we will increase to 433, because it takes that number to give every State its present representation.

Now, I believe that 433 is as large as this House ought ever to be. Gentlemen say we can not bind future Congresses. That is true; but, practically, we do bind future Congresses, because when the population is determined, automatically, from a ministerial standpoint, 430, as our bill proposed, or 433—I do not care which—will be the divisor that will fix the representation from each State. It will be in the power, even after that action was taken by Congress, to increase the representation; but, in the absence of a great public sentiment that would move the Congress to increase it, the legislation would not be enacted, because it must pass the House and Senate and receive the approval of the President. Now, I ask gentlemen to recollect that our Constitution provides that a majority shall be a quorum to do business. That takes half of 433 and one more to do business. In the Committee of the Whole we have provided that 100 shall be a quorum. We could provide 50 or 25 should be a quorum by the rules of the House, but when we legislate it requires a quorum of the whole House, and the larger the number the greater the difficulty in keeping a quorum. Now, when will we stop? Never, so long as we fail to adopt an amendment—which I hope will be offered upon that side of the House—fixing the membership for the future at 430 or 433. I shall not be here 10 years from now. I have no personal interest in this matter. It is only the interest I have for 92,000,000 of people and the greatest good to the people. We have successfully so far, through peace and war, preserved a representative government of the people and by the people. It is useless to talk about what they do in Germany and what they do in France and what the mother country does with her six hundred and odd members and with her quorum of 40 to do business. Our conditions are different. Gentlemen say that we can regulate it by the size of the Hall. I do not believe that. It will not make a particle of difference in the acoustic properties of the Hall, because when the House is quiet, as it is now, the acoustic properties of this Hall are better than any legislative hall, as I am informed, on earth. And when we are not quiet we can not hear ourselves talk. Now, I would keep the body as small as we now have it, if I could, or say that it shall not be beyond 430 or 433, because as you increase the size of a legislative body you decrease the responsibility. You decrease the independence of the average Member; you increase the power of the caucus. That distributes the responsibility and avoids the responsibility. "The Speaker would not let me do so and so; the leader of the House would not let me do so and so; the great committees would not let me do so and so." Oh, I have seen men, whose names I will not mention, of more ability than I, hide time and again. I have seen men in this House who would go to the Speaker of the House and say: "For God's sake! can not you do something to save me from voting on a roll call upon that legislation? Why I will be damned if I vote for it, and I will be damned if I vote against it." [Laughter.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. CANNON. I hope, if I may be indulged for just one sentence, that this amendment may come from that side of the House. None of us know how population may increase or decrease. I do know that in the great Middle West and in the farther West and in the South settlement will increase. The Senate represents the States. Let us keep this body as forceful and strong and powerful as we can keep it, because we touch the people every two years and respond readily to an enduring public sentiment. [Applause.]

Mr. HOUSTON. Mr. Chairman, I yield five minutes to the gentleman from Colorado [Mr. TAYLOR].

Mr. TAYLOR of Colorado. Mr. Chairman, I am somewhat reluctant to immediately follow our distinguished ex-Speaker [Mr. CANNON] and take a position opposite to the views he has so forcibly expressed. I only desire, however, to say a few words, and I would not say anything on the bill were it not for the fact that I have somewhat changed my views upon this subject since becoming a Member of this House two years ago; and I believe public sentiment has somewhat changed on the subject during the past few years.

When this bill was before the House at the last session the Republican caucus voted to permanently limit the membership of the House to the present number of 391, and most of you gentlemen on the other side are going to vote against this bill increasing the membership to 433. It was the Democratic vote that passed the bill last February, and it will be our vote that will pass it to-day. Our opposite position upon this bill is to a certain extent illustrative of the opposite principles of the two parties.

This House is, or should be, the popular branch of this Government. Our Government is, or should be, a representative form of government. Representative government has been having some severe tests in this country during the past few years, and the failure of representatives to faithfully represent the will of their constituents has made many good people doubt not the theoretical wisdom or justice, but the practicability of our form of government under modern conditions.

The opponents of this bill say that they are opposed to either increasing the membership of this House or reducing the size of the districts. One gentleman complained that in small districts the Representative would become merely an echo of the sentiment of the people. Well, I would like to know what we are here for, if it is not to echo the sentiment of the people who sent us here? I have always felt and acted upon the assumption that a Representative should represent. In view of the enormous growth of this country in population and development, in wealth and every other way, during the past 10 years, I believe it would be conducive to good government and the enactment of better laws, and that the Members of this House will more accurately reflect the will and welfare of their constituents by increasing the number of Representatives during the next 10 years over the membership of the House during the past 10 years somewhat in proportion to the increase in population. Under the last census the apportionment of population to each Representative was 194,182, while under the proposed membership the ratio for the next 10 years will be 211,877 to each Representative. This will be an increase in population for each Congressman of 17,695 more than he has heretofore represented; that is, the increase of 42 in the membership of the House by this bill is not as much proportionately as the increase in population of this country.

With the vastly increased duties that are imposed upon Members of this House nowadays, and under the existing political and economic conditions in this country at this time, I do not believe the ordinary Representative can properly represent his constituency or suitably look after the interests and personally attend to the requirements of over a quarter of a million people. I am looked upon as a pretty industrious worker, and I know from my own experience that it is utterly impossible to do full justice to the 800,000 people of Colorado whom I have the honor, in part, to represent upon the floor of this House. I believe the people of our State would be much better served by four Congressmen than by three, and that each should have his own district, and that there should not be a Congressman at Large. I confess that my judgment in this matter is probably influenced by local conditions. In fact, I will say that my judgment is always affected by what I think is for the welfare of my constituents. If the number of Representatives in this House is not increased, Colorado will not get another Representative. But it would not be necessary to increase the number of the membership by 42 Members or one-half that number to give Colorado another Congressman. Our State has gained 48 per cent in population during the past 10 years. But I believe the increased membership of the House will be beneficial to the entire country. It will bring the Members in closer contact with their constituents. The safety of the Republic lies in the responsiveness of the Representatives to the will of the people who elect them. And a man will be closer in touch and more responsive and will nearer reflect the sentiment of the present than he would a very much larger constituency. We do not represent the States like the Senators do; we are the immediate representatives of the people themselves. And I have noticed that the people and the press who represent corporate interests—the trusts and big business of this country—both in the Nation and throughout the States, are always opposed to increasing the membership, both in Congress and in the legislatures. They do not want the Representatives nearer to their constituents. The smaller the legislative body they have to deal with the better it suits them. I think that history will bear out the statement that 75 per cent of the extravagant appropriations, nefarious legislation, and obstruction to good legislation is brought about through the smaller branch of the National and State Legislatures. I am in favor of the democratic idea of the rule of the people, and that when a Representative can not represent the will of his constituents he should retire.

Some one has said that in a smaller district a Member can perpetuate himself in office more easily. The only way that can be true would be by faithful service to his constituents. If he betrays them in a small district, they will know it quicker and will turn him out much sooner, while in a larger district he may, through party manipulations, be able to misrepresent the people's best interests for many years.

I believe this bill is in line with the spirit of the times, that Representatives should be brought nearer and more directly accountable to the people and be more readily reached when they cease to reflect the will of those who elect them. It is the failure of Representatives to represent and their brazen defiance of the public welfare that is bringing about the enactment of the initiative and referendum and recall amendments to the State constitutions throughout this country, and I hail the day when every State will enact such constitutional amendments. It seems to me that no one who desires to honestly reflect the consensus of opinion of his constituents should oppose those amendments or be afraid of their operation. When our fathers founded this Government 30,000 constituents were entitled to one Member in this House; while now, with twenty times the amount of work that the Representatives in those days had, even under this enlarged membership, Congressmen will hereafter be required to represent more than seven times as many people and probably a hundred times as much property interests as did the Members of this House in early days.

I realize that there is very great complaint against this House being and becoming more unwieldy. Usually during general debate it is impossible for anyone except those very near the speaker to hear the discussion. But the architects say the change in this room will help some, and I hope and believe the rules and procedure of this body will sometime be so modified that the proceedings may be conducted in a more orderly and deliberate manner. I do not think the confusion is caused so much by the numbers as by the customary methods and practice of the House. I make no pretension of knowing how to do it, but I hope the reform in the rules and customs of the House will preserve the independence of the Members and as far as possible give everyone a reasonable opportunity to be heard and contribute his ideas. Of course most of the work will always have to be performed by committees anyway, but the committees of this House are not and never will be as powerful or dangerous as they are in a smaller body.

I feel that we ought not to unduly increase the membership, and I am in favor of the Crumpacker amendment, which was a part of the bill as this House passed it before and which, I believe, would have a very strong tendency to prevent an undue increase 10 years hence.

While it is not conclusive at all, yet the fact is worthy of consideration, that no civilized nation in the world has as large a constituency for each representative as has this country. In the 15 principal other nations of the earth to-day the representatives in their highest legislative bodies represent an average of from 20,000 to 60,000 people.

Under this apportionment no State will lose a Member. Twenty-one States will retain their present number of Representatives, and the increase of 42 Members will be divided among the remaining 25 States.

A very vigorous objection is made to this increase in membership on account of the increase in the cost to the Government of the additional Members and their clerks and other expenses, and we are taunted with being inconsistent in our efforts to reduce the expenditures of the Government.

I fully appreciate the fact that the increased expense is a very important matter to be considered. But I have thought over that feature a good deal and have come to the conclusion that the people are perfectly willing to pay a fair salary and the necessary official expenses of Representatives, if they honestly represent; but that they are not willing to pay anything for misrepresentation or for a lot of useless jobs and ornamental officials who perform no needed service.

I believe if the increased membership will bring about more direct representation, better-considered legislation, and conduce to better government that the people will not object to the small increase in the cost to the country. [Applause.]

Mr. HOUSTON. Mr. Chairman, I yield five minutes to the gentleman from Tennessee [Mr. SIMS].

Mr. SIMS. Mr. Chairman, I am very much surprised at some of the arguments put forth here in opposition to this bill. I would rather vote to increase the membership of this House to 500 than to reduce it to 300. There has been but one bill that I know of where the ratio of population to the Member was not increased.

Here is a bill now that not only increases the membership of the House to 433, but also increases the population to the Member, or it will result in having a population in each district so represented about 30,000 larger than it was by the last apportionment. Shall the people not be considered with reference to numbers? Why have we got a representative body here at all unless it is to represent the people according to population? The Senate represents the States, but the representation in this House is based on population. Why should not numbers count, especially considering the fact that the men who framed the Constitution provided a ratio of not exceeding, perhaps, 35,000 or 40,000 population to the Member? Suppose it had been laid down that no increase of population should ever take place per Member. How many Members would we have now?

I call upon Members of this House not to undertake now by any such measure as the Crumpacker amendment to manacle the future. I would much rather vote for an amendment which should provide that no future apportionment should ever increase the number of people represented by a Member. This is not an executive body. In an executive body you need an executive head, a one-man power. This is a council. Wisdom is found in multitudes of counselors.

Now, I am somewhat like the Speaker—I mean the ex-Speaker; I am so used to calling him the Speaker that I have not got out of the habit yet. I am somewhat like him, I feel that I have not long to stay here, in the very nature of things, because I am now serving my eighth consecutive term; but I never want to see the day come when the apportionment of Representatives in this body does not take into consideration the people by numbers. The idea of saying that this great, virile, brainy American people can not devise ways and means by which all the bills that ought to be passed by the body will be passed! Do the Members of this House know that the House of Representatives passed more bills in the last Congress than used to be introduced in a Congress in former years?

My friend from Wisconsin [Mr. NELSON] talks about "efficiency." I do not know what he means by "efficiency." Have we not got time in which to consider legislation? Of the 24 months that constitute each term, we serve only about 10 months in this House. Usually we serve 7 months in the long session and 3 in the short session, and adjourn for the balance of the time and go home to look after our fences or to the

mountains to cool off or to the seashore to bathe or, perhaps, to Europe. We can have a recess during July and August, when gentlemen can go to the seashore and cool off. We do not use profitably half the time that we have in this House. We can use more time and pass more bills if it is deemed wise to do so. We have the habit of so-called machine-like action. We have the idea that we have got to adjourn before hot weather and before the business that has been intrusted to us has been attended to. I am surprised to hear gentlemen complaining here about the inefficiency of this House. If you want to increase the efficiency of the House, increase its numbers so that more efficient minds can come here to help do the business of the House.

Kentucky has been referred to a time or two. Does not the representation of Kentucky warrant us in the belief that an increase of its members would be both a State and national benefit?

Now, my friends, the population of the great cities is increasing out of all proportion to the increase of population in the country districts; and if you are going to limit the number of Representatives, the day will come when the great cities will have the balance of power in this body, as they have in other countries. Small legislative bodies are more easily controlled wrongfully, either by passion or pelf. It is easier to corruptly control a small body than a larger one.

Mr. MADDEN. Will the gentleman yield?

The CHAIRMAN. Does the gentleman yield to the gentleman from Illinois?

Mr. SIMS. Show me the city to-day that would not increase its representation——

Mr. MADDEN. Does the gentleman from Tennessee undertake to say that the representation from the great cities in this House is not as able and honest as the representation of the country districts?

Mr. SIMS. I did not mean any reflection and would not make any reflection upon the Representatives who come from our great cities. But the gentleman knows, and we all know, that we are constrained by the wishes and desires of those who elect us—who send us here. [Applause.]

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. SIMS. I would like to ask for five minutes more.

Mr. HOUSTON. Mr. Chairman, I yield two minutes more to the gentleman.

Mr. SIMS. I think the city of Chicago has as able and honest Representatives in this House as have ever been sent here from any country districts.

But you know and I know, my friends, that the foreign element of our population is increasing in greater ratio in the cities than in the country and that the negroes are flocking to the cities. If I had the power to redistrict the States, I would put all the big districts in the cities and the little ones in the country among the agricultural classes, the landowning classes, the classes that have made our institutions what they are and that will have to maintain them if they are to be maintained. Where do revolutions arise? My friends, where does the only Socialist in this House hail from? Does he come from a country district? I mean no reflection on him. He is a man of brains, ability, and patriotism. I know of some people who tremble at the increase of socialism, which is confined largely to the cities.

Let us not reduce the representation of the agricultural sections of this country. If we fix the number in the next House at 391, it will mean to take representation from those States that I think, judged by everything that goes to make good legislators, will average higher than those of the great cities. I hope that the amendment of the gentleman from Indiana will be voted down. I am surprised that any Democrat should want to vote for such an amendment. [Applause.]

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. HOUSTON. Mr. Chairman, I yield five minutes to the gentleman from Iowa [Mr. PEPPER].

Mr. PEPPER. Mr. Chairman, it is proposed to increase the membership of the House from 391 to 433, and the sole question to be determined is the advisability of such action. I recognize that there are no partisan considerations to govern the membership of the House on this proposition, and I am very glad that that fact is so evident here, because to my mind the question is one of supreme importance and should be considered strictly on its merits and with a full realization of its ultimate effect.

I want to say now that, so far as I am concerned, I am unalterably opposed to the passage of the bill as reported by the committee. [Applause.] I am opposed to a further increase in the membership under any pretext whatsoever. I say that knowing at the same time that the passage of the bill would possibly be to my personal advantage, for I come from the State of Iowa, which, if the present membership were maintained, would lose one Member. In the State of Iowa we have a Republican legislature, and if the present membership should be maintained, or a lower membership established, undoubtedly a Republican legislature would redistrict the State so that I should not have the privilege of further continuing my very pleasant association with you after my present term. It may be that other gentlemen here would be affected in the same way. But I believe, gentlemen, that the question of increasing the membership of this House is so important, so vital, that you men on either side ought to consider it from a broad standpoint. I believe there is only one question that you ought to ask yourselves in deciding upon this bill, and that is, What is the proper number of men to compose this legislative body? Any other consideration must naturally fall back for its support upon the individual self-interest of the Member or party expediency. After you have determined how many men should compose this legislative body, the next question would be to apportion those members among the States according to the number of inhabitants, in accordance with the Constitution of the United States. I do not believe it is proper at this time to consider the question whether one State or two States or half a dozen States will lose Members. I want to call the attention of the Members of the House to the fact that up to 1890 there have been only two apportionment laws that did not decrease the membership from some of the States. Are we prepared to say now that the membership of this House is less patriotic or less free from bias than the membership of former Congresses? Are we going before the people to say that we are so enamored of our jobs here, so anxious to represent the dear people, and so fearful that some of us will be eliminated politically that we can not look upon this question in a broad way and decide it upon grounds of national welfare? I say this House is too big now. We can not maintain order, and when we stand up and address the Speaker, instead of being recognized and being permitted to present matters concerning our respective constituents and the country, the first question is: "For what purpose does the gentleman rise?" And if it is not in accordance with the program laid down, if it is not in accordance with the very technical rules that have been adopted and must be adopted, we can not gain recognition in this House. Why, you know, and everyone knows, that complaints have been made frequently that the great Senate of the United States has increased its power at the expense of the House of Representatives; and I want to say now that if you increase the membership of the House, you, by that very act, decrease the individual power and effectiveness of every Member of the House. [Applause.]

I have been amused rather than instructed by some of the arguments that have been presented in behalf of this bill. What is their plea? Have they suggested even one good substantial reason for the increase? The fact that the number 433 has been selected as being the least number which will prevent any State from losing a Member discloses the true purpose and object of the bill. And in an attempt to justify such action, some gentlemen have urged that we should have a smaller number of constituents, so that we may keep in closer touch with them; and yet they have increased the number of constituents per Member over 12,000. It has seemed to me that the sponsors of this bill have come on the floor of this House in the frame of mind trying to apologize for their action. Instead of presenting some logical reason, instead of having some views to present to this House why we should increase the membership to 433, they have come here and tried to explain that such action will do no harm.

Mr. Chairman, my idea is that the absence of a good reason for doing a thing is a splendid reason for not doing it. When and where are we going to stop? There always will be inequalities in population among the several States. In the course of events it must be so. I predict that 10 years from now another bill bearing the same earmarks and supported by the same fallacious arguments and providing for a similar increase will be reported to this House. And if such is the case, and if the membership at that time fails to rise above personal or party consideration, we will witness another increase similar to the one now proposed.

Mr. Chairman, this great House of Representatives is, and should be, the citadel of the people's rights. It is not enough that representatives of the people should be here; they should be able to accomplish something after they get here. And we all know that owing to the size of this House at the present time the opportunity for the individual Members to present matters of public importance is limited. Some gentlemen upon the other side have attempted to make of this bill a partisan

matter. I can not hope, nor do I wish, the party to which I belong to escape its full responsibility, should this bill pass; but it is to be observed that the gentleman from Indiana [Mr. CRUMPACKER], who has charge of the time on the Republican side, is in favor of the bill, and we know that the House during the last session passed a similar bill. It is not a partisan question, but, upon the other hand, it is a high constitutional question; a question that concerns the powers and capabilities of this great legislative body. To my mind the time has come to pause and consider well a step which may result in rendering less efficient, less democratic, less responsive, this great body of the people's representatives. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. HOUSTON. Mr. Chairman, I now yield 10 minutes to the gentleman from Virginia [Mr. SAUNDERS].

Mr. SAUNDERS. Mr. Chairman, there are two propositions on which we are all agreed. We do not favor too large a House. All agree to that. We do not favor too large constituencies. On that too, we are agreed.

There is a golden mean. What must fix that mean? Why the common sense of the men who deal with the problem, which I may say, is incapable of anything like a mathematical fixation. Gentlemen on one side ask with an air of finality: How large a House do you favor? In reply, we may ask: How small a House would you have? It is impossible for these questions to be answered with anything like precision. Neither the absolute maximum, nor minimum, can be prescribed with any sense of satisfaction. The only answer that can be given is that the bodies which are charged with the solution of this problem must work out that solution in the exercise of that common sense which is such a prime attribute of the American character.

Some gentlemen who have argued the pending proposition seem to think that other gentlemen who favor an increase in the membership of the House can not take a large view of the situation. I have sought to take the large view, and such consideration as I have been able to give to the question suggests an increase in our membership, as a necessary and inevitable incident of our growth.

The gentleman from Iowa [Mr. PEPPER] says that no argument has been advanced in favor of a larger House. May I ask him what argument has been advanced in favor of a smaller House of so sound and logical a character as to drive us to the conclusion that a smaller House is a thing to be desired in the interests of good government? I might ask my friend who advocates the retention of the membership of the House at 433, what magic is there in that particular number, and how it is, and by what process have the gentlemen who hold that view arrived at the conclusion that for all time to come, without reference to the development of our country, and the increase of its population, the number of the popular branch should be irrevocably fixed at 433?

Mr. Chairman, if there was any force in the argument for a small membership, then in the past, the gentlemen who insisted that our membership should be 233, were manifestly right. All the weight of the argument was with them, and to-day the limit of membership for this body should be 233, that being the number fixed upon by our predecessors upon the theory that the cause of good legislation would be promoted by a legislative body of that particular size.

I wish to say that in my own experience, and I think I may add, in the experience of other Members of this body, it has not been observed that the smaller body is to be relied upon for economy, good legislation, and superiority of legislative wisdom. I was a member for a long time of the lower branch of the general assembly of my State, and in a position to compare its work with that of the senate which was a much smaller body. The work of the house of delegates did not suffer in the comparison.

On the contrary, we all know that in the several States the particular branch which has at all times stood in the way of progress, reform, and a really popular government, has been the senate. Some gentlemen have asserted that there is a sentiment to-day in the country that we should not increase our membership. I agree that such a sentiment measurably exists.

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

Mr. SAUNDERS. Yes.

Mr. CULLOP. Has it not been true always that the small body in all legislative bodies has been the body that stood in the way of progress and reform?

Mr. SAUNDERS. Mr. Chairman, that was the precise statement that I made. I said that in my observation, and experience, and I believe in the observation, and experience of every Member of this body, it has always been the smaller body that has blocked the way of progress and reform. Is there a Member of this House who is willing to assert that the body at the other end of the Capitol has been in the forefront of progress, of wise and wholesome legislation, of reform and economy, in comparison with the attitude of this body?

As I was in the act of saying, some Members claim that there is a sentiment in the country that we should not increase the membership of this House. I do not deny it. There has always been that reactionary sentiment on the part of a proportion of the public, who fancy that by reducing the size of your representative body, you will enlarge the aggregate of wisdom in that body.

Mr. COOPER. Does not the gentleman think that the manner of electing Senators, their tenure of office, the fact that Members of the Senate are elected for six years and by State legislatures, that only one-third of the body goes out each two years, that all of these make the Senate much more conservative and much more indifferent to public opinion than is the House of Representatives?

Mr. SAUNDERS. It is more than conservative, it is often reactionary in its attitude to public progress. [Applause on Democratic side].

Mr. COOPER. But suppose Senators of the United States were elected for two years only, to go out each two years, and by a direct vote of the people, then would not the Senate be more efficient and responsive to public opinion?

Mr. SAUNDERS. Yes, more responsive I will admit but merely by reason of its being a smaller body, it would not be more efficient than a larger one. I say that the statement that the smaller body is productive of better results, is contrary to the observation of every man who has watched the practical course of legislation.

Mr. COOPER. Will the gentleman permit another question?

Mr. SAUNDERS. No, I have not the time. Of course I mean no discourtesy to my friend in declining to yield further, but my time is too limited to admit of interruptions. I was proceeding to say that we ought to keep prominently before us the fact, that as we enlarge our constituencies, we make it more and more impossible for the individual Representative to come into that personal relationship with his constituents, which is necessary to enable him to be a truly popular and effective Representative.

What was the size of the constituencies of our forefathers, who are so often cited as paragons of wisdom, exemplars of statesmanship, to their degenerate descendants of these latter days? Many of them represented constituencies containing not over thirty, or forty thousand people. Perchance that was the reason why those gentlemen were able to render more efficient legislative service, if such was the case, than the Representative of to-day is able to afford.

They were relieved from those demands upon their time which are imposed upon a Member who represents one of our great modern constituencies. Those gentlemen, therefore, were truly popular Representatives in the popular branch of this Government.

We acclaim ourselves as an exemplar of popular government, and denominate this the popular branch of our Government. Contrast for a moment the size of the constituencies that we represent, with that of the constituencies represented by the Members of the popular branch of the Parliaments of the great countries of Europe. In Great Britain, a Member of Parliament represents a population of something like 60,000. In the other great countries he represents a constituency of much less than that number. Yet we claim that we are the most truly representative popular government in the world, when one Member of our House, not infrequently represents five times as many people as are represented by a Member of the British Parliament. As if that disparity was not sufficient, it is now proposed to increase it, by limiting the size of this body to 433 Members, without regard to the increase of our population in the coming centuries.

It is asserted that if we increase our constituencies, and decrease our membership, the work of this House will become more efficient. I deny, Mr. Chairman, that such a result will follow that action. A word in regard to the amendment offered by the gentleman from Indiana. That is a futile amendment, it is an unnecessary amendment, it is an impotent amendment, it is an arrogant amendment, because we undertake to say to the future Congresses, that we have determined forever what shall be the limit of the size of this body, and that they shall not deal with their problems in their own way, as we are dealing with present problems in our way.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. SAUNDERS. I will ask the gentleman from Tennessee to yield me one minute more.

Mr. HOUSTON. I yield to the gentleman one minute.

Mr. SAUNDERS. It is said that this amendment would be a check upon the future Congress in that it would be necessary for that Congress to repeal the present act, before it enlarged the membership of the House. It would not be necessary, Mr. Chairman, for that body to formally repeal the act.

The mere enactment of an apportionment bill giving a larger apportionment would itself, by implication be a sufficient and efficient repeal of the limiting act. So that as a restriction upon a future Congress the proposed amendment is as futile as it is unnecessary. Such an attempt to control the future body is an assumption on our part of superior wisdom. The intimation of superiority of capacity conveyed in this effort to forestall and limit, the action of a future Congress would be resented by that body, just as we would resent to-day, the effort of some Congress prior to the Civil War to say to us that we should not increase the membership of this body beyond 233, or 333, or any other limit, that in their wisdom they wrought out as the appropriate one for all time to come.

Mr. Chairman, I am in favor of this bill without amendments. [Applause.]

Mr. HOUSTON. Mr. Chairman, I would like to know how much time remains to this side.

The CHAIRMAN. The gentleman has 15 minutes remaining.

Mr. HOUSTON. And how much has the other side?

The CHAIRMAN. The other side has 16 minutes remaining.

Mr. AUSTIN. I would like to ask the Chair when this debate began?

The CHAIRMAN. The Chair thinks that debate began at a quarter past 12.

Mr. AUSTIN. Then the four hours will be up at a quarter past 4.

The CHAIRMAN. But the Chair will state to the gentleman that a little time is lost as we go along in debate in yielding. We have just lost a minute. To whom does the gentleman yield?

Mr. HOUSTON. Mr. Chairman, I desire at this point to ask leave that all Members who have spoken on this matter be allowed to extend their remarks.

The CHAIRMAN. The Chair will state that that can not be done in the Committee of the Whole.

Mr. CRUMPACKER. Mr. Chairman, I yield five minutes to the gentleman from Missouri [Mr. BARTHOLDT].

Mr. BARTHOLDT. Mr. Chairman, I should like to see this bill pass in a shape which would guarantee to us a smaller House of Representatives. I would be satisfied with the number we now have in order to insure more effective business here. I may add that surely this is an unselfish proposition on my part, for the reason that my own State would be hit harder than any other State in the Union. The States which would lose membership at all would lose but 1 Member if we had 391, while Missouri would lose 2, but I would still favor the proposition in question in order to be sure of a change in the apportionment in my State, which we are not quite certain of, if the number of 16 Representatives from Missouri remains the same. I have the honor of representing a district with a population of 467,000 people; in other words, more than two—in fact, two and a half—congressional districts. That is the result of the action of the legislature controlled by the party which is now in power in this House. They crowded all the Republicans whom they could find in and about St. Louis into one congressional district, so that at the last election my majority reached the enormous total of over 25,000. Now, I am willing to give up about 20,000 of that for the purpose of insuring the election of more Representatives from that State [applause on the Republican side], and also for the purpose of preventing in the future the disfranchisement to which the people of my State are now subjected under Democratic rule in that State. Over 200,000 of the people, Mr. Chairman, are practically disfranchised in my district.

Mr. RUCKER of Missouri. What does the gentleman mean by their being disfranchised?

Mr. BARTHOLDT. Because it takes more than twice the number of people to elect a Representative in my district than it does in the district represented by the gentleman.

Mr. RUCKER of Missouri. Does not the gentleman represent them? Are you not representing them pretty well?

Mr. BARTHOLDT. I am not so immodest as to admit that proposition. I would like to have a colleague here to help me represent them.

Mr. COOPER. Will the gentleman allow a suggestion? The suggestion the gentleman from Missouri just made to his colleague answers the argument in favor of this bill. He said:

Does not the gentleman represent just as many as two representing the same district?

Mr. RUCKER of Missouri. I did not say that. The gentleman is putting that in my mouth.

Mr. JAMES. He denies it.

Mr. BARTHOLDT. Mr. Chairman, I sincerely trust that the words "by the legislature thereof," in line 17, on page 4, of this bill, may be stricken out.

Mr. RAKER. Mr. Chairman——

Mr. BARTHOLDT. I can not yield.

Mr. RAKER. Just one question.

Mr. BARTHOLDT. I can not yield.

Mr. RAKER. Now, Mr. Chairman, this is proper——

The CHAIRMAN. The gentleman from California [Mr. RAKER] is out order, as the gentleman declines to yield.

Mr. RAKER. Then I will sit down if he declines to yield.

The CHAIRMAN. If the gentleman will be seated, the gentleman from Missouri [Mr. BARTHOLDT] will proceed.

Mr. BARTHOLDT. Mr. Chairman, when the last apportionment bill was passed, as has been pointed out by the gentleman from Indiana, there was no such thing in the United States as an initiative or a referendum. But since that time a large number of States have adopted that method of legislating.

The CHAIRMAN. The time of the gentleman has expired.

Mr. RAKER. Would not the gentleman from Indiana [Mr. CRUMPACKER] yield me a minute, so that I may ask the gentleman from Missouri a question?

Mr. CRUMPACKER. Not for that purpose. [Laughter.]

Mr. RAKER. Will the gentleman from Tennessee [Mr. HOUSTON] yield for a minute?

Mr. HOUSTON. I can not do so.

Mr. CRUMPACKER. Mr. Chairman, I yield 11 minutes to the gentleman from Kentucky [Mr. LANGLEY].

Mr. LANGLEY. Mr. Chairman, I desire to call the attention of the committee to one point which it seems to me has not been very much emphasized in this debate, and that is the concurrent action of the Census Committee of the last and the present Congress on this question. The committee in the last House had exhaustive hearings and thoroughly considered this question, and reported unanimously in favor of increasing the membership to 433. At that time the Republicans controlled the House. Now the Democrats control it, and a new committee has given thorough consideration to the question; and remember that this committee is composed almost entirely of new Members. I believe there are only three or four Members of the present Committee on the Census who were members of it at the last session.

And yet this comparatively new committee, and many of them new Members of Congress, has again brought in a bill with a unanimous report recommending that the membership of the House be increased to 433. In my judgment that is a very material question to be considered in passing upon this bill, and so strongly persuasive that only the very strongest reasons should be permitted to set it aside—certainly stronger reasons than have been offered thus far in this debate. In my experience as a Member of this House, and particularly in the early days of my service here, when I was in some doubt, as I occasionally was, as to whether I should support a bill reported favorably by the committee, I frequently received the fatherly admonition of the distinguished gentleman from Illinois [Mr. CANNON], the ex-Speaker, and the gentleman from Pennsylvania [Mr. DALZELL], and other leaders on this side of the House that I ought to stand by the committee, and that it was the safest course to follow. And I became so accustomed to receiving and taking that sort of advice that I formed the habit of doing so, and it has become so firmly fixed as a rule of conduct with me that I am loath to depart from it.

Mr. MICHAEL E. DRISCOLL. Why does not the gentleman stand by the caucus?

Mr. LANGLEY. Why did you not have a caucus this time as you had before? You forced a caucus then; why did you not try it again?

Mr. MICHAEL E. DRISCOLL. Because you would not stand for it. There was no use in calling a caucus.

The CHAIRMAN. Does the gentleman from Kentucky [Mr. LANGLEY] yield to the gentleman from New York [Mr. MICHAEL E. DRISCOLL]?

Mr. LANGLEY. I do not mind yielding if the gentleman will make his question intelligible and material to the issue and loud enough so that I can hear it above the confusion in the vicinity of the gentleman's desk.

Mr. MICHAEL E. DRISCOLL. I ask you why you did not stand by the caucus? Do you not understand that?

Mr. LANGLEY. I will say to the gentleman, as I have said before in this House in answer to the same question, that I did not think you gentlemen should have called a caucus upon such a question as that, thus seeking to bind some of us to vote

against our views and our pledges. And when you proceeded to consider that question I saw the Republican caucus was seeking to bind me upon a proposition that I fully understood and proposed to exercise my own judgment upon, and with regard to which I was already committed, and so I withdrew from the caucus.

Mr. MICHAEL E. DRISCOLL. The gentleman is bragging about his regularity in standing by the committee, and it seems to me he should stand by the caucus.

Mr. LANGLEY. The gentleman should not take my time on an incidental matter like that. But I will say to the gentleman that our committee had already agreed upon a unanimous report before the caucus was called. You permitted us to have extensive hearings and to present a unanimous report to this House recommending an increase to 433, and then you sought to reverse our action and to make us stultify ourselves, and I for one did not propose to be put in such an attitude, by a party caucus, and I would do the same thing again under the same circumstances.

The CHAIRMAN. Does the gentleman from Kentucky yield to the gentleman from Tennessee [Mr. AUSTIN]?

Mr. LANGLEY. Yes; I yield to the gentleman from Tennessee.

Mr. AUSTIN. Is it not a fact that the caucus bolted the action of the Committee on the Census, which brought in a unanimous report? [Applause.]

Mr. LANGLEY. That is unquestionably true, as my friend from Tennessee says. They were the bolters, and I refused to follow their example.

Now, reference has been made by the distinguished gentleman from Illinois [Mr. CANNON] and by others in this debate to the fact that Congress in adopting preceding apportionment laws has increased every time, except one, the membership of the House so as to prevent any State from losing, and the statement has usually been made in criticism of the proposition to again increase the number. It is true that the membership of the House has been increased almost every time, and with the result stated, but I call attention to the fact that in each instance it was merely keeping step with the increase of population in the United States and with the growth of the country generally. As a matter of fact, this bill, although it increases the membership of the House by 42, leaves it so that each Member will represent about 18,000 or 20,000 more people than they now represent.

The gentleman from Illinois [Mr. CANNON] says that the argument as to the larger number of Representatives in proportion to the population that they have in the most popular branch of the legislature of other countries is not pertinent to the issue, because conditions are entirely different in this country and we can not follow their plan of representation. No one has contended that we ought to do so literally, but while I dislike to take issue with the gentleman, whose age, experience, and ability so greatly overshadow mine, I insist that it is legitimate argument to call attention to the systems in other countries in discussing this bill and that the experience of these countries is worthy of our consideration. The unit of representation in this House is greater than it is in any other country in the world. The German Reichstag comes nearer to our ratio than does any other country, and yet each of us represents now about 38,000 more than does a member of the German body; and in Great Britain the representation in Parliament is very nearly twice the membership of this House, and yet the population represented is less than half of ours. I could give other instances where the difference is equally as pronounced. Conditions in many respects are different, it is true, but it is certainly material to this discussion to show that a much smaller unit of representation has worked satisfactorily in these other countries.

The argument that has been made here, that gentlemen can not get a fair hearing upon this floor because of the size of the House, has already been sufficiently answered. It is not due so much to the size of the House, as has been exhibited here to-day, as it is to the noise that a few Members make, and oftentimes it is because of interruptions such as I have just had here, when gentlemen not entitled to the floor have, in attempting to make themselves heard, prevented the Speaker from being heard. [Laughter.] My observation has been during the time I have served here that there is no difficulty about a gentleman getting a hearing if he has anything worth saying that the House cares to listen to. [Laughter.] In my own experience I have never had any difficulty [laughter] when I was saying anything the House wanted to hear. I have sometimes found, however—and so have most of you—that the House did not care to hear me. For example, the other day when I was undertaking to discuss the question of protection to lumber my voice was drowned by cries of "Vote!" "Vote!" because the majority had already made up their minds to vote down my amendments to the Canadian reciprocity treaty, when I was seeking to protect lumber from Canadian competition, and therefore they did not give me a hearing, or at least only a very brief one. [Laughter.] I want to say, further, that so long as we have the impartial presiding officers that we have now and have had heretofore there is no difficulty about any Member getting a hearing in this House if he wants a hearing and undertakes in the proper way to get it.

Certain gentlemen, and especially the gentleman from Wisconsin [Mr. NELSON] and the gentleman from California [Mr. KNOWLAND], have referred to the fact that perhaps some of us who are favoring this increase in the membership of the House are doing so because of some local or personal interest. If the gentlemen mean that a Member ought not to favor something here because his State or his district wants him to do it, and further, if they mean by that that they themselves will favor what the people in the country generally favor, or what some other section of the country favors, rather than something that is of local interest to their own constituents or to the people of their own States, then they have reached a plane of perfection to which but few Members of this House have attained. [Laughter and applause.] I do not mean to say that the gentleman from California would vote for an increase in membership if it so happened that by reason of that increase his tenure of office in his present exalted position would be rendered more secure. [Laughter.] I do not mean to say that because he says that he would not. But, as a matter of curiosity, I would like to see a situation arise where his continuance as a Member of this House might be endangered by no increase just to see how he would vote. [Laughter.]

Mr. AUSTIN. I would like to say to the gentleman from Kentucky that the gentleman from California [Mr. KNOWLAND] favors a deliberative body, and we hope to see him elected as United States Senator from the State of California. [Applause.]

Mr. LANGLEY. Well, we in Kentucky are so much concerned about the senatorship from that State just now that we do not bother our minds very much about the senatorship in California. [Laughter.]

I am frank to say, gentlemen, that so far as I am personally concerned, one of the reasons why I am going to vote for the increase of membership in the House is that if the membership were left at 391, the State of Kentucky would lose one Representative in this body and one vote in the electoral college, and I do not wish to see that happen. And another reason is that the State of Virginia would lose one, and other Southern States would lose; and I am not in favor of any legislation, apportionment or otherwise, that will reduce the representation of the great South in the Congress of the United States or in the electoral college. [Prolonged applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. LANGLEY. Just one more word, with the indulgence of the Chair. I want to say further that, barring the question of politics and the very undesirable views that they have on certain questions, I believe that no harm, and perhaps considerable good, would come to the country if we had here a few more of the broad-minded, big-hearted men like those which the South sends to the Congress of the United States. [Applause.]

The CHAIRMAN. The gentleman from Indiana [Mr. CRUMPACKER] has exhausted his time.

Mr. HOUSTON. I yield five minutes to the gentleman from Massachusetts [Mr. MURRAY].

[Mr. MURRAY addressed the committee. See Appendix.]

Mr. HOUSTON. Mr. Chairman, how much time have I remaining?

The CHAIRMAN. The gentleman has 10 minutes.

Mr. HOUSTON. I yield 10 minutes to the gentleman from Kentucky [Mr. JAMES].

Mr. JAMES. Mr. Chairman, in coming to close the debate upon this bill I desire to say I have listened attentively to the various arguments made here to-day against the passage of this bill, and they are practically threefold. The first argument made is that the House is large enough; the second one is that it is not a deliberative body, which is practically the first. The third one is that as a matter of reform, to save the people's money, we should hold the representation at what it now is.

Our friend from Wisconsin [Mr. NELSON], always lucid in discussion, urged economy as a reason why the representation should not be increased, and he pointed to our side and said, "You saved $180,000 by cutting off useless jobs." That is true. That is real Democratic reform, cutting off our serv-

ants; but we are not going to start a reform by cutting off the servants of the American people in this body. [Applause.] When it comes to useless servants to ourselves, useless employees, so far as we are concerned, we can save money to the people, but we are unwilling to depart from that Democratic teaching of a representative government lodged close to the people by pretending that we are going to reform by lessening the rights of the American people to representation upon this floor. [Applause.]

What is your argument about reform? Where does the Treasury get its most deadly blow? In the body most numerous? Oh, no. In the body fresh from the people? No; but where? In that body less numerous and farthest removed from the people. You say that we are not a deliberative body. Why, gentlemen, we passed every bill that even a Republican President wanted in the last session of Congress, and another body to which the bills went was so deliberative that it never passed the bills and forced upon the country the expense of an extra session of Congress, in which we are now assembled. [Applause on the Democratic side.]

The truth of it is, the larger the body of men the harder they are to control. Not by the Speaker, no; but by the system, by the trusts, and by the monopolies of the country. [Applause.] I believe that when you have a body large enough, that body in which the people are fairly and truly represented, you have got a body where greed can not place its corroding touch and fasten its iron chains of control. [Applause.]

The idea of saying that a small body is wiser than a large body is an old doctrine upon which thrones have been built and monarchies sustained. It is the argument of the crown and the scepter. [Applause.]

Mr. OLMSTED. Will the gentleman yield?

Mr. JAMES. I always yield to the gentleman from Pennsylvania with pleasure.

Mr. OLMSTED. I would like to ask the gentleman if he is not now trying pretty hard to get into a body with a much smaller representation? [Laughter and applause.]

Mr. JAMES. That is true; but that only shows that my advocacy of this measure is impartial and unselfish. [Applause.] It shows that I am discussing it from a patriotic and an American standpoint. Now let us see. Where in your State legislatures do the powers that thwart the will of the people take their stand? In the body that is most numerous in membership? No. Why? Because it is harder to handle. Where do they go? They go to the least numerous branch and there they take their stand. Where do men that want to get great appropriations of money go? They go to the least numerous branch of the legislature, and there they make their stand, not only to filch the Treasury but to get laws placed upon the statute book that they want and to oppose laws in favor of the people.

My friend from Illinois [Mr. CANNON] suggested that if you enlarge the number of this body you decrease the independence of the Member. That may be true, and I pray to God it is, but it increases the independence of the American people to make themselves felt and to make themselves heard. [Applause.]

Now, the argument that this body is too large, upon the basis that a man can not be heard and that he can not get attention, is an assault upon your good order. How can that be remedied? How many Members of Congress have gone over the country and, if you wanted to speak and did not have a larger crowd than you have here, felt mad about it? How many of you have spoken to five and ten thousand and prided yourself upon it, and yet you come here and say you can not be heard by 391 men—men filtered from the 90,000,000 of the American people, men of intelligence, men of honor, and men of good order. Yet you indict yourselves by saying that you can not be heard here upon this floor. I will tell you a remedy for that. Let a rule be made in this House that no Member shall speak to another one upon the floor. That will stop it. Let a rule be made giving the Speaker the right when a Member is guilty of such discourtesy to his fellows to call him by name and put his name in the RECORD, and you will have good order here; but because you have lax rules, because you do not enforce the rules you have, you urge that as a reason why the American people should be denied the right to representation to which they are justly and fairly and honestly entitled. [Applause.]

Why, Mr. Chairman, so far as the expenses of this Government are concerned, in my judgment, if the other end of this Capitol were represented by a body of like numbers with this one, fresh from the people, the result would be that you would save more than Aldrich said ought to be saved per year—$300,000,000 of the people's money. I tell you that when you announce the doctrine that in order to get deliberation you are going to deny the people representation, you announce a doctrine that is un-American. We have had too much deliberation in certain legislative branches of this Government. What the American people demand is proper deliberation and action upon the measures they want written into the laws. The gentleman from Illinois [Mr. CANNON] stated that he was in favor of an amendment limiting the number of Members of Congress, that 10 years from now the number should not be greater than 433. I think we are wise, but I do not think we are quite wise enough to legislate for a decade that has not come. You may claim that you are exceeding wise, but let those men 10 years ahead of you, with the development of our great resources, with the development of our great country, with the increase of our inhabitants, with the myriad of problems which will confront them in the decade of the future, let them go unhampered, unmanacled, unshackled, aye, even unadvised by a Congress that has been dead for 10 long years. [Applause.]

The CHAIRMAN. The time for general debate is exhausted. The Clerk will report the bill for amendment.

The Clerk read the bill, as follows:

Be it enacted, etc., That after the 3d day of March, 1913, the House of Representatives shall be composed of 433 Members, to be apportioned among the several States as follows:

Alabama, 10.	Nebraska, 6.
Arkansas, 7.	Nevada, 1.
California, 11.	New Hampshire, 2.
Colorado, 4.	New Jersey, 12.
Connecticut, 5.	New York, 43.
Delaware, 1.	North Carolina, 10.
Florida, 4.	North Dakota, 3.
Georgia, 12.	Ohio, 22.
Idaho, 2.	Oklahoma, 8.
Illinois, 27.	Oregon, 3.
Indiana, 13.	Pennsylvania, 36.
Iowa, 11.	Rhode Island, 3.
Kansas, 8.	South Carolina, 7.
Kentucky, 11.	South Dakota, 3.
Louisiana, 8.	Tennessee, 10.
Maine, 4.	Texas, 18.
Maryland, 6.	Utah, 2.
Massachusetts, 16.	Vermont, 2.
Michigan, 13.	Virginia, 10.
Minnesota, 10.	Washington, 5.
Mississippi, 8.	West Virginia, 6.
Missouri, 16.	Wisconsin, 11.
Montana, 2.	Wyoming, 1.

Mr. NELSON. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amend by striking out all of section 1 after the enacting clause and inserting in lieu thereof the following:

"That after the 3d day of March, 1913, the House of Representatives shall be composed of 391 Members, to be apportioned among the several States as follows:

"Alabama, 9.	"Nebraska, 5.
"Arkansas, 7.	"Nevada, 1.
"California, 10.	"New Hampshire, 2.
"Colorado, 3.	"New Jersey, 11.
"Connecticut, 5.	"New York, 39.
"Delaware, 1.	"North Carolina, 9.
"Florida, 3.	"North Dakota, 2.
"Georgia, 11.	"Ohio, 20.
"Idaho, 1.	"Oklahoma, 7.
"Illinois, 24.	"Oregon, 3.
"Indiana, 12.	"Pennsylvania, 33.
"Iowa, 10.	"Rhode Island, 2.
"Kansas, 7.	"South Carolina, 7.
"Kentucky, 10.	"South Dakota, 2.
"Louisiana, 7.	"Tennessee, 9.
"Maine, 3.	"Texas, 17.
"Maryland, 6.	"Utah, 2.
"Massachusetts, 14.	"Vermont, 2.
"Michigan, 12.	"Virginia, 9.
"Minnesota, 9.	"Washington, 5.
"Mississippi, 8.	"West Virginia, 5.
"Missouri, 14.	"Wisconsin, 10.
"Montana, 2.	"Wyoming, 1."

Mr. NELSON. Mr. Chairman, this simply provides for the retention of the present membership of the House. We have discussed that question pro and con so fully that I do not wish to consume any further time. I trust the amendment will be adopted.

Mr. UNDERWOOD. Mr. Chairman, this amendment brings the real issue before the House as to the apportionment of the representation for the next 10 years. I do not desire to make a lengthy argument on this question. The case has been fully presented to the House. There are two sides to it. One is the side as to whether the smaller legislative body can pass legislation better considered and act with more deliberation and wisdom than a larger number of Representatives. The other is the question of economy. Now, I say that if all other things are equal, of course the question of economy is one that the House should carefully consider, and undoubtedly decide the case on the question of economy, but I do not think that that is a material issue here. The real issue is as to whether or not as this great country of ours expands in population this House

shall go on progressing along the lines of the expansion of population in the country, or whether we shall have a fixed unit, limiting the membership of this House and enlarging our constituencies. We all know that there is a very materially increasing sentiment in the United States that is moving away from the idea of a strictly representative Government toward a form of democracy in the way of an initiative and referendum in several of the States. Now, why does that sentiment grow; what is the cause of it? It has not arisen without a cause. The growth of that sentiment has arisen from the fact that the people of the United States do not believe that their present representative bodies are sufficiently responsive to the will of the people of the United States. Can there be any other reason? Now, in the face of that growing sentiment in the country, that growing demand for a more representative body, you propose to say that you will call a halt as the country grows, lessen the representation, and increase the size of the constituency that every man on this floor represents and remove the Member of Congress further and further away from the rank and file of the people whose will he is supposed to enact into law. I believe that if we intend to continue the representative form of government of this country this popular branch of the Congress of the United States must have a constituency sufficiently small to enable a Representative of the people to know the people whom he represents. [Applause.] You know as well as I that to-day, even with the present basis of representation, it is difficult for a Member of Congress to even know the men who are locally prominent in his district much less know all the people of his district.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. NORRIS. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Nebraska moves to strike out the last word.

Mr. NORRIS. Mr. Chairman, the gentleman from Alabama has well said there are two sides to this question. I think, however, he does not state them correctly, and that the real question here, as far as this particular motion is concerned, is whether the House of Representatives can come nearer to performing its constitutional functions if its membership is fixed at 391 than though it were fixed at 433. There is no doubt, Mr. Chairman, but what we can go to an extreme in either direction. We ought to be representative of the entire people of the country, and no man will deny but what we can increase the size of this body to such an extent that we lose all deliberation and make it absolutely necessary that we should surrender our individual prerogatives and rights and the rights and prerogatives of the body and of the country to some smaller governing body. Is there a man here now who does not really feel that we are already too large to perform the duties that are given to us in the House of Representatives properly and fairly to all the people? I have heard men ever since I have been a Member of this body complain of the fact that the House of Representatives had surrendered its constitutional rights and its constitutional prerogatives. The larger you make the body when you have exceeded a certain limit—and I believe we have passed it now—the more necessary and imperative is it that some body, caucus, committee, Speaker, or some one, or some select body of men, should mark out the course that we must take. We know that right now, on account of the size of the House of Representatives, we are unable here—where individual Members should have the right to be heard and offer amendments and discuss important questions—to give sufficient attention, so that we can turn out of this body well-framed, well-considered, and well-defined legislation in which the entire country is interested. I want to say, if we could eliminate from this discussion the one fact that somebody is afraid his State will lose in representation in this body, there would be no doubt that instead of keeping the number at 391 we would cut it down to a less number. After all, that is a bogy man—this loss of representation. It will be based upon the population of the different States, and there will be in reality no loss. It is just the same in a State like mine, for instance, where if it remains at 391 we would lose one, and if we increase membership to 443 we have no change, that we should retain what we have and allow other States to be increased, as it is to allow the other States to remain as they are and decrease ours. I do not believe, if we could get every man here to vote as he really feels and not as he fears, that there would be any doubt but what the motion offered by the gentleman from Wisconsin would prevail here by a unanimous vote. [Applause.]

Mr. OLMSTED. Mr. Chairman, I desire to say a few words on this amendment. I am opposed to increasing the size of this House. Every Member of the Sixty-first Congress sat day after day and night after night, and every Member who serves during the Sixty-second Congress will spend day after day and night after night in this Hall doing—what? Deliberating? No. Legislating? No. They will be waiting until the Sergeant at Arms can secure and bring in the attendance of a quorum.

It is true that the British House of Commons has 670 members. It is also true that 40 constitute a quorum to do business; but it is still further true that when the point of no quorum is made and there are less than 40 there, they simply lay aside the bill under discussion and take up another one and go right on with their business. Here we must stop all business until we can get in a majority of the entire membership, as required by the Constitution.

Now, it was a very interesting speech which the gentleman from Maryland [Mr. LEWIS] made, in which he discussed Germany's parliamentary body. I was sorry that time cut him off. I think he was going to propose that we do here as they do there—divide the body into sections, let each section consider a bill separately, and then the delegates from the sections come in and sit together and pass or defeat a bill. Before you can divide this body into sections, or before you can legislate by delegates from sections in that way, you will have to change the Constitution of the United States, which requires the presence of a majority of all the Members elected to this body in order to do business.

Mr. LEWIS. Will the gentleman yield?

The CHAIRMAN. Will the gentleman from Pennsylvania yield to the gentleman from Maryland?

Mr. OLMSTED. I will.

Mr. LEWIS. The gentleman wholly misapprehended me. After the deliberative divisions have concluded considering the measures they go to the calendar for such consideration as they receive from the committees of this House.

Mr. OLMSTED. Very well; that is just the same thing. We send bills to the committees and they consider them and bring them in here, but the difference is that we have to have a quorum. We would have to have 217 Members present under this new bill. The larger the body the greater the difficulty in getting a quorum.

Now, I have heard a gentleman, a very distinguished Member, who recently sat upon that side of the House, say that he hoped the time would come when every Representative of a free people in this the greatest deliberative body on earth could rise in his place without asking permission of anybody, call up a bill in which his people are interested, and put it upon its passage for disposition by this great body. I have sat here and figured it out. There were more than 40,000 bills and resolutions introduced in the last House. If you allowed every Member a minute of free speech on every one of those bills, it would take 88 years to consider them. The more Members you have the more bills you will have, and as all have or are entitled to have an equal opportunity to speak, the more time will there be required for discussion on this floor.

Mr. MURRAY. Mr. Chairman——

The CHAIRMAN. Does the gentleman from Pennsylvania [Mr. OLMSTED] yield to the gentleman from Massachusetts?

Mr. OLMSTED. I will.

Mr. MURRAY. May I ask the gentleman from Pennsylvania whether or not, in his opinion, the matter of the number of bills might not well be regulated by making a limit as to the introduction of bills, as in many of our State legislatures—Massachusetts, for instance?

Mr. OLMSTED. Then you have a restriction of the rights of the Representatives of the people, about which we hear so much.

Mr. MURRAY. But, Mr. Chairman——

Mr. OLMSTED. I can not yield unless I get further time.

There is a gentleman sitting at that desk now, an employee, a faithful employee, of this House, who came here when there were 233 Members and has been here ever since. Now, we are proposing to increase the membership to 433. The larger the membership the less of opportunity for discussion, the less the freedom of deliberation, the less the wisdom of the legislation which will be passed here. The larger the membership the fewer the Members that will control and direct the legislation in this body. That is the experience everywhere. It is the experience of every large legislative body anywhere on earth.

Mr. Chairman, this body has wider and freer powers of legislation than any other comparable parliamentary body on earth. In every one of the foreign Governments to which reference has been made legislation is controlled by the Crown. You could not in England introduce a public measure without the consent of the Crown. You could not in the Netherlands, for instance, do so. I was looking that up a little while ago. Your bill would be referred to the Crown before you could even introduce

it in the House. You could not introduce all the private bills over there that come in here. The subjects of legislation are limited, and the powers of the members over legislation are limited. In the interest of free speech, free discussion, deliberation, and wisdom in legislation, I hope—but I know my hope will not come to fruition—that this amendment will prevail.

Mr. LINDBERGH. Mr. Chairman, I move to strike out the last two words.

This body, in its representative capacity, by a certain practice that has prevailed here for some years, has surrendered a part of its constitutional right and the constitutional rights of the people. It has been the habit and practice to hold caucuses of certain factions of this House—that is, the political parties, and by a majority of those in the dominating political machine to hold caucuses to determine the action of the House of Representatives; and you have in this session, and have had in the session before, the example of the lack of representation of very many districts throughout these United States by that very conduct.

We have now caucuses held by the majority of this House for the purpose of determining, by a majority of the Democratic Members of the House, what the legislation of this entire House of Representatives shall be; and I say that that is in violation of the spirit of the Constitution of the United States. [Applause.] Nay, more, it is in violation of the letter of the Constitution of the United States.

I do not condemn the gentlemen on that side of the House any more than I would those on this side of the House for that same sort of practice. But I say now, while you are discussing the deliberative advantages of this body, that the larger you make it, the less it is representative. And that is shown by the very fact that you are putting through bills here now at this session, and there were bills put through in the last session, simply by a majority of a lesser body than the entire House of Representatives, and whenever you do that, you depart from the privilege of the people being represented by their respective districts.

There is only one way here by which you can determine the will of the people in general, and that is to have the membership of this House enjoy a representation upon this floor individually. I recognize that it is necessary, of course, to have political parties, and necessary to have deliberations of those parties at times by themselves in the nature of conferences. But whenever you undertake to tie down the membership by a lesser body than the entire body of this House you depart from the advantages of the people being represented in Congress. Not only that, you violate both the spirit and the letter of the Constitution.

The people are beginning to realize how the caucuses of the political factions are depriving them of their just representation in this House and in other official bodies. The caucus is simply the system of faction legislation instead of legislation by the Representatives of the people in common. Very many of the Members of this Congress, and also Members of the last Congress, have told me time and time again that they would not have voted the way they did on certain acts of Congress except for the fact that they had been bound by the act of a caucus which they had attended. By that statement they admitted that they violated their oaths of office; by that statement they admitted that they became traitors to their constituencies and to their country; by committing that act they opened the way for special interests to get a foothold in this House and to get control of it as they have on many previous occasions. This caucus domination that makes a minority of the Members of the House its master will not long last, for the people of to-day are intelligent enough to see that it is the real cause of factional legislation and the giving of special privileges. I would no more attend a private caucus—and no caucus is anything more than private, for there is no legal authority for a caucus of a faction of our membership—I repeat that I would no more attend a private or a party caucus of a faction of our membership to betray the people who sent me here to represent them on the floor of the House than I would join an enemy hostile to the country. Now, some who want to be political bosses have said that on account of the present size of the House caucus domination is necessary. If that is true, it will be still more dominated if it is still further increased, and by so doing the people will be less represented than they are now. So the larger you make this body the less representative it becomes. When I hear gentlemen speak of the fact that the increased membership will give additional representation I can not agree with that statement. Therefore I shall vote for the amendment offered by the gentleman from Wisconsin. [Applause and cries of "Vote!"]

Mr. HOUSTON. Mr. Chairman, I move that we close debate on this section and all amendments to it.

The CHAIRMAN. The gentleman from Tennessee moves that all debate on this section and all amendments to it be closed. The question is on agreeing to that motion.

The motion was agreed to.

The CHAIRMAN. Without objection, the pro forma amendment will be considered withdrawn, and the vote will be taken upon the amendment offered by the gentleman from Wisconsin [Mr. NELSON].

The question was taken, and the Chair announced that the noes appeared to have it.

Mr. NELSON. Division, Mr. Chairman.

The committee divided; and there were—ayes 91, noes 134.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 2. That if the Territories of Arizona and New Mexico shall become States in the Union before the apportionment of Representatives under the next decennial census they shall have one Representative each, and if one of such Territories shall so become a State, such State shall have one Representative, which Representative or Representatives shall be in addition to the number, 433, as provided in section 1 of this act, and all laws and parts of laws in conflict with this section are to that extent hereby repealed.

Mr. SHERLEY. Mr. Chairman, I offer the following amendment, which I send to the Clerk's desk.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Kentucky.

The Clerk read as follows:

Amend, on page 4, after line 2, by inserting as a new section, the following:

"That as soon as the Fourteenth and each subsequent decennial census of the population of the several States, as required by the Constitution, shall have been completed and returned to the Department of Commerce and Labor, it shall be the duty of the Secretary of said department to ascertain the aggregate population of all the States and of each State separately, excluding Indians not taxed; which aggregate population he shall divide by the number 430, and the product of such division, excluding any fraction of a unit that may happen to remain, shall be the ratio of apportionment of Representatives among the several States under such census; and the Secretary of said department shall then proceed to divide the total representative population of each State by the ratio as determined, and each State shall be assigned one Representative for each full ratio of population therein and an additional Representative for any fraction equal to or greater than a moiety of such ratio, but in no case shall a Representative be assigned for a fraction less than a moiety of such ratio; and each State shall have at least one Representative; and the aggregate number of Representatives so assigned to the States shall constitute the total membership of the House of Representatives under such census; and as soon as practicable after the Secretary of said department shall have ascertained the number of Representatives to which each State is entitled under any decennial census, in the manner herein provided, he shall make out and transmit to the House of Representatives a certificate of the number of Representatives so apportioned to each State, and he shall likewise make out and transmit without delay to the executive of each State a certificate of the number of Representatives apportioned to such State."

Mr. SHERLEY. Mr. Chairman, before beginning my argument I would like to ask unanimous consent to speak for 10 minutes. I shall probably not use that much time.

The CHAIRMAN. The gentleman from Kentucky [Mr. SHERLEY] asks unanimous consent to speak for 10 minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. SHERLEY. Mr. Chairman, the amendment which I have offered is in form the same as the law passed in 1850, and the same as the provision that was carried in the bill of last year, and the same as the amendment referred to to-day as the Crumpacker amendment. Its purpose is to provide a method, in the absence of future legislation, for determining the number of the membership of the House in each succeeding Congress.

Before I come to the amendment itself, I may be pardoned for just a word or two on the major proposition of the size of this body. In my humble judgment you do not necessarily make a body responsive to the people by increasing its size, nor do you necessarily make it responsive by decreasing its size. Only long experience and the evolution of legislative history can determine what is the proper size for the popular branch of the Government.

I am not one of those who believe that you are now going to make this body responsive to the people in any greater degree than it now is by increasing its Members. What makes Representatives responsive to their constituency is not the number of them, but their accountability to that constituency. [Applause.] The very fact that Members of this House are required every two years to give an account of their stewardship is what makes us responsive to the people of America and not the fact that we constitute 391 Members instead of ninety-odd Members. [Applause.] If the Senate of the United States be unresponsive, the thing that makes it so is not the fact that it is a small body, but

the fact that it is elected for a long term by an indirect method, and is not directly answerable to the people.

Now, the practical proposition that we are confronted with here to-day is, What size will enable all views of all the people of the country to be here presented in the most orderly, efficient manner? Manifestly, if you have a very small number, you will not have all views presented. Manifestly, if you have a very great number, by virtue of that very size you will not be able to have those views presented. An experience of eight years in this House has taught me that the danger is not in not having this body properly responsive to the people, but in having it and its machinery so cumbersome that it is impossible to do the will of the people. [Applause.]

It has been said, and well said, that when you increase numbers you make it easier for a few men to control. A House of a thousand Members, with our constitutional provision in regard to a majority to constitute a quorum, would put into the hands of a limited number of men infinitely more power than is in the hands of any similar number now.

What has been the history of legislation in this country? Instead of the Committee of the Whole considering matters, instead of the House considering matters involving the details of legislation, you have seen those details more and more determined by the various committees of the House. You will hear, and you have heard, in conversation on the floor during the consideration of this bill, that we ought to follow the committee that has the matter in charge. What is the meaning of it? It means that we have a body so large that of necessity we have had to delegate to the committees the working out of the real details, and we have the power of veto or approval, but practically none of amendment.

Now, there is another fact that is apparent in this debate, and can not be ignored, and that fact is that the number arrived at and reported by the committee—the number 433—was arrived at by determining what number was necessary in order that no State might lose a Member. [Applause.] That is the fact, and no man can deny it. Other considerations may have affected individual men; but if size is what they want, but if the arguments of men who say that the only way to represent the people is to stand for a larger body are true, how do they reconcile themselves to the proposition that by this bill they have increased the number of people that each Member of the House is to represent? If we are to determine our responsibility by the fewness of the number we represent, then we ought to reduce the number of inhabitants to be represented by each Member of this House, and yet you have increased that number over what it has been heretofore, and that has happened every 10 years.

Now, all of us are human; we are no better than those who went before or those who will come after. I have offered this amendment in the hope that we can provide a method whereby the weaknesses of Members and their State pride will not be called so much into play.

Let no man misunderstand me. I listened to the distinguished gentleman from Virginia [Mr. SAUNDERS] when he characterized this amendment both as arrogant, foolish, and impotent. In my judgment the characterization was not deserved. I realize, as he said, that it is not possible for this Congress to tie the hands of any other Congress. But that statement can be made as to any general law that we may pass that does not have in its terms a limitation for the life of this Congress. Of course, a subsequent Congress can repeal it. There is not a law of a general character that we pass that, so long as it remains on the statute book, is not both an advice and a limitation on a subsequent Congress. It can be repealed, and when the wisdom of a subsequent Congress determines it will be repealed. So 10 years from now, if the experience of the American people and the honest judgment of Congress determine that the body provided is too small, this amendment will be swept away, and you will have an increase in membership.

But this is what it will do. It will make the people pause; it will make it more difficult to increase the membership of this House. [Applause.] It will remove from the action of the Members the present pressure that comes by virtue of the individual cases and conditions in particular States. Less than 15 minutes ago a colleague said to me, "I would be willing to vote to reduce the representation of the House, but I am not willing to throw two of my colleagues into a fight as to who shall come here to Congress." I am not criticizing him. If I had any feeling, it was one of admiration for the man that he should have that kindly friendship for his colleagues. And yet it is that kind of feeling that necessarily controls us and has controlled this Congress in fixing this number at 433. It is to get away from that that I have offered this amendment.

Let me suggest to you another thing. The chief indictment of the American people brought against Members of Congress has not been that they represent too many people, but that they represent too few. [Applause.] What the people of America are demanding are statesmen that can rise to the magnitude of the entire country and legislate for 90,000,000 of people and not simply for one district. [Applause.] You are not going to make the people believe that you are any more their servant because you have decreased the boundary of your district or the number of your constituents. Much has been said about personal acquaintance. I represent a city of 230,000 people and a county outside with 60,000 people. The man does not live who can know all those people in a personal and individual way.

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

Mr. SHERLEY. Mr. Chairman, I ask for two minutes more.

The CHAIRMAN. The gentleman from Kentucky asks that his time be extended two minutes. Is there objection?

There was no objection.

Mr. SHERLEY. But, Mr. Chairman, it does not follow because you are unable to know the individual that therefore you are unable to represent the views of that constituency. I beg this House to stop and consider. Every man here knows that personal considerations have controlled us both in fixing the number and in our views on the subject. What now confronts us will confront a Congress 10 years from now unless we provide some other way. The gentleman from Virginia said, "Oh, you do not have to repeal this act; any act passed subsequent to it, inconsistent with it, would repeal it." That is true, but this is perhaps worthy of consideration. In the absence of a general rule for apportionment there comes an insistent and earnest demand for legislation every 10 years, and with that demand comes the exigency of particular localities and particular Members. But with a general rule that will take care of it, with people knowing in advance, they will realize that they must take their lot, whatever it may be, 10 years from now, according to this plan, and there will not be the insistent demand for legislation.

Believing this, I have offered this amendment. I have offered it because I want to see the House of Representatives a great deliberative body. I want to see it such a body that it will be able as a body to consider its business and not be relegated to the position of either approving or vetoing the work of its committees. I hope that the amendment may prevail. [Applause.]

Mr. HOUSTON. Mr. Chairman, the gentleman from Kentucky [Mr. SHERLEY] has made a statement that has been repeated several times on the floor of the House to-day to the effect, substantially, that if you increase the numbers of this body and make it larger you will make it easier to dominate and control. Mr. Chairman, I am unable to understand the reason or the philosophy of that statement. I can not see how this House, composed of 400 Members, will be more easily dominated and controlled than it would be if it were composed of 200. I do not understand that this body is more easily influenced and improperly controlled than another legislative body in this country not so large as this.

I take it that the gentleman from Kentucky [Mr. SHERLEY] is in favor of 433 Members, for, as I understand, he voted for that number in the last Congress, and, from what he says, he will vote for it again here. Yet he stands here and proposes to fix that number, or a less number, as the limit in the apportionment which shall be made 10 years hence. With what grace or consistency can he or any other man say that comes now advocating, as he must advocate by his vote, an increase of 42 Members, that the Congress chosen 10 years hence shall not know better how to apportion Representatives than we. Why should we arrogate to ourselves a wisdom greater than our day and generation? Can we know better what ought to be done 10 years hence than the Representatives of the people will who will be elected at that time? Can we know better what the wishes of those people will be? [Applause.]

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

Mr. HOUSTON. Mr. Chairman, I can not yield at this time. I can not understand why it is that a larger body, one larger than this, can not transact business orderly. I have seen it demonstrated to-day, and I have seen it demonstrated time and again before, as every Member on this floor has, that the best order, the most careful deliberation, the most careful consideration, has been given to measures when every seat in this House was full, when the questions involved and interests at stake were so great that the Members felt it was their duty to come here and attend to business and look after the interests of their people. It is then that we have the most orderly proceeding; it is then that you have been able to hear what has been said by

every man who spoke on the floor. Yet at other times, when there is scarcely a quorum present, in Committee of the Whole, when only 100 are required to constitute a quorum, we have had the greatest disorder, the greatest confusion, and it is most difficult to consider a measure fairly and well.

Mr. Chairman, I object as a matter of principle to this Congress attempting to do something to forestall the action of a Congress elected 10 years from now. We can not tell what the conditions will be then. We do wrong to attempt to do that. The futility of the action, the utter inability to do what we would attempt to do, proves it is unnecessary and useless. Furthermore, I believe as firmly as I believe anything that the framers of the Constitution intended when they provided that Congress should apportion the Representatives among the States after each decennial census that the Congress, the people's Representatives, should make this apportionment. They intended that those men, elected from the people, fresh from the people, fully aware of their wishes and knowing the then existing conditions, should make the apportionment of Representatives, and to attempt to delegate it to another agency or to any other power is an evasion in spirit at least of the Constitution. [Applause.]

[Mr. SMALL addressed the committee. See Appendix.]

Mr. SAUNDERS. Mr. Chairman, I wish to call the attention of the House to a distinction to which the gentleman from Kentucky has not adverted. It is perfectly true that the ordinary legislative act of one Congress is as susceptible of repeal by a subsequent Congress, just as this particular effort to forestall the action of a subsequent Congress may be repealed. But there is this very obvious, and manifest distinction, between the ordinary legislative act, and the enactment of the amendment of our friend from Kentucky. When we legislate with reference to existing conditions, it is in discharge of a present duty. It is a mere incident of that legislation that it furnishes a rule of action until it is repealed by a subsequent legislature. It is not enacted with the main intent of binding the future body. Now it is our duty to fix the size of the House for the next 10 years to come. It is not a part of our duty under the Constitution when we pass the apportionment act for the period which it contemplates, to go further and fix the size of this body for all the coming years. When we seek to do this, we exceed our duty, and undertake the discharge of a task which is not imposed upon us. I may illustrate the proposition in this way. We establish rules for the government of this body. This is a part of our present duty. If we undertake to prescribe that the rules of this body, shall be the rules of the next House of Representatives we will undertake to do precisely what is proposed to be done by this amendment, namely to forestall another House, and impose a limit on its action. This has been attempted, and failed, just as the effort has heretofore been made to fix the limit of membership in this body.

The gentleman from Kentucky says, and justly, that what determines the size of a legislative body, is the evolution of thought, the change of conditions, and the present features of the problem when the solution of that problem is approached. That is perfectly true. In the evolution of our Government, and the inevitable change of conditions in the time to come, may we not safely leave to the men of that other day, the determination of the numerical limit of membership of this House?

With respect to the size of the body, I wish to say in response to the gentleman from Kentucky, that I yield to no one, in my desire to see that this House shall continue to be the greatest parliamentary body of the world. But I do not agree to the proposition that when we increase our membership, we will diminish our ability to deliberate. I maintain Mr. Chairman as a result of observation and experience, that from time to time we can increase the membership of this body to keep step with the expanding population of the country without reducing our effective capacity for legislative work. We are to-day a long way from the limit that this body may attain, and still be a workable, deliberate, and efficient Chamber. Look for a moment at the great deliberative bodies of other progressive nations, which enjoy popular government, England, France, Italy, Austria, and Hungary.

The membership in the popular branch of the legislative departments of these Governments, is numerically much in excess of the membership of this House, yet no one has risen to say that those bodies have failed either in representative ability, or capacity to deal in a deliberative way with the problems that confront them. Therefore, I say, we need not excite ourselves, or exert ourselves to forestall the future, and to tie the hands of future Representatives in a future House. We need concern ourselves solely with the discharge of the present duty imposed upon us by the Constitution.

I maintain, Mr. Chairman, that looking to the future, the men of that day will be able to discharge their constitutional duty, as well as we are able to discharge ours in the present. Indeed with their heritage of experience, they ought to be able to discharge it, in comparison with us, with greater efficiency.

The gentleman from Kentucky suggests that the personal equation has operated in the construction and support of the present bill. Doubtless that is true, to some extent. But the personal equation in some form is always with us, and in the present instance it has not operated to the prejudice of the public interests. The present bill rests upon sound considerations of public policy apart from, and unrelated to the personal equation.

The CHAIRMAN. The time of the gentleman has expired. All debate on this amendment has been exhausted.

Mr. CLAYTON. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman from Alabama is recognized.

Mr. CLAYTON. Mr. Chairman and gentlemen of the committee, I beg your indulgence for a few moments. It is known to the membership of this House who have served here for a long time that I seldom trespass upon the patience of this body. I would not do so on this occasion did I not believe that we are, if we should adopt this proposed amendment offered by the gentleman from Kentucky, doing a thing in the nature of an attempt to surrender the rightful power that belongs to the House of Representatives, to delegate the power to apportion the representation in this House to one of the executive branches of the Government. It is true that it is futile to do this in the light of the fact that a future Congress could repeal the law if this amendment was carried in it. But, Mr. Chairman, it is as far as we can go under the Constitution in an attempt to rid this House of that responsibility and of that duty, and to confer that duty and that responsibility upon an executive branch of the Government, which means that a future House of Representatives, dealing with this great constitutional power of apportionment, is sought to be bound by this provision, suggestively, at least, and to surrender that duty and that power to an executive department to be performed by some little expert mathematician or fifteen-hundred-dollar clerk down in the Census Bureau 10 years hence. [Applause.]

The Constitution of the United States intended that the Congress should consider this matter; intended that the Congress should take the conditions that obtain in the country into consideration; that the Congress should make the figures; that the Congress should intelligently comprehend the then existing conditions and make the apportionment according to the best judgment of the Congress.

There is another reason why I am opposed to it. It is a cast-off, worn-out garment; it is a tried and condemned experiment. In 1850 such a provision was inserted in the law. The next Congress, charged with this duty of apportionment, repudiated that suggestion [applause], repudiated any binding force of that law, and increased the House of Representatives by a membership of eight.

And there is another reason why I object to it. It is not only a worn-out, cast-off Democratic garment put into a law in 1850 and afterwards rejected by Congress, but that old worn-out experiment was brought out into the sunlight in the last Congress by a distinguished Republican, the gentleman from Indiana [Mr. CRUMPACKER]. And I think it wise enough that this thing, of no real force, of doubtful propriety, and that may subject us to the criticism of really favoring a small House of Representatives, without the manhood to stand up here now and say so, ought, for all these reasons, and for the reasons that have been better and more amply stated than I can state them, to be rejected. [Prolonged applause and cries of "Vote!"]

Mr. SIMS. Mr. Chairman, I think this amendment is much more serious than gentlemen who are opposing it seem to realize. I think if this amendment is adopted we shall be bound absolutely hand and foot, practically, 10 years from now. It will come about in this way: As the law is now, when the census is taken we have got to legislate before Representatives can be apportioned. There is no legislative apportionment until we create it. With this amendment we are not going to repeal it before the census is taken. Nobody will ever think of that, so that there is no probability of repealing it until after the question arises as to apportionment. The census will first have been taken. Then, as soon as the census is taken, the Cabinet officer who is directed in this amendment to do so, certifies the number of Representatives for each State under the law. Then all that the Senate has got to do is not to act; all that the House has got to do is not to act; and thus by simple nonaction we have got it fastened on us for all time to come.

Now, the gentleman from Kentucky [Mr. SHERLEY] is an able man. He saw beyond the moment on that, I think, and——

Mr. SHERLEY. If the gentleman will yield, I would like to say that I frankly stated to the committee the facts about that. There is no doubt or concealment about that.

Mr. SIMS. The gentleman is always frank and able. His idea now is to put it into the hands of a Cabinet officer to apportion the representation and determine the number of presidential electors for each State.

Mr. SHERLEY. If the gentleman will permit, I will state that the idea is to establish a rule, and the Cabinet officer will then be simply a ministerial officer to carry out the rule. He has no discretion.

Mr. SIMS. Yes; but the apportionment will take place by reason of his certificate.

Mr. SHERLEY. We every day give to executive officers infinitely more power than it is proposed to give to this Cabinet officer here. Take, for example, the railroad rate law, where——

Mr. SIMS. Under that law no authority or power comparable to what is proposed here is given to anybody.

Mr. CULLOP. Will the gentleman yield?

The CHAIRMAN. Does the gentleman from Tennessee yield to the gentleman from Indiana?

Mr. SIMS. At the present time the rule of the Senate has been to accept what the House does in this regard. Now, the House by this amendment does something which the Senate will accept for all time, probably, and something which it will perhaps never agree to repeal; so that by passing this amendment we tie our hands fast, and what is enacted now will never be repealed, I very much fear.

Mr. MANN. I am within 20 feet of the gentleman, and yet I can not hear him. [Laughter.]

Mr. SIMS. I can not talk louder. [Laughter.]

Mr. MANN. I knew it. The fault is in the size of the House.

Mr. SIMS. I knew it was not the fault of the size of my mouth. [Laughter, and cries of "Vote!" "Vote!"]

Mr. CULLOP. If this amendment were adopted, would it not practically turn over the apportionment of the House of Representatives to the Secretary of Commerce and Labor?

Mr. SIMS. Yes; under the census, as he would find it.

Mr. CULLOP. Because he would have charge of the taking of the census and could make a House as he saw fit?

Mr. SIMS. Yes. [Cries of "Vote!" "Vote!"] Mr. Chairman, I demand order.

The CHAIRMAN. The gentleman from Tennessee will suspend until there is order. Gentlemen, you can not force a vote, except under the rules of the committee. The gentleman from Tennessee is entitled to speak for five minutes.

Mr. SIMS. The gentleman from Kentucky [Mr. SHERLEY] has stated frankly his real object and purpose. Do you gentlemen indorse his purposes? If so, why not vote for the 391 amendment now? If this amendment is adopted, the apportionment will take place and the presidential electors will be apportioned by the Census Office; and without any action to the contrary, this will necessarily take effect, because otherwise the law will have to be repealed, and to that repeal the smaller body will have to consent. [Applause and cries of "Vote!"]

The CHAIRMAN. The time of the gentleman has expired.

Mr. CANNON. Mr. Chairman, if I held the opinion that the gentleman from Alabama [Mr. CLAYTON] holds, and the opinion that the gentleman from Georgia [Mr. TRIBBLE] holds, and the opinion that the gentleman from Virginia [Mr. SAUNDERS] holds, that in numbers there is greater security, I would move to increase the 433 Members now to 500 or 600 or 700. [Applause on the Republican side.] By this bill you increase the number to 433, and each Representative will represent 211,000 people, as against less than 200,000 now.

Oh, I am sometimes amused and sometimes surprised to see how gentlemen whom I know to be able take positions that are not defensible because of a fear, perchance, that the bill may not pass at 433.

It is absolutely certain the membership will be fixed at 433. I am not surprised, however, that the gentlemen from Alabama [Mr. CLAYTON] and from Virginia [Mr. SAUNDERS], as a makeweight, oppose this amendment for fear that an outrage may be committed by the Secretary of Commerce and Labor in executing the law if the amendment is adopted.

But when I find the distinguished gentleman from Indiana [Mr. CULLOP] is frightened in the premises I feel like climbing a tree. [Laughter.] Now, in every session of Congress, by the enactment of laws, at least 100 times in every session we clothe one of the executive departments, or the President, with power to perform a ministerial act, as in this case. If the Secretary of Commerce and Labor should refuse to perform it, on the one hand, or should attempt to perform it without the authority of law, he would be subject to impeachment. In my judgment there is not a man within the sound of my voice who believes the country would be benefited by a further increase in the number of Representatives. "Oh," said the gentleman from Alabama [Mr. CLAYTON], "I am afraid of the referendum that is coming, because the people have not been represented properly." Then make 25,000 the representative unit and fill up this Hall so full that Members can not get in, like the hall of the British House of Commons, in order that the people may be properly represented. [Applause.] You may say that is expensive. Ah! In a country of 92,000,000 of people the expense would be insignificant, provided it gave us better legislation. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. CULLOP. Mr. Chairman, I am surprised at the amendment offered by the gentleman from Kentucky [Mr. SHERLEY], which practically turns over the apportionment of the United States for representation in Congress into the hands of one man, the Secretary of Commerce and Labor. I am not astonished at the gentleman from Illinois [Mr. CANNON] when he desires to control the apportionment of 10 years hence for legislative purposes in the national Congress. He knows full well the purport and effect of this amendment if it should pass. He knows the benefit to his party and the injury that would ensue to ours. He is fully conscious of it. Pass this amendment and the manipulation that we had in 1910 in the taking of the national census will be a mere bagatelle in comparison with what it would be if this amendment should become a part of the law. Ten years from now it will be manipulated as a machine, so that it will return the right kind of membership to suit the politics of the Secretary of Commerce and Labor. [Applause on the Democratic side.] That would be the effect of it, and let no man deceive himself about its meaning. It will deny representation to portions of the Union which are entitled to it, it will give representation to portions of the Union that are no entiled to it. For such a purpose it had its origin, and for such a purpose it will be enforced.

What does this amendment mean? A curtailment of the representation of the people in the House of Representatives of the national Congress according to the desire of the Secretary of Commerce and Labor. One gentleman has said that not enough people get the ear of their Congressman. True that is, and it is further true that sometimes too many of the wrong kind of people get his ear for the good of the whole people, and I fear the adoption of this amendment would augment that number. Increase the number of people upon whom representation is based, and a less number of people will have the ear of their Representative in Congress who ought to have it, and more will have it who ought not to have it. No doubt the special interests would rejoice at its adoption because it would give them a better chance to control legislation in this body, and multiply their opportunities to exploit the people. If this amendment is adopted it will practically turn over the apportionment for this House to the Secretary of Commerce and Labor, giving him power, in a large sense, to manipulate representation and control the legislation on the floor of this House. For this reason I am opposed to the amendment, and I hope the membership of this House will vote it down. [Applause.]

Mr. HOUSTON. I move that all debate on this amendment be now closed.

The question being taken, the motion was agreed to.

The CHAIRMAN. If there be no objection, the pro forma amendment will be considered withdrawn, and the question is on the adoption of the amendment offered by the gentleman from Kentucky [Mr. SHERLEY].

The question being taken, the Chairman announced that the noes appeared to have it.

Mr. SHERLEY. Division!

The committee divided, and there were—ayes 80, noes 111.

Accordingly the amendment was rejected.

The Clerk read as follows:

SEC. 3. That in each State entitled under this apportionment to more than one Representative, the Representatives to the Sixty-third and each subsequent Congress shall be elected by districts composed of a contiguous and compact territory, and containing as nearly as practicable an equal number of inhabitants. The said districts shall be equal to the number of Representatives to which such State may be entitled in Congress, no district electing more than one Representative.

Mr. POWERS. Mr. Chairman, I offer the amendment which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Kentucky offers an amendment, which the Clerk will report.

The Clerk read as follows:

After the word "inhabitants," in line 8, page 4, add the following:
"And that there shall not be when formed a difference in population of more than 20,000 inhabitants, based on the most recent United States census, between the congressional districts in any given State."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kentucky.

Mr. POWERS. Mr. Chairman, I want to charge, and charge advisedly, that no State legislature in any of the 46 States of this Union has more openly and brazenly violated the supreme law of the land or more ruthlessly trampled decency and fairness under foot than did the Democratic legislature in Kentucky in their redistricting law passed on May 26, 1900, aided by the redistricting acts of March, 1898.

Mr. Chairman, section 3 of this apportionment bill under discussion provides:

> That in each State entitled under this apportionment to more than one Representative, the Representatives to the Sixty-third and each subsequent Congress shall be elected by districts composed of a contiguous and compact territory, and containing as nearly as practicable an equal number of inhabitants. The said districts shall be equal to the number of Representatives to which such State may be entitled in Congress, no district electing more than one Representative.

To this section I have offered the following amendment:

> After the word "inhabitants," in line 8, page 4, add the following: "And that there shall not be, when formed, a difference in population of more than 20,000 inhabitants, based on the most recent United States census, between the congressional districts in any given State."

I hope, Mr. Chairman, that the amendment I have offered will pass this House. The matter of leaving to the various State legislatures the power to divide each State into congressional districts—

> composed of contiguous and compact territory, and containing as nearly as practicable an equal number of inhabitants—

is all right, provided the various State legislatures carry out faithfully and conscientiously that provision of the Federal law.

Away back yonder at the foundation of our Government there was much discussion as to what should be the proper basis of apportioning representatives in political assemblies. Should they be based on social position or wealth or profession, or should population alone be the determining element?

Our forefathers at the beginning of our Government wisely determined that our representation should not be based on wealth or social position. They said, in the Declaration of Independence, that "all men are created equal"; so it is not hard to understand that our forefathers, in determining how the first House of Representatives should be organized and what representation each State should have, set it down as the organic law of the land that it should be based on population, and that each State should have as many Members in Congress as its population entitled it to, 30,000 inhabitants being then the basis of representation. They provided also that the census be taken every 10 years that this equality of representation might be maintained.

Our population increased. It soon became evident that if the basis of population was not increased far above 30,000 the House of Representatives would become so large that it would be unwieldy. So by the act of June 25, 1842, it was provided:

> That from and after the 3d day of March, 1843, the House of Representatives shall be composed of Members elected agreeably to a ratio of 1 Representative for every 70,680 persons in each State.

And a little later on it was provided that the Members of Congress from each State shall—

> be elected by districts composed of a contiguous and compact territory, and containing as nearly as practicable an equal number of inhabitants.

Upon the shoulders of the various State legislatures falls the duty every 10 years of dividing their various States into congressional districts, "composed of contiguous and compact territory," so as to contain "as nearly as practicable an equal number of inhabitants."

As I have said, that provision of the Federal law is all right so far as it goes, and it would be forever all right if the various State legislatures, whose duty it is to divide their State into Representative districts every 10 years, would honestly and faithfully carry out its provisions; but if the various State legislatures, as has been done in the State of Kentucky, refuse to carry out its provision, then it ought to be amended in such a way as to make it obligatory upon the various States to insure, at least, something akin to fair and decent representation, whether the districts be in Kentucky or California or whether they be safely Republican or reliably Democratic. A square deal is what we want. The people have not had that in the various States of this Union. We have not had that in the State of Kentucky.

The Federal law requiring the State Legislature of Kentucky to redistrict, in the year 1900, that State into 11 congressional districts, "composed of a contiguous and compact territory and containing as nearly as practicable an equal number of inhabitants," was reviolated with as much nonchalance and supreme unconcern as though the members of that legislature did not care a fiddler's damn for the law of the land and less for the oath they had taken to faithfully perform their duty.

The basis of representation in 1900 was about 194,000 inhabitants to each congressional district. The population of Kentucky in 1900 was 2,147,174 and entitled us to 11 Representatives.

It was the duty of the Kentucky Legislature to divide that State into 11 congressional districts "containing as nearly as practicable an equal number of inhabitants." Instead of the Kentucky State Legislature doing that it divided the State into 11 districts with a flagrantly unequal number of inhabitants, the sole purpose apparently being to increase Democratic and decrease Republican representation.

According to the census of 1900 the third congressional district in the State of Kentucky, a Democratic district, contained a population of 179,518 inhabitants, with 10 counties. The sixth congressional district, a Democratic district, contained 179,430 inhabitants and eight counties. The seventh congressional district, a Democratic district, contained a population, according to the census of 1900, of 151,453, with eight counties.

The eighth congressional district, a Democratic district, according to the census of 1900, contained a population of only 143,089, with 10 counties. The tenth district, a Republican district, according to the census of 1900, contained a population of 189,169 inhabitants, with 16 counties. The eleventh congressional district, the one I have the honor to represent, in 1900 had a population of 258,316 inhabitants, with 19 tremendous counties, and we have been so gerrymandered that it casts a Republican majority in presidential years of over 20,000 votes.

In other words, Mr. Chairman, taking the four Democratic districts, their average population, according to the census of 1900, was 163,372 people. My district contained 95,000 more inhabitants than the average population of these four Democratic districts. And it contained 115,000 more population than the eighth congressional district of Kentucky. The census of 1910 shows that the eighth congressional district has a population of only 148,313 and the eleventh district a population of 308,348, more than twice as many inhabitants as are in the eighth district. One Democrat equals more than two Republicans. The 1910 census shows that the seventh congressional district has a population of 151,051. The eleventh congressional district, therefore, has a population of 8,984 more inhabitants than both the seventh and eighth congressional districts combined.

I want to charge, and charge advisedly, that no State legislature in any of the 46 States of this Union has more openly and brazenly violated the supreme law of the land or more ruthlessly trampled decency and fairness under foot than did the Democratic Legislature in Kentucky in their redistricting law passed on May 26, 1890, aided by the redistricting acts of March 11 and 12, 1898, and the year 1900.

The eleventh congressional district, since its creation, has been safely and reliably Republican. In fact, it was the policy of the Democratic legislature that created it to place as many Republican counties in it as possible, so as not to endanger the Democratic districts being contiguous to its territory.

Notwithstanding the fact that in March, 1898, the eleventh congressional district was composed of 17 counties, with a population of 246,289, and the third congressional district was composed of 10 counties, with a population of 167,491, yet in order to make the more or less doubtful third congressional district more safely Democratic, the overwhelmingly Republican counties of Cumberland and Monroe, with a population of 22,015, were taken from the third district and added to the eleventh, and the little Democratic county of Metcalf, with a population of 9,988, was taken from the eleventh district and added to the third.

And just the day before this happened the big Republican county of Jackson, with a population of 10,561, had been taken from the eighth congressional district and added to the eleventh, although the eighth district at that time had a population of less than 143,000 inhabitants and only 11 counties, while the eleventh district already had a population of over 225,000 people and 17 counties. The eighth had been going Republican; something had to be done. And, as I have said, the eleventh district, according to the census of 1910, has more than twice as many inhabitants as the eighth district, and 8,388 inhabitants more than the seventh and eighth congressional districts combined. No one can read this history of the action of the Kentucky State Legislature and doubt its purpose to override the law and thwart the will of the people. And the reprehensible conduct of the Democratic Legislature of Kentucky toward the congressional districts of the State is not the only particular in which it has grievously sinned

Section 33 of the present constitution of Kentucky, which was adopted in 1891, provides that—

The first general assembly after the adoption of this constitution shall divide the State into 38 senatorial districts and 100 representative districts, as nearly equal in population as may be without dividing any county—

And that—

every 10 years thereafter—

It shall—

redistrict the State according to this rule—

And that—

not more than two counties shall be joined together to form a representative district.

What has the Legislature of Kentucky done to carry out these provisions? What say the facts? Let them speak; for they can do it more eloquently than any poor words of mine.

Kentucky now has a population of 2,289,905 people.

If honestly divided, each one of the 38 senatorial districts in the State would have 60,260 inhabitants, while each one of our 100 representative districts would have 22,899 inhabitants.

It would take too much time to take up all the districts in the State, legislative and senatorial, and point out the glaring discrepancies in population in each, but I will call your attention to enough of them to show that the members of the Democratic Legislature of Kentucky, in forming the present senatorial and legislative districts in the State, were not concerned about the law of the land or the oaths they had taken to obey it, but had in view only the increasing of Democratic and the decreasing of Republican representation.

For instance, the twenty-third State senatorial district (Democratic), composed of the counties of Gallatin, Owen, and Boone, has a population of only 28,365, when if fairly and honestly formed, it would have a population of 60,260 inhabitants. The thirty-third State senatorial district (Republican), composed of the counties of Martin, Johnson, Clay, Floyd, Harlan, Perry, Letcher, Pike, Knott, and Leslie, has a population of 145,075, when it ought to contain but 60,260. Why has the Democratic district above mentioned a population of only 28,365 and the Republican district a population of 145,075?

Why has the twenty-sixth State senatorial district (Democratic), composed of the counties of Grant, Pendleton, and Bracken, a population of only 32,874, while the seventeenth State senatorial district (Republican), composed of the counties of Laurel, Jackson, Rockcastle, Pulaski, Bell, Knox, and Whitley, has a population of 163,610, when the law says that all State senatorial districts, whether Democratic or Republican, should contain 60,260 inhabitants. One Democrat, in this apportionment, equals six Republicans.

This Republican State senatorial district I have just called your attention to now has 14,701 inhabitants more than the eighth congressional district and 12,559 inhabitants more than the seventh congressional district, both of which are safely Democratic. How eloquently these figures speak of the wanton abuse of power of those whose duty it is to make and uphold the law and deal out justice rather than violate the law and deal out injustice. But this is not all. If the Democratic Legislature of Kentucky has thrown decency to the winds and fairness to the dogs in dealing with the congressional and senatorial districts in the State, what can be said of its action in regard to the representative districts of the State? Again I call upon the facts to speak for themselves, contenting myself with the citing of a few shining examples. The census figures of 1910 show that Hancock County has a population of only 8,512. It is a Democratic county and is given one representative, while the Republican county of Bell, with a population of 28,447, has no representative at all, but has been thrown with the Republican counties of Harlan, Leslie, and Perry into the ninety-third State representative district (Republican), with a total population of 57,244, and that, too, in open violation of another plain provision of our State constitution to the effect that there can not be more than two counties placed in any representative district.

The thirteenth State representative district (Democratic) is composed of the county of Meade, with a population of only 9,783, while the ninety-eighth representative district (Republican) composed of the counties of Boyd and Lawrence, has a population of 43,511.

The county of Warren (Democratic), with a population of 30,597, has two State representatives, while the county of Whitley (Republican), with a population of 31,982, has no representative at all, but is combined with Knox, another Republican county, with a population of 22,116, to make one representative district, the population of the two Republican counties being 54,098.

I will not continue my remarks further along this line, but will ask leave to print as part of my remarks a list of the congressional, senatorial, and legislative districts of the State of Kentucky, with the counties in each and the population in each, as shown by the census of 1910, as well as a summary prepared and sent me by a friend in Kentucky, tending to show that Kentucky is a Republican State and conclusively showing that the mountain counties of Kentucky are not guilty of padding the election returns, as has been charged by the Democratic Party in the State:

A careful comparison of a few of the Republican counties with a like number of Democratic counties of the State as to their population in the last census and the total vote cast in the last presidential election will prove to all fair-minded men that if the Republican counties will get out their vote as well as the Democratic counties do theirs, the State will go largely Republican. Take, for example, Bell County, which is Republican, with a population of 28,447, and the total vote in the presidential election in 1908 was 3,855, or less than 14 per cent of the population. Henderson County, which is Democratic, with a population of 29,352, or 905 more population than Bell County, and the vote in the presidential election in 1908 was 6,451, or 2,596 more votes than Bell County. Bell County voted less than 14 per cent of her population, while Henderson County voted about 22 per cent of her population.

SUMMARIES OF OTHER COUNTIES.

Knox County (Republican), population 22,116; vote for President in 1908, 3,779.

Franklin County (Democratic), population 21,135; vote for President, 1908, 4,908.

Knox County has 981 more population than Franklin, while Franklin votes 1,129 more votes than Knox County.

Clay County (Republican), population 17,789; votes for President, 1908, 2,717.

Clark County (Democratic), population 17,787; votes for President, 1908, 4,456.

Clay County has 2 more population than Clark, while Clark County voted in presidential election 1,739 more votes than did Clay.

Cumberland County (Republican) has a population of 9,846, and voted in the presidential election, in 1908, 1,804 votes.

Carlisle County (Democratic) with a population of 9,048 cast 2,184 votes in the presidential election in 1908; with a population of 988 less than Cumberland, still they voted 380 more votes than Cumberland did.

Leslie County (Republican) with a population of 8,976 cast 1,501 votes in the 1908 presidential election, while Carroll County with a population of 8,110 cast 2,107 votes in 1908; with a population of 866 less than Leslie, still she casts 607 more votes than Leslie.

Laurel (Republican), population 19,872; total vote 1908, 3,807. Mason (Democratic), population 18,611; total vote 1908, 4,910.

Laurel has 1,261 more population. Mason 1,103 more votes than Laurel.

Jackson (Republican), population 10,734; total vote 1908, 2,090. Grant (Democratic), population 10,581; total vote 1908, 2,790.

Jackson has 153 more population, and Grant votes 700 more votes.

Adair (Republican), population 16,503; total vote 1908, 3,365. Fleming (Democratic), population 16,066; total vote 1908, 4,096.

Adair has 447 more population, while Fleming casts 731 more votes.

Clinton County (Republican), population 8,153; total vote 1908, 1,464. Trimble County (Democratic), population 6,512; total vote 1908, 1,710.

Clinton has 1,841 more population, while Trimble casts 246 more votes.

Monroe County (Republican), population 13,663; total vote 1908, 2,652. Owen County (Democratic), population 14,248; total vote 1908, 3,481.

Monroe has 586 less population; Owen casts 829 more votes.

Letcher County (Republican), population 10,623; total vote 1908, 1,645. Livingston County (Democratic), population 10,627; total vote 1908, 2,274.

Letcher has 4 less population; Livingston casts 629 more votes.

Harlan County (Republican), population 10,566; total votes 1908, 1,662. Boone County (Democratic), population 9,420; total votes 1908, 2,709.

Harlan has 1,146 more population, while Boone casts 1,047 more votes.

Perry County (Republican), population 11,255; total votes 1908, 2,099. Pendleton County (Democratic), population 11,985; total votes 1908, 2,891.

Perry has 730 less population, while Pendleton casts 792 more votes.

Owsley County (Republican), population 7,879; total votes 1908, 1,470. Oldham County (Democratic, population 7,248; total votes 1908, 1,933.

Owsley County has 731 more population; Oldham casts 463 more votes.

Russell County (Republican), population 10,861; total votes 1908, 2,090. Nicholas County (Democratic), population 10,601; total votes 1908, 2,857.

Russell County has 260 more population; Nicholas casts 767 more votes.

Whitley County (Republican), population 31,982; total votes 1908, 5,134. Warren County (Democratic), population 30,579; total votes 1908, 6,788.

Whitley has 1,403 more population, while Warren casts 1,654 more votes.

Casey County (Republican), population 15,479; total votes 1908, 3,102. Harrison County (Democratic), population 16,873; total votes 1908, 4,439.

Casey has 1,394 less population; Harrison casts 1,337 more votes.

The eleventh congressional district is composed of 19 counties which have a population of 308,543 and cast at the presidential election in 1908, 45,490 votes, or about 17.5 per cent of the population; the seventh congressional district is composed of 8 Democratic counties with a population of 151,051, and cast at the presidential election in 1908, 36,385 votes, a little over 24.5 per cent of the population, or a little over 7 per cent more than the eleventh district, which is Republican.

Also, I desire to submit, for further information, a comparison of 16 Democratic legislative districts with 16 Republican legislative districts, and 4 Democratic senatorial districts with 4 Republican senatorial districts. Why such gross inconsistencies in the population of these districts, the people of my

district are demanding of the Democratic Party of Kentucky an explanation.

Why has the Democratic legislature, in open violation of the constitution of the State, put only 132,162 inhabitants in the four following senatorial districts, which are Democratic, and 448,341 inhabitants in the four following State senatorial districts which are Republican?

The following are State senatorial districts (Democratic), with population of each taken from the 1910 census:

Tenth district (Hancock, Breckinridge, and Meade Counties)	39, 328
Twenty-third district (Boone, Gallatin, and Owen Counties)	28, 363
Thirtieth district (Harrison, Nicholas, and Robertson Counties)	31, 595
Sixty-sixth district (Bracken, Grant, and Pendleton Counties)	32, 874
Total	132, 162

While the following are State senatorial districts (Republican), with population of each taken from the 1910 census:

Seventh district (Butler, Muhlenberg, and Ohio Counties)	72, 045
Tenth district (Bell, Jackson, Knox, Laurel, Pulaski, Rockcastle, and Whitley Counties)	163, 610
Thirty-third district (Clay, Floyd, Johnson, Knott, Leslie, Letcher, Harlan, Martin, Perry, and Pike Counties)	145, 075
Thirty-fifth district (Bath, Carter, Fleming, Menifee, and Rowan Counties)	67, 611
Total	448, 341

The following are Democratic representative districts, with population taken from the 1910 census:

Eighth district (Trigg County)	14, 539
Ninth district (Caldwell County)	14, 063
Seventeenth district (McLean County)	13, 241
Thirty-second district (Larue County)	10, 701
Thirty-ninth district (Hancock County)	8, 512
Fifty-seventh district (Anderson County)	10, 146
Fifty-ninth district (Woodford County)	12, 571
Sixty-third district (Jessamine County)	12, 613
Sixty-fourth district (Mercer County)	14, 063
Sixty-fifth district (Boyle County)	14, 668
Sixty-seventh district (Garrard County)	11, 894
Seventy-first district (Simpson County)	11, 460
Seventy-seventh district (Grant County)	10, 581
Seventy-eighth district (Boone County)	9, 420
Seventy-ninth district (Pendleton County)	11, 985
Eighty-fifth district (Bracken County)	10, 308
Total	190, 765

The following are Republican representative districts, with population taken from the 1910 census:

Tenth district (Christian County)	38, 845
Seventeenth district (Laurel and Rockcastle Counties)	34, 345
Eighteenth district (Muhlenberg County)	28, 598
Twenty-fifth district (Butler and Edmonson Counties)	26, 274
Thirty-fifth district (Monroe and Metcalfe Counties)	24, 116
Thirty-sixth district (Wayne and Clinton Counties)	25, 671
Thirty-seventh district (Adair and Cumberland Counties)	26, 349
Forty-third district (Casey and Russell Counties)	26, 340
Sixty-eighth district (Whitley and Knox Counties)	54, 098
Seventy-first district (Clay, Jackson, and Owsley Counties)	36, 502
Ninety-second district (Breathitt, Lee, and Magoffin Counties)	40, 725
Ninety-third district (Bell, Harlan, and Leslie Counties)	59, 244
Ninety-sixth district (Johnson and Martin Counties)	24, 773
Ninety-seventh district (Knox, Floyd, and Letcher Counties)	40, 037
Ninety-eighth district (Boyd and Lawrence Counties)	43, 511
One-hundredth district (Elliott and Carter Counties	31, 780
Total	561, 208

Why put only 190,765 inhabitants in the 16 Democratic districts and 561,208 inhabitants in the 16 Republican districts—nearly four times as many?

Kentucky congressional districts, 1910 census.

First district (Democratic):	
Ballard	12, 690
Caldwell	14, 063
Calloway	19, 867
Carlisle	9, 048
Crittenden	13, 296
Fulton	14, 114
Graves	33, 539
Hickman	11, 750
Livingston	10, 627
Lyon	9, 423
McCracken	35, 064
Marshall	15, 771
Trigg	14, 539
Total	213, 791
Second district (Democratic):	
Christian	38, 845
Daviess	41, 020
Hancock	8, 512
Henderson	29, 352
Hopkins	34, 291
McLean	13, 241
Union	19, 886
Webster	20, 974
Total	206, 121
Third district (Democratic):	
Allen	14, 882
Butler	15, 805
Barren	25, 293
Edmonson	10, 469
Logan	24, 977
Metcalfe	10, 453
Muhlenberg	28, 598
Simpson	11, 460
Todd	16, 488
Warren	30, 579
Total	189, 004
Fourth district (Democratic):	
Breckinridge	21, 034
Bullitt	9, 487
Grayson	19, 958
Green	11, 871
Hardin	22, 696
Hart	18, 173
Larue	10, 701
Marion	16, 330
Meade	9, 783
Nelson	16, 830
Ohio	27, 642
Taylor	11, 961
Washington	13, 940
Total	210, 406
Fifth district (Democratic):	
Jefferson	262, 920
Sixth district (Democratic):	
Boone	9, 420
Campbell	59, 369
Carroll	8, 110
Gallatin	4, 697
Grant	10, 581
Kenton	70, 355
Pendleton	11, 985
Trimble	6, 512
Total	181, 029
Seventh district (Democratic):	
Bourbon	17, 462
Fayette	47, 715
Franklin	21, 135
Henry	13, 716
Oldham	7, 248
Owen	14, 248
Scott	16, 956
Woodford	12, 571
Total	151, 051
Eighth district (Democratic):	
Anderson	10, 146
Boyle	14, 668
Garrard	11, 894
Jessamine	12, 613
Lincoln	17, 897
Madison	26, 951
Mercer	14, 063
Rockcastle	14, 473
Shelby	18, 041
Spencer	7, 567
Total	148, 313
Ninth district (Democratic):	
Nicholas	10, 601
Bracken	10, 308
Bath	13, 988
Boyd	23, 444
Carter	21, 966
Fleming	16, 066
Greenup	18, 475
Harrison	16, 873

Kentucky senatorial districts, 1910 census.

First district (Democratic):	
Fulton	14, 114
Graves	33, 539
Hickman	11, 750
Total	59, 403
Second district (Democratic):	
Ballard	12, 690
Carlisle	9, 048
McCracken	35, 064
Marshall	15, 771
Total	72, 573
Third district (Democratic):	
Calloway	19, 867
Livingston	10, 627
Lyon	9, 423
Trigg	14, 539
Total	54, 456
Fourth district (Democratic):	
Caldwell	14, 063
Crittenden	13, 296
Webster	20, 974
Total	48, 333
Fifth district (Democratic):	
Henderson	29, 352
Union	19, 886
Total	49, 238
Sixth district (Democratic):	
Christian	38, 845
Hopkins	34, 291
Total	73, 136
Seventh district (Republican):	
Butler	15, 805
Muhlenberg	28, 598
Ohio	27, 642
Total	72, 045
Ninth district (Democratic)—Continued.	
Lewis	16, 887
Lawrence	20, 067
Mason	18, 611
Robertson	4, 121
Rowan	9, 438
Total	200, 845
Tenth district (Republican):	
Breathitt	17, 540
Clark	17, 987
Elliott	9, 814
Estill	12, 273
Floyd	18, 623
Johnson	17, 482
Knott	10, 791
Lee	9, 531
Martin	7, 291
Magoffin	13, 654
Montgomery	12, 868
Morgan	16, 259
Menefee	6, 153
Pike	31, 679
Powell	6, 268
Wolfe	9, 864
Total	218, 077
Eleventh district (Republican):	
Adair	16, 503
Bell	28, 447
Casey	15, 479
Clay	17, 789
Clinton	8, 153
Cumberland	9, 846
Harlan	10, 566
Jackson	10, 734
Knox	22, 116
Letcher	10, 623
Leslie	8, 976
Laurel	19, 872
Monroe	13, 663
Owsley	7, 979
Perry	11, 255
Pulaski	35, 986
Russell	10, 861
Wayne	17, 518
Whitley	31, 982
Total	308, 348
Eighth district (Democratic):	
Daviess	41, 020
McLean	13, 241
Total	54, 261
Ninth district (Democratic):	
Logan	24, 977
Simpson	11, 460
Todd	16, 488
Total	52, 925
Tenth district (Democratic):	
Breckinridge	21, 034
Hancock	8, 512
Meade	9, 783
Total	39, 329
Eleventh district (Republican):	
Allen	14, 882
Edmonson	10, 469
Warren	30, 579
Total	55, 930
Twelfth district (Democratic):	
Bullitt	9, 487
Grayson	19, 958
Hardin	22, 696
Total	52, 141
Thirteenth district (Republican):	
Green	11, 871
Hart	18, 173
Larue	10, 701
Total	40, 745
Fourteenth district (Democratic):	
Nelson	16, 830
Shelby	18, 041
Spencer	7, 567
Total	42, 438

Fifteenth district (Democratic):

Marion	16,330
Taylor	11,961
Washington	13,940
Total	42,231

Sixteenth district (Republican):

Adair	16,503
Clinton	8,153
Cumberland	9,846
Russell	10,861
Wayne	17,518
Total	62,881

Seventeenth district (Republican):

Bell	28,447
Jackson	10,734
Knox	22,116
Laurel	19,872
Pulaski	35,986
Rockcastle	14,473
Whitley	31,982
Total	163,610

Eighteenth district (Democratic):

Boyle	14,668
Casey	15,479
Garrard	11,894
Lincoln	17,897
Total	59,938

Nineteenth district (Republican):

Barren	25,293
Metcalfe	10,453
Monroe	13,663
Total	49,409

Twentieth district (Democratic):

Anderson	10,146
Franklin	21,135
Mercer	14,063
Total	45,344

Twenty-first district (Democratic):

Carroll	8,110
Henry	13,716
Oldham	7,248
Trimble	6,512
Total	35,586

Twenty-second district (Democratic):

Jessamine	12,613
Scott	16,956
Woodford	12,571
Total	42,140

Twenty-third district (Democratic):

Boone	9,420
Gallatin	4,697
Owen	14,248
Total	28,365

Twenty-fourth district (Republican):

Kenton	70,355

Twenty-fifth district (Democratic):

Campbell	59,369

Twenty-sixth district (Democratic):

Bracken	10,308
Grant	10,581
Pendleton	11,985
Total	32,874

Twenty-seventh district (Democratic):

Fayette	47,715

Twenty-eighth district (Democratic):

Bourbon	17,462
Clark	17,987
Montgomery	12,868
Total	48,317

Twenty-ninth district (Republican):

Estill	12,273
Lee	9,531
Madison	26,951
Powell	6,268
Total	55,023

Thirtieth district (Democratic):

Harrison	16,873
Nicholas	10,601
Robertson	4,121
Total	31,595

Thirty-first district (Republican):

Lewis	16,887
Mason	18,611
Total	35,498

Thirty-second district (Democratic):

Boyd	23,444
Elliott	9,814
Greenup	18,475
Lawrence	20,067
Total	71,800

Thirty-third district (Republican):

Clay	17,789
Floyd	18,623
Johnson	17,482
Knott	10,791
Leslie	8,976
Letcher	10,623
Harlan	10,566
Martin	7,291
Perry	11,255
Pike	31,679
Total	145,075

Thirty-fourth district (Democratic):

Breathitt	17,540
Magoffin	13,654
Morgan	16,259
Owsley	7,979
Wolfe	9,864
Total	65,296

Thirty-fifth district (Republican):

Bath	13,988
Carter	21,966
Fleming	16,066
Menefee	6,153
Rowan	9,438
Total	67,611

Thirty-sixth, thirty-seventh, and thirty-eighth districts (Democratic):

Jefferson	262,920

Kentucky legislative districts, 1910 census.

First district (Independent):

Hickman	11,750
Fulton	14,114
Total	25,864

Second district (Democratic):

Ballard	12,690
Carlisle	9,048
Total	21,738

Third district (Democratic):

Graves	33,539

Fourth district (Democratic):

McCracken	35,064

Fifth district (Democratic):

Calloway	19,867

Sixth district (Democratic):

Lyon	9,423
Marshall	15,771
Total	25,194

Seventh district (Democratic):

Crittenden	13,296
Livingston	10,627
Total	23,923

Eighth district (Democratic):

Trigg	14,539

Ninth district (Democratic):

Caldwell	14,063

Tenth district (Republican):

Christian	38,845

Eleventh district (Democratic):

Hopkins	34,291

Twelfth district (Democratic):

Webster	20,974

Thirteenth district (Democratic):

Henderson	29,352

Fourteenth district (Democratic):

Union	19,886

Fifteenth-sixteenth districts (Democratic):

Daviess	41,020

Seventeenth district (Democratic):

McLean	13,241

Eighteenth district (Republican):

Muhlenberg	28,598

Nineteenth district (Democratic):

Todd	16,488

Twentieth district (Democratic):

Logan	24,977

Twenty-first district (Democratic):

Simpson	11,460

Twenty-second district (Democratic):

Allen	14,882

Twenty-third and twenty-fourth districts (Democratic):

Warren	30,579

Twenty-fifth district (Republican):

Butler	15,805
Edmonson	10,469
Total	26,274

Twenty-sixth district (Republican):

Ohio	27,642

Twenty-seventh district (Republican):

Grayson	19,958

Twenty-eighth district (Democratic):

Breckinridge	21,034

Twenty-ninth district (Democratic):

Hancock	8,512

Thirtieth district (Democratic):

Meade	9,763

Thirty-first district (Democratic):

Hardin	22,696

Thirty-second district (Democratic):

Larue	10,701

Thirty-third district (Democratic):

Hart	18,173

Thirty-fourth district (Democratic):

Barren	25,293

Thirty-fifth district (Republican):

Monroe	13,663
Metcalfe	10,453
Total	24,116

Thirty-sixth district (Republican):

Wayne	17,518
Clinton	8,153
Total	25,671

Thirty-seventh district (Republican):

Adair	16,503
Cumberland	9,846
Total	26,349

Thirty-eighth district (Democratic):

Green	11,871
Taylor	11,961
Total	23,832

Thirty-ninth district (Democratic):

Nelson	16,830

Fortieth district (Democratic):

Marion	16,330

Forty-first district (Democratic):

Bullitt	9,487
Spencer	7,567
Total	17,054

Forty-second district:

Washington	13,940

Forty-third district (Republican):

Casey	15,479
Russell	10,861
Total	26,340

Forty-fourth to Fifty-first district (Democratic):

Jefferson	262,920

Fifty-second district (Democratic):

Oldham	7,248
Trimble	6,512
Total	13,760

Fifty-third district (Democratic):

Carroll	8,110
Gallatin	4,697
Total	12,807

Fifty-fourth district (Democratic):

Henry	13,716

Fifty-fifth district (Democratic):

Shelby	18,011

Fifty-sixth district (Democratic):

Franklin	21,135

Fifty-seventh district (Democratic):

Anderson	10,146

Fifty-eighth district (Democratic):

Scott	16,956

Fifty-ninth district (Democratic):

Woodford	12,571

Sixtieth district (Democratic):

Owen	14,248

Sixty-first and sixty-second districts (Democratic):

Fayette	47,715

Sixty-third district (Democratic):

Jessamine	12,613

Sixty-fourth district (Democratic):

Mercer	14,063

Sixty-fifth district (Democratic):

Boyle	14,668

Sixty-sixth district (Democratic):

Lincoln	17,897

Sixty-seventh district (Democratic):

Garrard	11,894

Sixty-eighth district (Republican):

Pulaski	35,986

Sixty-ninth district (Republican):

Whitley	31,982
Knox	22,116
Total	54,098

Seventieth district (Republican):

Laurel	19,872
Rockcastle	14,473
Total	34,345

Seventy-first district (Republican):

Clay	17,789
Jackson	10,734
Owsley	7,979
Total	36,502

Seventy-second district (Democratic):

Madison	26,951

Seventy-third district (Republican):

Estill	12,273
Powell	6,268
Total	18,541

Seventy-fourth district (Democratic):	
Clark	17,987
Seventy-fifth district (Democratic):	
Bourbon	17,462
Seventy-sixth district (Democratic):	
Harrison	16,873
Seventy-seventh district (Democratic):	
Grant	10,581
Seventy-eighth district (Democratic):	
Boone	9,420
Seventy-ninth district (Democratic):	
Pendleton	11,985
Eightieth, eighty-first, and eighty-second districts (Republican):	
Kenton	70,355
Eighty-third and eighty-fourth districts (Republican):	
Campbell	59,369
Eighty-fifth district (Democratic):	
Bracken	10,308
Eighty-sixth district (Democratic):	
Nicholas	10,601
Robertson	4,121
Total	14,722
Eighty-seventh district (Democratic):	
Mason	18,611
Eighty-eighth district (Democratic):	
Fleming	16,066
Eighty-ninth district (Republican):	
Lewis	16,887
Ninetieth district (Democratic):	
Montgomery	12,868
Menefee	6,153
Total	19,021
Ninety-first district (Democratic):	
Morgan	16,259
Wolfe	9,864
Total	26,123
Ninety-second district (Republican):	
Breathitt	17,540
Lee	9,531
Magoffin	13,654
Total	40,725
Ninety-third district (Republican):	
Bell	28,447
Harlan	10,566
Leslie	8,976
Perry	11,255
Total	59,244
Ninety-fourth district (Democratic):	
Bath	13,988
Rowan	9,438
Total	23,426
Ninety-fifth district (Republican):	
Pike	31,676
Ninety-sixth district (Republican):	
Johnson	17,482
Martin	7,291
Total	24,773
Ninety-seventh district (Republican):	
Knott	10,791
Floyd	18,623
Letcher	10,623
Total	40,037
Ninety-eighth district (Republican):	
Boyd	23,444
Lawrence	20,067
Total	43,511
Ninety-ninth district (Republican):	
Greenup	18,475
One-hundredth district (Republican):	
Elliott	9,814
Carter	21,966
Total	31,780

Mr. POWERS. A careful examination of the tables I have inserted herewith not only prove the truth of every statement I have made, but show also many other instances where the Legislature of Kentucky has grossly violated the State as well as the Federal statutes, which provides:

That the number of Congressmen to which each State may be entitled in Congress shall be elected by districts composed of contiguous territory and containing as nearly as practicable an equal number of inhabitants.

I am not unmindful of the fact that the court of appeals of Kentucky, speaking through Judge Carroll, in the case of Richardson *v.* McChesney (128 Ky., p. 363), adjudges, that since neither the Constitution of the United States, nor the constitution of the State of Kenucky, contain any direction to the State legislature on the matter of apportionment of the State into congressional districts, that the legislature of the State has the power, beyond the control of the courts, to divide the State into congressional districts in whatever way it chooses, and that it is not legally compelled to have any regard for the number of inhabitants in any given district, when formed, or its size in area. But the Supreme Court of the United States has never as yet said that the State legislatures were not as much bound to obey an act of Congress as they were the Constitution of the United States in matters over which the Federal Government had control, and nobody doubts that the Federal Government can exercise control over the number of its own Representatives, as well as the number of constituents each shall represent and the size of the district represented. But, if, as contended by the court of appeals of Kentucky, there is not sufficient positive direction on the part of the Federal Government to State legislatures to fairly redistrict the States into congressional districts with an equal number of inhabitants, the amendment I have proposed will cure that defect. It provides that the congressional districts, when formed, shall not contain an inequality of population of more than 20,000 inhabitants.

This amendment ought to pass this House and become a law. It is in the interest of justice and fair play. It is nonpartisan, in that it applies with equal force to every State in this Union. And the State of Kentucky is not the only State in this Union that will be benefited and blessed by its provisions. To reject this amendment on a strict party vote, as has been the case with other amendments to this bill presented from the Republican side of this House, will undoubtedly add no credit to the boasted fairness of the Democratic Party of this Nation.

I ask its adoption because it is just and right.

Pass the amendment I have offered, and the tenth congressional district (Republican) of Missouri will no longer contain (1900 census) 265,440 inhabitants, while the eighth congressional district (Democratic) has only 142,254 inhabitants.

Pass this amendment and the second congressional district in the State of Connecticut (1900 census) will no longer have 310,923 inhabitants, and the third congressional district of the same State only 129,619 inhabitants.

Pass it and you will hear nothing more about gerrymandering congressional districts in the State of Pennsylvania.

Pass it and the thirteenth congressional district of that State will no longer have 302,054 inhabitants, as shown by the census of 1900, while the twentieth district of the same State has only 150,909 inhabitants.

Pass this amendment and the various Republican State legislatures will be no longer tempted to gerrymander their States in the interest of the Republican Party.

Pass it and the Democratic legislatures of the various States will no longer let desire for power or greed for office swerve them from the paths of right.

In its political life, this Nation is getting too far from the paths of rectitude.

Old-time honesty in both business and politics is what we need. We ought not to let any political advantage control our actions here to the detriment of our common country. A square deal to every American ought to be our slogan.

Mr. Chairman, I will not detain you or this House further, but thank you both for your indulgence. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kentucky.

The question was taken; and on a division (demanded by Mr. POWERS) there were—ayes 66, noes 107.

So the amendment was lost.

Mr. POWERS. Mr. Chairman, I offer the same amendment, and instead of providing 20,000 inhabitants I make it 50,000 inhabitants.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

After the word "inhabitants," line 8, page 4, add the following: "and that there shall not be, when formed, a difference in population of more than 50,000 inhabitants, based upon the most recent United States census, between congressional districts in any given State."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Kentucky.

The question was taken; and on a division (demanded by Mr. POWERS) there were—ayes 69, noes 104.

Mr. POWERS. Mr. Chairman, I offer the same amendment, making the difference in population 75,000.

Mr. HOUSTON. Mr. Chairman, I make a point of order against the amendment that it is dilatory.

The CHAIRMAN. The Chair overrules the point of order. The Chair thinks it is an honest effort to test the sense of the House. The Clerk will read the amendment.

The Clerk read as follows:

After the word "inhabitants," line 8, page 4, add the following: "and there shall not be, when formed, a difference in population of more than 75,000 inhabitants, based on the most recent United States census, between the congressional districts in any given State."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kentucky.

The question was taken, and the amendment was lost.

The Clerk read as follows:

SEC. 4. That in case of an increase in the number of Representatives in any State under this apportionment such additional Representative or Representatives shall be selected by the State at large and the other Representatives by the districts now prescribed by law until such State shall be redistricted by the legislature thereof in the manner herein prescribed; and if there be no change in the number of Representatives from a State, the Representatives thereof shall be elected from the districts now prescribed by law until such State shall be redistricted as herein prescribed.

Mr. HOUSTON. Mr. Chairman, I offer the following amendment:

Section 4, line 14, strike out the word "selected" and insert the word "elected."

The CHAIRMAN. The gentleman from Tennessee offers the amendment which the Clerk will read.

The Clerk read as follows:

Section 4, line 14, strike out the word "selected" and insert the word "elected."

The amendment was considered and agreed to.

Mr. CRUMPACKER. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amend, on page 4, line 17, by striking out the words "by the legislature thereof."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Indiana.

Mr. CRUMPACKER. Mr. Chairman, I do not intend to detain the House, but I want simply to say that the effect of this amendment, if it goes through, will leave to the several States the power of choosing the manner in which the redistricting shall be made. It will enable the States that have the institution of initiative and referendum to appeal direct to the people upon this question of paramount importance. If the amendment is not adopted, the redistricting must be made by the legislature without the privilege of the referendum. I believe the States ought to settle the question according to their own best judgment. That is all I care to say.

Mr. HAMLIN. Mr. Chairman, I understand that the primary reason for offering this amendment is on account of conditions existing in my State, the State of Missouri. This amendment is offered, as I am informed, at the solicitation and on the initiative of certain Republicans in the State of Missouri who are so infinitesimally small that you must have a magnifying glass to find them.

The statement has been made here upon the floor of this House, and in other places, that there is a statute in Missouri which provides that if the legislature fails to redistrict the State then the governor may lay the State off into congressional districts.

There is no such statute in Missouri. I will insert in my remarks the only provision of our statutes that can be construed to in any manner refer to this matter. Unfortunately for Missouri at the present time it is afflicted with a Republican governor [applause on the Republican side] compensated in a measure by being blessed with a Democratic legislature [applause on the Democratic side], this condition, however, rendering it practically impossible to pass a redistricting bill in the usual way at this time.

It has been stated to me by gentlemen having in charge this amendment, or favoring this amendment, that if Missouri had such a statute they wanted this amendment adopted so that the governor can prevent the legislature from redistricting the State by vetoing any bill which it might pass, and then take advantage of his own veto and redistrict the State himself.

It seems to me that every man upon this floor, either upon this side or that, ought to agree that such conduct would be contemptible petty politics, and I know of no other way to express it.

Mr. Chairman, I ask unanimous consent to insert, as a part of my remarks, a copy of the only sections of the Missouri statutes bearing on this matter.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. HAMLIN. The sections are as follows:

SEC. 6616. Electoral districts: Hereafter at all elections held in this State for the office of President and Vice President of the United States the electoral districts shall be the same as the congressional districts into which the State shall be divided, and the same number of electors shall be chosen by the qualified voters, one of whom shall be a resident of each district, and in addition thereto two electors shall be chosen by the State at large.

SEC. 6617. New apportionment—Duty of governor: When any new apportionment shall be made of the Members to be elected to the House of Representatives of the United States whereby the number of electors to which the State may be entitled shall be increased or diminished, it shall be the duty of the governor to lay off the State into as many districts as shall be equal to the number of electors to which this State shall then be entitled, so that the said districts contain as near as may be an equal number of inhabitants.

From a careful reading of this statute it will be seen that section 6616 simply provides that the electoral districts shall be the same as the congressional districts, and there shall be one elector chosen from each district and two electors from the State at large.

Section 6617 simply provides that when an apportionment shall be made of the Members to be elected to the House of Representatives of the United States whereby the number of electors—which, as we all know, must correspond in numbers to the Members of the House of Representatives and United States Senate from each State—are either to be increased or diminished, then in that event the governor shall lay off the State into electoral districts, in compliance with the preceding section, which is to make the electoral districts the same as the congressional districts are. Thus it will be seen there is no authority given to the governor to fix the congressional districts, but only the electoral districts, and in the absence of any legislation by Congress as to how the redistricting shall be done I do not believe that the governor would have any more authority to divide the State up into congressional districts than any other officer of the State government, and no one would contend that any of the other State officers would have any such right.

Mr. Chairman, the friends of this amendment have sought to prejudice Members by contending that in the Democratic States the gerrymander has been grossly unfair, and my State has been cited as a sample of that unfairness. It seems to me if my Republican friends had not lost all shame by the long lease of power which they have enjoyed they would hesitate, in view of their own record, to refer to this matter at all.

I want to give you a sample of the Republican gerrymander, but I want first to especially call the attention of my colleague from Missouri [Mr. BARTHOLDT] to the facts as they relate to our State. He contends that the Democratic Legislature of Missouri that redistricted the State 10 years ago violated the Federal Statutes by making the districts greatly unequal in population, so as to get an advantage. Let us see. The tenth, eleventh, and twelfth districts of Missouri are now represented in this House by Republicans—one of whom is my colleague, Mr. BARTHOLDT—and have an average population per district of 208,426; but the seventh, fourteenth, and fifteenth districts are represented by Democrats, of which I am one, and contains an average population per district of 233,646, being an average of 25,220 more to the Democratic district than to the Republican district. The average population per district for the whole 16 districts of Missouri is 194,166. Thus it will be seen that the charges he makes against his own State is not borne out by the facts.

Now, Mr. Chairman, let us get back to the record in the Republican States, where the redistricting has been done by the Republican Party, and see what the record is. The following table tells its own tale:

In California the population of the fifth California district is 236,234 and of the sixth is 155,839, difference being 80,395.

In Connecticut the population of the second Connecticut district is 310,923, while that of the third Connecticut is 129,619, the difference in population being 181,304.

In Illinois the eighth district has a population of 286,643, and the fourteenth Illinois has a population of 170,820, the difference in population being 115,823.

In Iowa the first Iowa district has a population of 159,267 and the tenth Iowa 253,350, the difference in population being 94,083.

In Kansas the third district has a population of 284,537 and the fourth Kansas 157,842, a difference in population of 126,695.

In Michigan the ninth Michigan district has a population of 166,124 and the twelfth Michigan 275,525, a difference in population of 109,401.

In Minnesota the fifth Minnesota district has a population of 292,806 and the second Minnesota district 174,856, the difference in population being 117,950.

In Nebraska the second district has a population of 162,756 and the third district has a population of 211,780, the difference in population being 49,024.

In New York, in the city of New York, the fifteenth New York district has a population of 165,701, and the eighteenth New York, in the same city, 450,000, the difference in population being 284,299. In the rural districts of New York, the twenty-second has a population of 169,005, the fifteenth a population of 165,701, the thirteenth a population of 169,378, and the thirty-fourth a population of 220,208.

In Ohio the twelfth Ohio district has a population of 164,460, and the twenty-first Ohio has a population of 255,510, the difference in population being 91,050.

In Oklahoma, where the present districts were created by the enabling act of Congress, the fifth Oklahoma has a population of 315,106, and the first Oklahoma 225,373, the difference being 89,733.

In Pennsylvania the eleventh district has a population of 257,121, and the fourteenth Pennsylvania 146,769, a difference of 110,352.

In the State of Colorado the first Colorado district has a population of 245,979, and the second Colorado 293,721, a difference of 47,742.

This table shows your record in these Republican States.

You Republicans had better get the "beam" out of your own eyes before you try to remove the "mote" out of your neighbors' eyes.

There is another record which, like Banquo's ghost, will not down. When the Republican Party was in control of Congress Oklahoma was admitted into the Union, and notwithstanding the fact that a very large majority of her population was made up of the intelligent, progressive, enterprising citizenship of the older States, thoroughly trained in statecraft, in fact, the very flower of American citizenship, you would not permit them to divide their own State up into congressional districts, but before you would admit this young giant into the Union, you laid your blighting hand upon her and fixed the metes and bounds of her congressional districts so that you thought you had secured three Representatives out of the five from that State.

What does this record show as to the equal distribution of population in these districts provided by you? Let us see:

	Population.
First district (Republican)	225,373
Fifth district (Democratic)	315,106
Second district (Republican)	230,224
Fourth district (Democratic)	303,339

In these four districts, two of which are Republican and two Democratic, and under your benign and just gerrymander there are 162,908 more people in the Democratic districts than there are in the Republican districts.

O! ye Republican pharisees, hypocrites! for pretense you make long prayers, and then, in order to obtain a petty advantage, you do not hesitate to invade the sacred precincts of State rights, but, like the serpent, you leave your trail behind.

Mr. Chairman, the purpose of these lilliputian Republican politicians in Missouri is very apparent.

They are not willing that our State shall be redistricted in the usual way—by a bill in the legislature, nor by the initiative and referendum—but they want to devise some means whereby one man, the governor, may do this work. They do not want it done fairly.

Their real purpose is disclosed by a remark frequently made by my colleague, Mr. BARTHOLDT, and who represents the governor on this floor, that the best lawyers are divided in opinion as to whether under our statutes the governor might not be authorized to redistrict the State, congressionally, in the event Congress should fail to direct how this work shall be done by the several States.

They are evidently reasoning this way about it: If good lawyers divide in opinion as to the proper construction to be given this statute, may not members of our Supreme Court also reach different conclusions, and if they should divide in opinions may not that division be along political lines, and if along political, then they console themselves with the fact that a majority of the members of our Supreme Court are now Republicans; and in this very dubious, doubtful, and questionable way fix it so that one man, the governor, may redistrict our State. This is their scheme in a nutshell. Of course, they do not dare to admit this in the open. Why, my colleague, Mr. BARTHOLDT, even pretends that he is in favor of letting the redistricting be done by the initiative and referendum. He was never in favor of this system of legislation a moment in his life, and whenever I hear one of these "stand-pat" Republicans talking about letting the people decide anything for themselves I immediately begin to look through the woodpile for the Senegambian, which I am sure is concealed therein, and in this case we do not have to look far to find the "nigger in the woodpile." It is to leave this law so that no particular authority in the State shall be designated by Congress to do this redistricting, so that by a partisan construction of a section of our statute a Republican governor can ignore the wishes of the good people of the State and lay out their congressional districts to suit his own sweet will.

I am opposed to it. I want a "square deal."

Mr. Chairman, practically every apportionment bill that has been passed through this House from the foundation of the Government has provided that the redistricting shall be done by legislatures of the different States. You Republicans passed the apportionment bills of 1872, 1882, 1892, and 1901, each one of which bills provided that the legislatures of the different States should do the work of redistricting. Now, if it was good to do that way then, why is it not good to do that way now?

The lower house of my State is composed of at least one member from each county in the State. The Senate is composed of men elected by districts equal in population as may be. In redistricting the State the representatives from all the people from every county have an equal vote. No man or party desiring to be fair can object to this method. I hope, therefore, that the amendment of the gentleman from Indiana will be voted down.

Mr. BARTHOLDT. Mr. Chairman, I can not allow to go unchallenged the statements just made by my colleague from Missouri [Mr. HAMLIN]. It is not the intention of either one or more politicians of the Republican faith to have the governor redistrict the State of Missouri.

Mr. HAMLIN. Will the gentleman yield?

Mr. BARTHOLDT. No; I can not yield. Our proposition is, and the reason for this amendment is, not to tie the hands of the people of Missouri. The Democratic legislature which 10 years ago did the redistricting made districts varying in population by more than 100,000 people; in other words, it violated the Federal statute which said that the districts should contain as nearly as practicable an equal number of inhabitants. And because of that flagrant violation of a Federal law, and for the further reason that the people desire to take this case in their own hands, we ask you Democrats now to be true to your traditions and to your principles and stand up for State rights on this question and not tie the hands of the people of Missouri if they propose by petition to present to the voters of that State a fair and equitable apportionment scheme. By voting these words into the bill, namely, "by the legislature thereof," you will prevent the people of Missouri from doing so. You will tie their hands; you will leave to the legislature again an opportunity to violate the Federal statute without any recourse on our part anywhere, either in the State courts or the Supreme Court of the United States. We ask you to be true to the doctrine which you preach, that the people have a right to make use of the initiative and referendum when they cease to have confidence in the legislature, and legislatures are usually controlled, as we all know, by partisan majorities, and it is probably true that both parties are sinning in that respect.

Mr. LANGLEY. Will the gentleman yield?

Mr. BARTHOLDT. I can not yield. As to the law cited by my colleague [Mr. HAMLIN], I want to state for the information of the House that that law was passed by a Democratic legislature. It was passed at the behest of a Democratic governor and was signed by that governor, but it can not be invoked in this case as another colleague [Mr. RUSSELL] has stated on the floor to-day. There is a doubt in the minds of the people as to whether that law relates to congressional districts or to the selection of electors in a presidential year, and, as I say, the greatest legal minds are in doubt about it. But this is immaterial, because we do not propose to invoke it; we propose to leave the matter of redistricting to the people themselves. Let each party get up by petition a fair scheme, and let the people vote as to which scheme they want, and we Republicans are perfectly willing to trust the people. [Applause on the Republican side.]

The Members of the House can not sufficiently appreciate the situation unless they understand political conditions in Missouri. A brief explanation will demonstrate to any fair-minded man, be he Republican or Democrat, how thoroughly justifiable is the demand of the people for the right to fix, by their own votes, the boundary lines of the districts, legislative as well as congressional. The State of Missouri is gerrymandered as no other State in the Union is, owing to a frantic effort on the part of Democratic politicians to prop their tottering party. The Democratic legislatures who played the dastardly game at political geometry were concerned, in the language of my friend from Kentucky, neither "about the law of the land nor the oaths they had taken to obey it," but had in view only the increase of Democratic and the decrease of Republican representation. Now, I believe, and my party believes, that the majority of the people of Missouri favor fair play in representation, but how, under the present system, are they going to get it?

Remember that the legislature which is to do the redistricting is itself elected in badly gerrymandered districts. How, then, can you secure pure water when the spring is poisoned? I do not propose to burden the RECORD with figures, but "by their fruits ye shall know them." At the last election, in November, 1910, the Republicans of Missouri elected their supreme court judges and other State officials by about 3,000 majority, and yet the Democrats succeeded in securing a large majority in both the house and the senate. There was no political issue that I know of which could have militated in favor of the State ticket and against the legislative ticket of the Republicans; hence it was the monstrous iniquity of the Democratic State gerrymander which prevented the majority of the people of Missouri from working their will through fair representation in the legislature.

But "the worst is still to come." Look at the result of the congressional elections. While, as I said before, the Republicans carried the State by a small majority, so that under an equitable arrangement they should have carried at least eight of the 16 districts of the State, that same monstrous gerrymander robbed us of five Republicans in Congress and left us but three, but, fortunately, enough, the same as in Kentucky, to tell the tale on this floor. Instead of one-half of the representation—and I should say at least one-half—we are not even accorded one-fifth, and from this you can probably understand why my Democratic colleagues insist on having the State redistricted "by the legislature thereof."

Before proceeding to give facts and figures on the congressional situation, let me throw a side light on Democratic conduct since the election. It seems that the leaders of that party regarded a Republican congressional representation of three out of possible 16 as excessive. So effective did they regard the congressional gerrymander that the election of more than one Republican was a surprise to them. And as all three successful candidates had been elected in the city of St. Louis, these so-called leaders raised the cry of fraud. To-day they wish they had not done it, for events proved that they had cried "Fraud" just once too often. Let me tell you the story. It is too good to withhold from the country. Owing to the prohibition issue, which brought out an exceptionally heavy vote—the citizenship of St. Louis being overwhelmingly opposed to prohibition—the Republicans carried that city by an unprecedented majority. A heavy vote in St. Louis always means a big Republican majority, but the Democratic leaders professed not to know that,

nor were they aware, apparently, that the Republican governor, Herbert S. Hadley, had staked his honor and reputation on an honest election in the three large cities of the State, and had instructed the State boards of election, appointed and controlled by him, to exhaust their official powers for the purpose of preventing fraud. He felt, as did every one of his party friends, that the Republican State administration was on trial in the conduct of that election, and it was his purpose to demonstrate that the people had made no mistake when they intrusted the affairs of the State in Republican hands. We knew we had had an honest election, and consequently courted the fullest investigation. Now, if our Democratic friends had stopped then and there they might have probably gained some party advantage, as the people of the State, unfamiliar with the facts, might have believed some of the wild statements made by the Democratic State chairman and other leaders. Instead, they walked, with open eyes, into their own trap, and instituted contests in all three of the congressional districts. And what was the result of these contests? A recount of all the ballots cast and a most careful comparison of the ballots with the poll books revealed a difference between the original count and the recount hardly sufficient to change the result in a single precinct, even if all clerical mistakes and technical errors were added together. To repeat a common expression, the wonder of it all was that so remarkably clean an election and so correct a count was technically possible, considering the tremendous task which the judges and clerks had to perform in so short a time.

It is admitted now by all that the last election in St. Louis was the fairest and squarest ever held, and as this is largely due to a Republican governor the people of Missouri, irrespective of party, regard his elevation to that high office on that account alone as a blessing rather than an "affliction," which is the word thoughtlessly used by my colleague [Mr. HAMLIN]. A partisan committee of the legislature also made investigations upon the strength of contests against St. Louis Members, and they, too, were forced to report in favor of the Republican contestees. So, we have the anomalous situation of the Democratic Party certifying to and proving the honesty of an election which it had denounced in unmeasured terms as fraudulent and corrupt, and in my judgment it will be many years before that party will get over the effect of the boomerang.

To return to the congressional gerrymander for which the Democratic Party is responsible let me cite but one example. The tenth district, which I have the honor to represent, had a population 10 years ago of 265,440. The adjoining twelfth district was given only 152,424 people, a difference of 113,016 people. It would have been an easy matter to comply with the Federal statute by making the three St. Louis districts equal in population, but that did not suit our Democratic gerrymanderers who hoped, by crowding all the Republican territory into one district, to make both the others Democratic. The tenth district now has a population of over 400,000, and its Republican majority of 25,600 alone, if fairly apportioned, would insure to the Republicans the representation to which they are entitled on this floor.

But why is it that of all the Missouri Democrats my colleague [Mr. HAMLIN] is so particularly anxious to save the Missouri gerrymander or to have a new one just as iniquitous made by the Missouri Legislature? I let the St. Louis Globe-Democrat answer this question. It says under the caption "A Specimen Missouri District":

In the debate on the congressional apportionment bill, which passed the House last week, one of Missouri's Democratic Representatives, Mr. HAMLIN, made a special attack on the Republicans of Missouri and the idea of submitting the question of districting to all the voters of the State by referendum. Mr. HAMLIN's anxiety on the subject of saving the gerrymander can be understood when the peculiar make-up of his own district, the seventh, is examined. It begins not far from the southern boundary of the State, runs north in a single string of counties until it reaches the Missouri River, where it suddenly bulges east and west, jumping the river to take in the heavily Democratic county of Howard, without which the district would be strongly Republican. The seven counties south of the river, including the city of Springfield, give a Republican majority of 1,000, but the acrobatic feat at the river to get in Howard County, the Bourbon Gibraltar, Democratic by 1,600, sufficed to elect Mr. HAMLIN last year by the scanty plurality of 482.

It is not surprising, in view of the geographical eccentricity of his district, that Mr. HAMLIN should be a champion of the gerrymander and scorn the use by the people of the referendum to obtain equal representation for themselves. The southernmost county of his district rests on a district, the fourteenth, that is another example of the art of the Missouri gerrymander contortionists. It takes almost the entire width of the State to render the fourteenth district "compact and contiguous." It is a spindling succession of counties east and west, and would be Republican but for its inclusion of a bunch of Democratic counties in the southeastern corner of the State. These two districts alone cover, in a narrow strip, two-thirds of the State east and west, and also north and south. Mr. HAMLIN refers to Missouri's election of a Republican governor as "unfortunate." The fact is due to allowing equal representation in filling the office. By a vote of 355,000 to 340,000, the voters of Missouri preferred the Republican candidate. No doubt the failure to apply a juggle to the choice of State officers also is the "unfortunate" part of it in Mr. HAMLIN's estimation.

The gentleman from the seventh district [Mr. HAMLIN] charges the Republicans of Missouri with an attempt to take advantage of a certain State law, which he quotes, in order to have the Republican governor perform the work of redistricting the State, and almost in the same breath he asserts that that law does not apply to congressional districts at all. Will he kindly tell me what would be the use of our invoking a law which does not apply? It seems his partisan feeling has carried him to an illogical and untenable position. Furthermore, in order to justify the Missouri gerrymander, he points to a number of States where, he says, the Republicans were guilty of the same offense. Well, we all know that two wrongs do not make a right; but, supposing his statements as to gerrymanders in other States were correct, would they not constitute the strongest possible argument in favor of my position that partisan legislatures can not be trusted as well as the people themselves? He argues that all former apportionment bills passed by Congress contained the words "by the legislature," so that heretofore the States had always been redistricted by the legislature; but he forgets that even 10 years ago, when Congress passed the last apportionment bill, such an institution as the initiative and referendum was unknown, or had not been adopted by a single State in the Union. Now, this new system of direct legislation by the people is in vogue in a large number of States, and whatever we may think of its value and usefulness in other respects a moment's reflection will satisfy us that it is exceptionally well adapted as an instrument to secure a fair apportionment of legislative, senatorial, and congressional districts. And the Republicans of Missouri, far from intending to take a partisan advantage which the law, above referred to, might or might not give us, intend to make use of the referendum by presenting to the people, for their approval at the ballot box, a fair and equitable apportionment plan. If Congress would refuse to invade the sovereign rights of the State to the extent of prescribing that the redistricting must be done by the legislature, all the States having the initiative and referendum could resort to it for the same purpose. In such an event both parties could prepare their redistricting schemes and submit them to the people, who, always solicitous of fair play, would put their stamp of approval upon what will seem to them to be the best. And it would probably not make much difference whether the Republican or the Democratic scheme is adopted, as the mere knowledge of its being subject to the approval of the people would insure fair and reasonable propositions.

How much superior, from the standpoint of justice and impartiality, such a system would be to the present plan of permitting partisan legislative majorities to arrange the districts for representation in legislative bodies is shown by another most recent example furnished by two Democratic State officials in Missouri. According to the constitution of my State the districting of State senatorial districts, when the legislature fails to act, must be performed by the governor, secretary of state, and attorney general. It so happens that the governor is a Republican, and the last-named two officials are Democrats. Now, instead of acting in a nonpartisan spirit and a judicial capacity, those two Democratic officials, being the majority of the board, eliminated the governor entirely and proceeded to do the work in the sole and exclusive interest of the Democratic Party. The refusal of the governor to sign the partisan plan will alone save the people of the State from a gerrymander unequaled in unfairness in political history.

The Republicans of Missouri are willing to trust the people rather than partisan bodies or officials, and I am free to say that Congress would lend its hand to the continuance of partisan outrages in Missouri and other States if it denied to the people of the several States the right to choose their own methods of securing fair representation.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Kentucky.

Mr. HOUSTON. Mr. Chairman, I move that all debate on this section and all amendments thereto be closed.

Mr. CANNON. Mr. Chairman, I hope the gentleman will allow me five minutes.

Mr. HOUSTON. Very well; I make the motion, then, Mr. Chairman, that all debate upon the paragraph and amendments thereto be closed in five minutes.

The CHAIRMAN. The gentleman from Tennessee moves that all debate upon the paragraph and amendments thereto be closed in five minutes.

The question was taken, and the motion was agreed to.

Mr. CANNON. Mr. Chairman, do I understand that under the law in the State of Missouri that you have the initiative?

Mr. BARTHOLDT. Yes.

Mr. CANNON. You have it now by law?

Mr. BARTHOLDT. Yes.

Mr. CANNON. It reminds me of a boy who had a dog to sell. [Laughter.] He met a lady and said, "I have a dog; do you want to buy a dog?" Said the lady, "What is his name?" "Well, ma'am, I call him 'Initiative,'" said the boy. "That is a nice name," said the lady. "Is he a fierce dog?" "Oh," says he, "he is the d—— d—— d—— fiercest dog you ever saw." "Well," she said, "I do not want a fierce dog." The boy, equal to the occasion, said, "He is not such a d—— d—— d—— fierce dog as he might be." [Laughter.] That law, the initiative, was enacted under the leadership of the Democratic Party in the State of Missouri. Now that you want to perpetrate an outrage in congressional apportionment, or perchance in State apportionment, you rush, under the desire, in my judgment, to nullify the will of a majority in your State and repudiate that law. [Applause on the Republican side.] And great is Democracy! My judgment is not in favor of initiative legislation, but if it is enacted, even against my will, I will abide it. You do not seem willing to abide it. Missouri, in my judgment, is perhaps the most hopeful Republican State in the swing of 20 years of all the States in the Union. [Applause on the Republican side.]

And when you repudiate the law which your party led in enacting, while I am not a prophet or a son of a prophet, I believe the good people of the State of Missouri—of the Anglo-American race—will repudiate you, and the rocks and the mountains, if they do not fall on you, ought to fall on you. [Applause on the Republican side.]

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Indiana [Mr. CRUMPACKER].

The question was taken, and the Chair announced that the noes seemed to have it.

Mr. CRUMPACKER. Division, Mr. Chairman.

The committee divided; and there were—ayes 82, noes 99.

So the amendment was rejected.

Mr. HAMLIN. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. BARTHOLDT. Mr. Chairman, I ask the same privilege.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. RUCKER of Colorado. Mr. Chairman, I offer the following amendment:

On line 17, section 4, after the word "legislature," insert "pursuant to the laws of the State under the constitution of said State."

Mr. MANN. Mr. Chairman, I ask to have the Clerk report the amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

After the word "legislature," line 17, in section 4, insert "pursuant to the laws of said State under the constitution of said State."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Colorado [Mr. RUCKER].

The question was taken, and the amendment was rejected.

Mr. HOUSTON. Mr. Chairman, I move that the committee do now rise and report the bill with amendment to the House, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. GARNER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 2983, and had instructed him to report the same to the House with an amendment, with the recommendation that the amendment be agreed to, and that the bill as amended do pass.

SWEARING IN OF A MEMBER.

Mr. BROUSSARD, a Representative elect from the State of Louisiana, appeared at the bar of the House and took the oath of office.

APPORTIONMENT.

Mr. HOUSTON. Mr. Speaker, I desire to ask unanimous consent that those who spoke on the bill in Committee of the Whole House on the state of the Union may be permitted to extend their remarks in the RECORD for five legislative days.

The SPEAKER. The gentleman from Tennessee [Mr. HOUSTON] asks unanimous consent that those who have spoken on the bill in the Committee of the Whole House on the state of the Union be permitted to extend their remarks in the RECORD for five legislative days. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, I would like to ask some gentleman on that side of the House if the gentleman from Florida [Mr. CLARK] is present? If this meets with his approval, I shall not object. [Laughter.]

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

There was no objection.

Mr. HOUSTON. Mr. Speaker, I move the previous question on the bill as amended to its final passage.

The SPEAKER. The gentleman from Tennessee moves the previous question on the bill and amendment to final passage.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

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

The bill was engrossed and read a third time.

Mr. CRUMPACKER. Mr. Speaker, I move to recommit the bill with the following instructions, which I send to the Clerk's desk.

The SPEAKER. The gentleman from Indiana moves to recommit the bill with instructions, which the Clerk will report.

The Clerk read as follows:

Insert, after section 2 of the bill, as a new section, the following:

"SEC. 3. That as soon as the Fourteenth and each subsequent decennial census of the population of the several States, as required by the Constitution, shall have been completed and returned to the Department of Commerce and Labor, it shall be the duty of the Secretary of said department to ascertain the aggregate population of all the States and of each State separately, excluding Indians not taxed; which aggregate population he shall divide by the number 430, and the product of such division, excluding any fraction of a unit that may happen to remain, shall be the ratio of apportionment of Representatives among the several States under such census; and the Secretary of said department shall then proceed to divide the total representative population of each State by the ratio so determined, and each State shall be assigned one Representative for each full ratio of population therein and an additional Representative for any fraction equal to or greater than a moiety of such ratio, but in no case shall a Representative be assigned for a fraction less than a moiety of such ratio, and each State shall have at least one Representative; and the aggregate number of Representatives so assigned to the States shall constitute the total membership of the House of Representatives under such census. And as soon as practicable after the Secretary of said department shall have ascertained the number of Representatives to which each State is entitled under any decennial census, in the manner herein provided, he shall make out and transmit to the House of Representatives a certificate of the number of Representatives so apportioned to each State; and he shall likewise make out and transmit without delay to the executive of each State a certificate of the number of Representatives apportioned to such State."

And in section 4 of the bill, page 4, line 17, strike out the words "by the legislature thereof."

Mr. CRUMPACKER. Mr. Speaker, the Clerk did not read the motion. The Clerk should also have read the introductory part.

The SPEAKER. The Clerk will read the introduction.

The Clerk read as follows:

I move to recommit the bill (H. R. 2983) to the Committee on the Census, with directions to report said bill back to the House forthwith, with the following amendments:

Mr. CRUMPACKER. Mr. Speaker, I move the previous question on the motion to recommit with instructions.

The SPEAKER. The gentleman from Indiana [Mr. CRUMPACKER] moves the previous question on the motion to recommit the bill with instructions. The question is on ordering the previous question.

The previous question was ordered.

The SPEAKER. The question now is on agreeing to the motion to recommit with instructions.

Mr. CRUMPACKER. On that, Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER. The Clerk will call the roll. Those in favor of the motion to recommit the bill will answer "yea"; those opposed, "nay."

The question was taken; and there were—yeas 99, nays 177, answered "present" 7, not voting 105, as follows:

YEAS—99.

Anderson, Minn.	Draper	Higgins	Lindbergh
Anthony	Driscoll, M. E.	Hill	McCreary
Austin	Dwight	Hinds	McKinney
Bartholdt	Dyer	Howell	McLaughlin
Bathrick	Esch	Hubbard	Madden
Bowman	Farr	Humphrey, Wash.	Madison
Buchanan	Focht	Kahn	Mann
Burke, S. Dak.	Foss	Kennedy	Martin, S. Dak
Cannon	French	Kent	Miller
Catlin	Fuller	Kinkaid, Nebr.	Moore, Pa.
Cooper	Gardner, Mass.	Knowland	Morgan
Crumpacker	Gardner, N. J.	Kopp	Mott
Currier	Gillett	Lafferty	Murdock
Danforth	Good	La Follette	Needham
Davis, Minn.	Hanna	Langley	Nelson
De Forest	Harris	Lawrence	Norris
Dodds	Helgesen	Lenroot	Nye

Olmsted	Simmons	Sulloway	Vreeland
Parran	Sloan	Sweet	Warburton
Pickett	Smith, J. M. C.	Talcott, N. Y.	Wedemeyer
Powers	Smith, Saml. W.	Taylor, Ohio	Wilder
Prince	Speer	Thistlewood	Willis
Rees	Steenerson	Tilson	Young, Kans.
Roberts, Mass.	Stephens, Cal.	Utter	Young, Mich.
Rodenberg	Sterling	Volstead	

NAYS—177.

Aiken, S. C.	Dupre	Jacoway	Richardson
Akin, N. Y.	Ellerbe	James	Robinson
Alexander	Estopinal	Johnson, Ky.	Roddenbery
Allen	Evans	Johnson, S. C.	Rothermel
Anderson, Ohio	Faison	Jones	Rouse
Ansberry	Ferris	Kendall	Rubey
Ashbrook	Fields	Kinkead, N. J.	Rucker, Colo.
Ayers	Finley	Kitchin	Rucker, Mo.
Barnhart	Flood, Va.	Konig	Russell
Beall, Tex.	Floyd, Ark.	Konop	Sabath
Bell, Ga.	Foster, Ill.	Korbly	Saunders
Blackmon	Fowler	Lamb	Shackleford
Booher	Francis	Lee, Ga.	Sharp
Borland	Gallagher	Legare	Sheppard
Broussard	Garner	Lever	Sherley
Bulkley	Garrett	Linthicum	Sherwood
Burke, Wis.	George	Littlepage	Sims
Burleson	Glass	Lloyd	Sisson
Burnett	Goeke	Lobeck	Small
Byrnes, S. C.	Goodwin, Ark.	McCoy	Smith, Tex.
Byrns, Tenn.	Gordon	McDermott	Sparkman
Callaway	Gould	McGillicuddy	Stack
Candler	Graham	McHenry	Stanley
Cantrill	Gray	Macon	Stedman
Carlin	Gregg, Pa.	Maguire, Nebr.	Stephens, Miss.
Carter	Gregg, Tex.	Maher	Stephens, Tex.
Clark, Fla.	Gudger	Martin, Colo.	Stone
Claypool	Guernsey	Mays	Taylor, Colo.
Clayton	Hamilton, W. Va.	Moon, Tenn.	Towner
Cline	Hamlin	Moore, Tex.	Townsend
Connell	Hammond	Morrison	Tribble
Conry	Hardwick	Moss, Ind.	Turnbull
Covington	Hardy	Murray	Tuttle
Cox, Ind.	Harrison, Miss.	Oldfield	Underwood
Cullop	Harrison, N. Y.	Padgett	Watkins
Curley	Hay	Page	Webb
Daugherty	Heflin	Pepper	Whitacre
Davenport	Helm	Plumley	White
Davis, W. Va.	Hensley	Post	Wickliffe
Dickinson	Holland	Pou	Wilson, Pa.
Dies	Houston	Prouty	Witherspoon
Difenderfer	Hughes, Ga.	Rainey	Young, Tex.
Dixon, Ind.	Hughes, N. J.	Raker	
Doremus	Hull	Rauch	
Driscoll, D. A.	Humphreys, Miss.	Reilly	

ANSWERED "PRESENT"—7.

Bartlett	Donohoe	Kipp	Woods, Iowa
Brantley	Haugen	Randell, Tex.	

NOT VOTING—105.

Adair	Doughton	Latta	Pray
Adamson	Edwards	Lee, Pa.	Pujo
Ames	Fairchild	Levy	Ransdell, La.
Andrus	Fitzgerald	Lewis	Redfield
Barchfeld	Fordney	Lindsay	Riordan
Bates	Fornes	Littleton	Roberts, Nev.
Berger	Foster, Vt.	Longworth	Scully
Bingham	Godwin, N. C.	Loud	Sells
Boehne	Goldfogle	Loudenslager	Slayden
Bradley	Greene	McCall	Slemp
Brown	Griest	McGuire, Okla.	Smith, Cal.
Burgess	Hamill	McKenzie	Smith, N. Y.
Burke, Pa.	Hamilton, Mich.	McKinley	Stevens, Minn.
Butler	Hartman	McMorran	Sulzer
Calder	Hawley	Malby	Switzer
Campbell	Hayes	Matthews	Talbott, Md.
Cary	Heald	Mitchell	Taylor, Ala.
Collier	Henry, Conn.	Mondell	Thayer
Copley	Henry, Tex.	Moon, Pa.	Thomas
Cox, Ohio	Hobson	Morse, Wis.	Underhill
Crago	Howard	O'Shaunessy	Weeks
Cravens	Howland	Palmer	Wilson, Ill.
Dalzell	Hughes, W. Va.	Patten, N. Y.	Wilson, N. Y.
Davidson	Jackson	Patton, Pa.	Wood, N. J.
Dent	Kindred	Payne	
Denver	Lafean	Peters	
Dickson, Miss.	Langham	Porter	

So the motion to recommit was rejected.

The Clerk announced the following pairs:

For the session:

Mr. COLLIER with Mr. WOODS of Iowa (transferable).

Mr. FORNES with Mr. BRADLEY.

Mr. RIORDAN with Mr. ANDRUS.

Mr. PUJO with Mr. MCMORRAN (transferable).

Until further notice:

Mr. COX of Ohio with Mr. BARCHFELD.

Mr. GOLDFOGLE with Mr. BURKE of Pennsylvania.

Mr. DOUGHTON with Mr. BATES.

Mr. HOBSON with Mr. FAIRCHILD (transferable).

Mr. BOEHNE with Mr. GRIEST.

Mr. ADAMSON with Mr. STEVENS of Minnesota.

Mr. KIPP with Mr. LANGHAM.

Mr. ADAIR with Mr. PORTER.

Mr. BARTLETT with Mr. BUTLER.

Mr. KINDRED with Mr. HOWLAND.

Mr. DENVER with Mr. HAYES.

Mr. HENRY of Texas with Mr. GREENE.

Mr. SULZER with Mr. HARTMAN.

Mr. DENT with Mr. FOSTER of Vermont.

Mr. LEWIS with Mr. COPLEY.

Mr. RANDELL of Texas with Mr. MCCALL.

Mr. PATTEN of New York with Mr. HENRY of Connecticut.

Mr. HAMILL with Mr. LOUDENSLAGER.

Mr. RANSDELL of Louisiana with Mr. LAFEAN.

Mr. SMITH of New York with Mr. MALBY.

Mr. TAYLOR of Alabama with Mr. MOON of Pennsylvania.

Mr. THOMAS with Mr. PAYNE.

Mr. UNDERHILL with Mr. WEEKS.

Mr. WILSON of New York with Mr. SLEMP.

Mr. FITZGERALD with Mr. DAVIDSON.

Mr. DICKSON of Mississippi with Mr. BINGHAM.

Mr. CRAVEN with Mr. LONGWORTH.

Mr. LINDSAY with Mr. FORDNEY.

Mr. O'SHAUNESSY with Mr. HAMILTON of Michigan.

Mr. PETERS with Mr. HAWLEY.

Mr. GODWIN of North Carolina (against) with Mr. PATTON of Pennsylvania (in favor).

Mr. SLAYDEN (in favor) with Mr. HAUGEN (against).

Mr. PALMER (against) with Mr. HOWARD (in favor).

Mr. EDWARDS (against) with Mr. THAYER (in favor).

On this vote:

Mr. LEVY (against) with Mr. HEALD (in favor).

Mr. LITTLETON (against) with Mr. MCKINLEY (in favor).

Mr. BRANTLEY (against) with Mr. DALZELL (in favor).

Mr. SCULLY (against) with Mr. BROWN (in favor).

From the 27th to Monday noon:

Mr. DONOHOE with Mr. CALDER.

Until April 28 at noon:

Mr. LEE of Pennsylvania (against) with Mr. PRAY (in favor).

From to-day for three weeks.

Mr. LATTA with Mr. HUGHES of West Virginia.

From April 27 at noon until May 1 at noon.

Mr. TALBOTT of Maryland with Mr. WILSON of Illinois.

The result of the vote was announced as above recorded.

The SPEAKER. The question is, Shall the bill pass?

The question being taken, the bill was passed.

On motion of Mr. HOUSTON, the motion to reconsider the last vote was laid on the table.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. HEALD, indefinitely, on account of sickness in his family.

To Mr. ADAMSON, indefinitely, on account of sickness in his family.

ADJOURNMENT.

Mr. HOUSTON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 38 minutes p. m.) the House adjourned until to-morrow, Friday, April 28, 1911, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the chief clerk of the Court of Claims, transmitting a copy of the conclusions of fact and law in the French spoliation cases relating to the schooner *Kitty and Maria*, John Logan, master (H. Doc. No. 31); to the Committee on Claims and ordered to be printed.

2. A letter from the chief clerk of the Court of Claims, transmitting a copy of the conclusions of fact and law in the French spoliation cases relating to the schooner *Alciope*, Robert Rice, master (H. Doc. No. 32); to the Committee on Claims and ordered to be printed.

3. A letter from the chief clerk of the Court of Claims, transmitting a copy of the conclusions of fact and law in the French spoliation cases relating to the ship *Golden Age*, Caleb Earl, master (H. Doc. No. 33); to the Committee on Claims and ordered to be printed.

4. A letter from the chief clerk of the Court of Claims, transmitting a copy of the conclusions of fact and law in the French spoliation cases relating to the brig *Eliza*, John Miller, master (H. Doc. No. 34); to the Committee on Claims and ordered to be printed.

5. A letter from the chief clerk of the Court of Claims, transmitting a copy of the conclusions of fact and law in the

French spoliation cases relating to the ship *Nancy*, Joseph Dill, master (H. Doc. No. 35); to the Committee on Claims and ordered to be printed.

6. A letter from the chief clerk of the Court of Claims, transmitting a copy of the conclusions of fact and law in the French spoliation cases relating to the ship *Goddess of Plenty*, Thomas Chirnside, master (H. Doc. No. 36); to the Committee on Claims and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. FINLEY, from the Committee on Printing, to which was referred the concurrent resolution of the House (H. Con. Res. 3) providing for the printing of the proceedings upon the unveiling of the statue of Baron von Steuben, reported the same without amendment, accompanied by a report (No. 14), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

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

By Mr. LAFFERTY: A bill (H. R. 7690) to authorize the construction of a bridge across the Snake River at the town of Nyssa, Oreg.; to the Committee on Interstate and Foreign Commerce.

By Mr. TURNBULL: A bill (H. R. 7691) to provide for a survey of the Roanoke River from the town of Clarksville in the county of Mecklenburg, State of Virginia, to the head of steamboat navigation in said river below Weldon, in the county of Halifax, State of North Carolina; to the Committee on Rivers and Harbors.

By Mr. REILLY: A bill (H. R. 7692) to define the hours of labor of letter carriers in the City Delivery Service and clerks in first and second class post offices; to the Committee on the Post Office and Post Roads.

By Mr. MILLER: A bill (H. R. 7693) to authorize the town of Logan, Aitkin County, Minn., to construct a bridge across the Mississippi River in Aitkin County, Minn.; to the Committee on Interstate and Foreign Commerce.

By Mr. SIMMONS: A bill (H. R. 7694) to give effect to the fifth article of the treaty between the United States and Great Britain, signed January 11, 1909; to the Committee on Foreign Affairs.

By Mr. HUMPHREY of Washington: A bill (H. R. 7695) to extend the time for the completion of the Alaska Northern Railway, and for other purposes; to the Committee on the Public Lands.

By Mr. GUERNSEY: A bill (H. R. 7696) to provide for enlarging the United States building at Houlton, Me.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 7697) to provide for the erection of a public building at Caribou, Me.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 7698) changing the name of Maine Avenue and providing for a new location for Maine Avenue, District of Columbia; to the Committee on the District of Columbia.

By Mr. HUGHES of New Jersey: A bill (H. R. 7699) to increase the compensation of pressmen in the Government Printing Office; to the Committee on Printing.

Also, a bill (H. R. 7700) to provide against the purchase of goods manufactured by convict labor on behalf of the United States, the Territories, and the District of Columbia; to the Committee on Labor.

Also, a bill (H. R. 7701) to provide for the purchase of a site and the erection of a public building thereon at Newton, in the State of New Jersey; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 7702) providing for the issuance of a charter to the Veteran Reserve Corps of America, a corporate military organization; to the Committee on Military Affairs.

By Mr. BATHRICK: A bill (H. R. 7703) to authorize the enlargement of the public building at Akron, Summit County, Ohio; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 7704) to authorize the purchase of a site and the erection thereon of a public building at Barberton, Summit County, Ohio; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 7705) to authorize the purchase of a site and the erection thereon of a public building at Cuyahoga Falls, Summit County, Ohio; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 7706) to authorize the purchase of a site and the erection thereon of a public building at Ravenna, Portage County, Ohio; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 7707) to authorize the erection of a public building at Niles, Trumbull County, Ohio; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 7708) to authorize the erection of a public building at Conneaut, Ashtabula County, Ohio; to the Committee on Public Buildings and Grounds.

By Mr. BORLAND: A bill (H. R. 7709) making appropriations and providing for a continuing contract for the construction, repair, and preservation of public work on the Missouri River between Kansas City and the mouth; to the Committee on Rivers and Harbors.

By Mr. OLDFIELD: A bill (H. R. 7710) to amend section 4916 of the Revised Statutes, relating to patents; to the Committee on Patents.

Also, a bill (H. R. 7711) to amend section 4889 of the Revised Statutes; to the Committee on Patents.

By Mr. DAVIS of West Virginia: A bill (H. R. 7712) to amend section 839 of the Revised Statutes; to the Committee on the Judiciary.

By Mr. HAY: A bill (H. R. 7713) to decrease the expense and increase the efficiency of the Army; to the Committee on Military Affairs.

By Mr. CANDLER: A bill (H. R. 7714) making an appropriation for the improvement of the Tombigbee River in the State of Mississippi and in the State of Alabama; to the Committee on Rivers and Harbors.

By Mr. ANDERSON of Ohio: A bill (H. R. 7715) to require all street railroad companies in the District of Columbia to issue free transfers, interchangeable from the lines of one company to those of another, and for other purposes; to the Committee on the District of Columbia.

Also, a bill (H. R. 7716) to regulate the rates to be charged and collected by the Chesapeake & Potomac Telephone Co. and any other firm or corporation, for telephones, telephone service, and telephone connections in the District of Columbia for business purposes, and prescribing a penalty for its violation; to the Committee on the District of Columbia.

By Mr. CLAYTON: A bill (H. R. 7717) for the erection of a public building at Union Springs, Ala.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 7718) to establish a fish-cultural station in the State of Alabama; the Committee on the Merchant Marine and Fisheries.

Also, a bill (H. R. 7719) for the maintenance and improvement of the Choctawhatchee River; to the Committee on Rivers and Harbors.

By Mr. JONES: A bill (H. R. 7720) to establish a national highway from Washington, D. C., by way of Mount Vernon to Fredericksburg, Va., to be known as the Mother Washington Memorial Highway, in memory and honor of the mother of the Father of his Country; to the Committee on Appropriations.

By Mr. CARLIN: A bill (H. R. 7721) to amend and reenact section 3224 of the Revised Statutes of the United States; to the Committee on the Judiciary.

By Mr. OLMSTED: Resolution (H. Res. 130) authorizing and directing the Committee on Invalid Pensions to inquire and report why the pension granted to David L. McDermott by act of July 6, 1886, is withheld, and what action, if any, should be taken in the premises; to the Committee on Rules.

By Mr. BLACKMON: Resolution (H. Res. 131) requesting certain information of the Attorney General; to the Committee on the Judiciary.

By Mr. ANDERSON of Ohio: Resolution (H. Res. 132) instructing and authorizing the Committee on the District of Columbia to make an examination into the rates charged for the telephone service in the District of Columbia; to the Committee on the District of Columbia.

By Mr. GARDNER of Massachusetts: Resolution (H. Res. 133) requesting certain information of the Secretary of War; to the Committee on Military Affairs.

Also, resolution (H. Res. 134) requesting certain information of the Secretary of the Navy; to the Committee on Naval Affairs.

By Mr. STEENERSON: Resolution (H. Res. 135) to reprint House Document No. 27, Sixty-first Congress, first session; to the Committee on Printing.

By Mr. BLACKMON: Joint resolution (H. J. Res. 76) directing the Attorney General to make investigations and begin prosecutions of persons unlawfully conspiring together to reduce the price of cotton; to the Committee on the Judiciary.

Also, joint resolution (H. J. Res. 77) directing the Attorney General to make investigations and begin prosecutions of persons unlawfully conspiring together to increase the price of wheat; to the Committee on the Judiciary.

By Mr. SABATH: Joint resolution (H. J. Res. 78) to secure the neutralization of the Philippine Islands; to the Committee on Insular Affairs.

By Mr. BERGER: Joint resolution (H. J. Res. 79) proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. OLMSTED: Concurrent resolution (H. Con. Res. 7) authorizing the appointment of a committee of Senators and Representatives to confer with the commission of the State of Pennsylvania in regard to the celebration of the fiftieth anniversary of the Battle of Gettysburg; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS.

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

By Mr. ALEXANDER: A bill (H. R. 7722) granting an increase of pension to Thomas A. Dobbins; to the Committee on Invalid Pensions.

By Mr. ALLEN: A bill (H. R. 7723) granting an increase of pension to George K. Taylor; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7724) for the relief of Mathias Meyer; to the Committee on Claims.

By Mr. ASHBROOK: A bill (H. R. 7725) granting an increase of pension to David W. Brandt; to the Committee on Invalid Pensions.

By Mr. BATHRICK: A bill (H. R. 7726) granting an increase of pension to Henry E. Hill; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7727) for the relief of Charles J. Callahan; to the Committee on Military Affairs.

Also, a bill (H. R. 7728) for the relief of John W. Walsh; to the Committee on Claims.

By Mr. CARLIN: A bill (H. R. 7729) granting a pension to William F. Myers; to the Committee on Pensions.

By Mr. CLAYTON: A bill (H. R. 7730) granting a pension to William Lanier; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7731) granting a pension to Thomas I. Durham; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7732) granting a pension to Mettie Blackwood; to the Committee on Pensions.

Also, a bill (H. R. 7733) granting a pension to Zachariah Cassedy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7734) granting a pension to Martha Thompson; to the Committee on Pensions.

Also, a bill (H. R. 7735) granting an increase of pension to Charles S. Webb; to the Committee on Pensions.

Also, a bill (H. R. 7736) for the relief of the representatives of the estate of Henry C. Sills, deceased; to the Committee on War Claims.

Also, a bill (H. R. 7737) to remove the charge of desertion from the military record of Samuel J. Maund; to the Committee on Military Affairs.

By Mr. DAVIS of West Virginia: A bill (H. R. 7738) granting an increase of pension to Jerry A. Fitzgerald; to the Committee on Invalid Pensions.

By Mr. DICKINSON: A bill (H. R. 7739) for the relief of Henry Parks, alias Nathaniel Parks; to the Committee on Military Affairs.

Also, a bill (H. R. 7740) for the relief of Mrs. William C. Lucas; to the Committee on War Claims.

By Mr. DIFENDERFER: A bill (H. R. 7741) granting a pension to John H. Bunting; to the Committee on Invalid Pensions.

By Mr. FOSTER of Illinois: A bill (H. R. 7742) granting an increase of pension to Daniel W. Meyers; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7743) granting an increase of pension to William H. Williamson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7744) granting an increase of pension to Andreas Wirth; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7745) granting an increase of pension to Leander C. Johnson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7746) granting an increase of pension to B. M. Laur; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7747) granting an increase of pension to Harrison Kilburn; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7748) granting an increase of pension to Charles T. Phillips; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7749) granting an increase of pension to J. P. Tanne; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7750) granting an increase of pension to W. V. Cronk; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7751) granting an increase of pension to Thomas W. Dare; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7752) granting an increase of pension to William T. Hunt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7753) granting an increase of pension to C. K. Elliott; to the Committee on Pensions.

Also, a bill (H. R. 7754) granting an increase of pension to Jacob Ley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7755) to remove the charge of desertion from the record of George R. Spore; to the Committee on Military Affairs.

Also, a bill (H. R. 7756) to remove the charge of desertion from the record of John D. Woods; to the Committee on Military Affairs.

By Mr. FULLER: A bill (H. R. 7757) granting an increase of pension to John H. Kohr; to the Committee on Invalid Pensions.

By Mr. GOEKE: A bill (H. R. 7758) granting an increase of pension to Elias McQuay; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7759) for the relief of Henry S. Call; to the Committee on Claims.

Also, a bill (H. R. 7760) to remove the charge of desertion from the record of Hezekiah R. Hubbell; to the Committee on Military Affairs.

By Mr. GRAHAM: A bill (H. R. 7761) granting an increase of pension to Joseph A. Edmonds; to the Committee on Invalid Pensions.

By Mr. GUERNSEY: A bill (H. R. 7762) granting an increase of pension to Charles A. Grass; to the Committee on Invalid Pensions.

By Mr. HUGHES of New Jersey: A bill (H. R. 7763) granting an increase of pension to Laura E. R. Hatfield; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7764) granting an increase of pension to Joseph E. Layton; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7765) granting an increase of pension to Henry Mardle; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7766) granting an increase of pension to E. Clarkson Lane; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7767) granting an increase of pension to Mrs. Orlando L. Wieting; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7768) granting a pension to John J. Schreiber; to the Committee on Pensions.

Also, a bill (H. R. 7769) granting a pension to Georgia L. Burnand; to the Committee on Pensions.

Also, a bill (H. R. 7770) granting a pension to William Haley; to the Committee on Pensions.

Also, a bill (H. R. 7771) granting a pension to William R. Claxton; to the Committee on Pensions.

Also, a bill (H. R. 7772) for the relief of John McKeon; to the Committee on Military Affairs.

By Mr. KENNEDY: A bill (H. R. 7773) granting an increase of pension to Theodore Bigler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7774) granting an increase of pension to A. V. Kendrick; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7775) granting an increase of pension to John M. Wilson; to the Committee on Invalid Pensions.

By Mr. KINKAID of Nebraska: A bill (H. R. 7776) granting an increase of pension to Andrew J. Wilson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7777) granting an increase of pension to James W. Cowan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7778) granting a pension to Martha I. Reynolds; to the Committee on Pensions.

By Mr. KIPP: A bill (H. R. 7779) granting an increase of pension to Josiah Havens; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7780) granting an increase of pension to Amasa David; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7781) granting an increase of pension to Thomas W. Tiffany; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7782) granting an increase of pension to John M. Jones; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7783) granting a pension to Margret Price; to the Committee on Invalid Pensions.

By Mr. LAFFERTY: A bill (H. R. 7784) granting an increase of pension to John C. Ball; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7785) granting an increase of pension to Josephus P. Eckler; to the Committee on Pensions.

By Mr. LITTLEPAGE: A bill (H. R. 7786) granting a pension to James M. Hanshaw; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7787) granting a pension to John W. Thompson; to the Committee on Pensions.

Also, a bill (H. R. 7788) granting a pension to William F. Harrold; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7789) granting an increase of pension to Charles A. Young; to the Committee on Invalid Pensions.

By Mr. McGILLICUDDY: A bill (H. R. 7790) granting an increase of pension to Charles Gammon; to the Committee on Invalid Pensions.

By Mr. McGUIRE of Oklahoma: A bill (H. R. 7791) granting an increase of pension to Allen Hart; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7792) granting an increase of pension to Henry Spencer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7793) granting an increase of pension to William Greer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7794) granting an increase of pension to Jesse W. Casteel; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7795) granting an increase of pension to Jacob Reed; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7796) granting an honorable discharge to William Alexander; to the Committee on Military Affairs.

Also, a bill (H. R. 7797) granting a pension to William T. Bogert; to the Committee on Pensions.

By Mr. McHENRY: A bill (H. R. 7798) granting an increase of pension to Eugene Lenhart; to the Committee on Invalid Pensions.

By Mr. NEEDHAM: A bill (H. R. 7799) for the relief of Peter Van Valer; to the Committee on Military Affairs.

Also, a bill (H. R. 7800) for the relief of John Wesley Young; to the Committee on Military Affairs.

Also, a bill (H. R. 7801) for the relief of the estate of Vicente Gomez, deceased; to the Committee on War Claims.

By Mr. OLDFIELD: A bill (H. R. 7802) granting an increase of pension to John S. Lander; to the Committee on Invalid Pensions.

By Mr. OLMSTED: A bill (H. R. 7803) granting an increase of pension to Peter K. Arnold; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7804) granting an increase of pension to Jacob Witmer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7805) granting an increase of pension to Henry Wetzel; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7806) granting an increase of pension to Amos C. Wertz; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7807) granting an increase of pension to John A. Walter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7808) granting an increase of pension to John Trout; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7809) granting an increase of pension to Samuel Stout; to the Committee on Invalid Pensions.

Also, a bill H. R. 7810) granting an increase of pension to Mary Ann E. Sperry; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7811) granting an increase of pension to David Sornberger; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7812) granting an increase of pension to Arnold B. Spink; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7813) granting an increase of pension to Lewis C. Smith; to the Committee on Pensions.

Also, a bill (H. R. 7814) granting an increase of pension to Benjamin F. Smith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7815) granting an increase of pension to Jeremiah Sipe; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7816) granting an increase of pension to Joseph Sheets; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7817) granting an increase of pension to James L. Seebold; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7818) granting an increase of pension to Henry M. Reuter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7819) granting an increase of pension to Eliphas W. Reed; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7820) granting an increase of pension to Josiah Ramsey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7821) granting an increase of pension to William Presley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7822) granting an increase of pension to John Person; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7823) granting an increase of pension to George W. Parthemore; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7824) granting an increase of pension to Thomas Morrisey; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7825) granting an increase of pension to David H. Mumma; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7826) granting an increase of pension to Rebecca M. Missemer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7827) granting an increase of pension to Benjamin Franklin Miller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7828) granting an increase of pension to Philip M. Messner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7829) granting an increase of pension to Sarah C. Meredith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7830) granting an increase of pension to John R. Meredith; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7831) granting an increase of pension to Maria A. Meily; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7832) granting an increase of pension to James F. Maben; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7833) granting an increase of pension to Milton T. Maguire; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7834) granting an increase of pension to Jeremiah Layser; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7835) granting an increase of pension to Jacob Kimmel; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7836) granting an increase of pension to Mary A. Jordan; to the Committee on Pensions.

Also, a bill (H. R. 7837) granting an increase of pension to William F. Hummelbaugh; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7838) granting an increase of pension to John H. Houtz; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7839) granting an increase of pension to Samuel D. Hess; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7840) granting an increase of pension to William Hampton, sr.; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7841) granting an increase of pension to Martha Groner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7842) granting an increase of pension to Frank C. Gratz; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7843) granting an increase of pension to Fannie Huntt Gibson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7844) granting an increase of pension to Samuel A. Garland; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7845) granting an increase of pension to Samuel Eisenhauer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7846) granting an increase of pension to Joanna R. Forster; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7847) granting an increase of pension to Henry Breslin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7848) granting an increase of pension to Lafayette Billig; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7849) granting an increase of pension to Joseph Benner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7850) granting an increase of pension to William Bodley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7851) granting an increase of pension to John H. Adams; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7852) granting a pension to Caroline S. Mindil; to the Committee on Pensions.

Also, a bill (H. R. 7853) granting a pension to Rebecca Zimmerman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7854) granting a pension to Isaac E. Walker; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7855) granting a pension to Annetta Vale; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7856) granting a pension to William H. Swoveland; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7857) granting a pension to Charles E. Stock; to the Committee on Pensions.

Also, a bill (H. R. 7858) granting a pension to Richard M. Steckley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7859) granting a pension to Harriet Stees; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7860) granting a pension to John S. Snyder; to the Committee on Pensions.

Also, a bill (H. R. 7861) granting a pension to Elizabeth Snyder; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7862) granting a pension to Mary M. Shambaugh; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7863) granting a pension to Martin P. Schaffner; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7864) granting a pension to Charles C. Rumpf; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7865) granting a pension to Silas W. Rank; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7866) granting a pension to Stephen W. Pomeroy; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7867) granting a pension to Catherine B. Pefley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7868) granting a pension to Margaret Montgomery; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7869) granting a pension to Martha J. Miller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7870) granting a pension to Henry S. Matter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7871) granting a pension to George W. Lehman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7872) granting a pension to Emma E. Kipple; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7873) granting a pension to Katherine E. Kemble; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7874) granting a pension to Kate E. Keiser; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7875) granting a pension to Mary Idle; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7876) granting a pension to Eliza Hartman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7877) granting a pension to Emma Handshaw; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7878) granting a pension to John P. M. Haas; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7879) granting a pension to John W. Gray; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7880) granting a pension to Lucetta C. Graffius; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7881) granting a pension to Pricilla C. Givler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7882) granting a pension to George W. Ennery; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7883) granting a pension to John W. Ely; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7884) granting a pension to John D. Deihl; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7885) granting a pension to Sarah Culp; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7886) granting a pension to J. Caroline FitzGerald; to the Committee on Pensions.

Also, a bill (H. R. 7887) granting a pension to Catherine B. Fisher; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7888) granting a pension to Charles William Bowman; to the Commitee on Invalid Pensions.

Also, a bill (H. R. 7889) granting a pension to Jacob Ambrose; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7890) granting a pension to Grace Backenstoss; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7891) granting a pension to Mrs. George Armour; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7892) for the relief of J. H. Mease, postmaster at Mount Gretna, Pa.; to the Committee on Claims.

Also, a bill (H. R. 7893) for the relief of John C. Colwell; to the Committee on Naval Affairs.

Also, a bill (H. R. 7894) for the relief of James E. Cann, paymaster, United States Navy; to the Committee on Claims.

Also, a bill (H. R. 7895) to correct the military record of Joseph Spangler; to the Committee on Military Affairs.

Also, a bill (H. R. 7896) to correct the military record of David Polm; to the Committee on Military Affairs.

Also, a bill (H. R. 7897) to correct the military record of Charles Moore; to the Committee on Military Affairs.

Also, a bill (H. R. 7898) to correct the military record of Phillip K. Meloy; to the Committee on Military Affairs.

Also, a bill (H. R. 7899) to corrct the military record of Alexander C. Landis; to the Committee on Military Affairs.

Also, a bill (H. R. 7900) to correct the military record of William Irving; to the Committee on Military Affairs.

Also, a bill (H. R. 7901) to correct the military record of John F. Geist; to the Committee on Military Affairs.

Also, a bill (H. R. 7902) to correct the military record of Lieut. John W. Geiger; to the Committee on Military Affairs.

Also, a bill (H. R. 7903) to correct the military record of Philip D. Beidel; to the Committee on Military Affairs.

Also, a bill (H. R. 7904) to remove the charge of desertion from the military record of Francis Tomlinson; to the Committee on Military Affairs.

Also, a bill (H. R. 7905) to remove the charge of desertion from the military record of John Snyder; to the Committee on Military Affairs.

Also, a bill (H. R. 7906) to remove the charge of desertion from the military record of Levi Sheetz; to the Committee on Military Affairs.

Also, a bill (H. R. 7907) to remove the charge of desertion from the military record of Reuben Seiler; to the Committee on Military Affairs.

Also, a bill (H. R. 7908) to remove the charge of desertion from the military record of Thomas Morgan; to the Committee on Military Affairs.

Also, a bill (H. R. 7909) to remove the charge of desertion from the military record of John Keys; to the Committee on Military Affairs.

Also, a bill (H. R. 7910) to remove the charge of desertion from the military record of John F. Kelly; to the Committee on Military Affairs.

Also, a bill (H. R. 7911) to remove the charge of desertion from the military record of John Frederick; to the Committee on Military Affairs.

Also, a bill (H. R. 7912) for the removal of the charge of desertion standing against the name of John Brininger; to the Committee on Military Affairs.

Also, a bill (H. R. 7913) to remove the charge of desertion from the military record of John P. Leitzel; to the Committee on Military Affairs.

Also, a bill (H. R. 7914) authorizing the President of the United States to nominate Lieut. Samuel Lindsey Graham, now on the retired list, to be commander on the retired list; to the Committee on Naval Affairs.

Also, a bill (H. R. 7915) to authorize the appointment of Alexander D. B. Smead as a captain of cavalry; to the Committee on Military Affairs.

Also, a bill (H. R. 7916) to remove the charge of desertion from the military record of Joseph Windowmaker; to the Committee on Military Affairs.

By Mr. O'SHAUNESSY: A bill (H. R. 7917) granting an increase of pension to Mary T. Larkin; to the Committee on Invalid Pensions.

By Mr. PLUMLEY: A bill (H. R. 7918) granting an increase of pension to Frederick A. Fish; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7919) granting an increase of pension to John F. Abbott; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7920) granting an increase of pension to Charles E. Shepard; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7921) granting an increase of pension to Oscar L. Pike; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7922) granting an increase of pension to David Bolles; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7923) granting an increase of pension to Wayland A. Strong; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7924) granting an increase of pension to Caleb P. Nash; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7925) granting an increase of pension to Charles Carr; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7926) granting a pension to Alfred E. Ames; to the Committee on Pensions.

Also, a bill (H. R. 7927) granting a pension to Carl H. Ellis; to the Committee on Pensions.

By Mr. POU: A bill (H. R. 7928) for the relief of Fannie E. Gardner; to the Committee on War Claims.

Also, a bill (H. R. 7929) for the erection of a statue in memory of President Andrew Johnson; to the Committee on the Library.

Also, a bill (H. R. 7930) for the relief of heirs of Wiley Holt, deceased; to the Committee on War Claims.

By Mr. PRINCE: A bill (H. R. 7931) granting an increase of pension to Lewis Duncan; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7932) granting an increase of pension to Patrick Hannon; to the Committee on Invalid Pensions.

By Mr. REILLY: A bill (H. R. 7933) granting a pension to Catherine T. Butler; to the Committee on Pensions.

By Mr. RUSSELL: A bill (H. R. 7934) granting a pension to Charles Baumann; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7935) granting an increase of pension to Walter L. Todd; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7936) granting a pension to Elizabeth A. Quinn; to the Committee on Invalid Pensions.

By Mr. SIMMONS: A bill (H. R. 7937) granting an increase of pension to Silas Dewey; to the Committee on Invalid Pensions.

By Mr. STONE: A bill (H. R. 7938) granting an increase of pension to Joseph N. Burch; to the Committee on Invalid Pensions.

By Mr. TAYLOR of Ohio: A bill (H. R. 7939) for the relief of the heirs of John A. Turner; to the Committee on Claims.

By Mr. THISTLEWOOD: A bill (H. R. 7940) granting an increase of pension to Thomas Fish; to the Committee on Invalid Pensions.

By Mr. TURNBULL: A bill (H. R. 7941) to carry out the findings of the Court of Claims in the cases herein enumerated; to the Committee on War Claims.

By Mr. WEDEMEYER: A bill (H. R. 7942) granting a pension to Rosalia A. Butts; to the Committee on Invalid Pensions.

By Mr. WILLIS: A bill (H. R. 7943) granting an increase of pension to John M. Williams; to the Committee on Invalid Pensions.

By Mr. WILSON of Pennsylvania: A bill (H. R. 7944) granting an increase of pension to John H. Cox; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7945) granting an increase of pension to John W. French; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7946) granting an increase of pension to Samuel M. Wakely; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7947) granting an increase of pension to Lyman Toombs; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7948) granting an increase of pension to George Marker; to the Committee on Pensions.

Also, a bill (H. R. 7949) granting an increase of pension to Joseph S. Morris; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7950) granting an increase of pension to Charles L. Leonhardt; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7951) granting an increase of pension to George F. Baxter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7952) granting a pension to Charlotte L. Kizer; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7953) granting a pension to Amanda Neufer; to the Committee on Invalid Pensions.

By Mr. WOODS of Iowa: A bill (H. R. 7954) for the relief of Jacob M. Cooper; to the Committee on Military Affairs.

Also, a bill (H. R. 7955) for the relief of John T. Watson; to the Committee on Military Affairs.

By Mr. FOSTER of Illinois: A bill (H. R. 7956) to remove the charge of desertion from the record of Brice Prater; to the Committee on Military Affairs.

Also, a bill (H. R. 7957) to remove the charge of desertion from the record of Jubal Grant and to grant him an honorable discharge; 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:

By Mr. ALLEN: Resolutions of Stereotypers' Union No. 5, of Cincinnati, Ohio, favoring Canadian reciprocity; to the Committee on Ways and Means.

By Mr. DRAPER: Petition of the New England Shoe & Leather Association, against putting leather, boots, and shoes on the free list; to the Committee on Ways and Means.

By Mr. FORNES: Petition of Carolina Bagging Co., against jute being admitted free on farmers' free list; to the Committee on Ways and Means.

Also, petition of New England Shoe & Leather Co., protesting against placing leather, boots, and shoes on free list; to the Committee on Ways and Means.

By Mr. FULLER: Papers to accompany a bill for the relief of John H. Kohr; to the Committee on Invalid Pensions.

Also, petition of the New England Shoe & Leather Association, opposing the placing of leather, boots, and shoes on the free list; to the Committee on Ways and Means.

By Mr. GARDNER of Massachusetts: Resolutions of Central Council, Irish County Clubs, of Boston, Mass., against any arbitration treaty with Great Britain; to the Committee on Foreign Affairs.

Also, petition of Cape Ann Branch, The Granite Cutters' International Association of America, of Rockport, Mass., favoring a repeal of the 10-cent tax on oleomargarine; to the Committee on Agriculture.

Also, resolutions of New England Shoe Wholesalers' Association, favoring nonpartisan tariff board or commission; to the Committee on Ways and Means.

By Mr. HANNA: Petitions of citizens of North Dakota, favoring the Hanna bill providing for additional compensation to the rural free-delivery carriers; J. B. Sessions, Fargo, N. Dak., against parcels post; and citizens of Brooklyn Township, Williams County, N. Dak., favoring parcels post; to the Committee on the Post Office and Post Roads.

Also, petition of numerous citizens of North Dakota, against Canadian reciprocity; to the Committee on Ways and Means.

By Mr. KENDALL: Petition of citizens of Richland and Keota, Iowa, against parcels post; to the Committee on the Post Office and Post Roads.

By Mr. O'SHAUNESSY: Petition of Thomas J. Goodman, of Providence, and numerous other citizens of Rhode Island, favoring the department of health; to the Committee on Expenditures in the Interior Department.

By Mr. PLUMLEY: Papers to accompany bills for relief of Caleb P. Nash, Wayland A. Strong, David Bolles, Fredrick A. Fish, John F. Abbott, Charles E. Shepard, Carl H. Ellis, Oscar L. Pike, Alfred E. Ames, and Charles Carr; to the Committee on Invalid Pensions.

By Mr. PRAY: Petition of citizens of Waldheim, Mont., in favor of parcels post; to the Committee on the Post Office and Post Roads.

Also, petition of City Council of Helena, Mont., and F. J. Edwards, mayor, and J. A. Mattson, city clerk, for abrogation of treaty with Russia of 1832; to the Committee on Foreign Affairs.

Also, petition of Typographical Union No. 255, Anaconda, Mont., for reduction of duty on oleomargarine; to the Committee on Agriculture.

By Mr. ROBERTS of Massachusetts: Petitions of Carolina Bagging Co., against admitting jute into this country free; New England Shoe and Leather Association, protesting against placing leather, boots, and shoes on the free list; and New England Shoe Wholesalers' Association, Boston, Mass., favoring a permanent, independent tariff commission or board; to the Committee on Ways and Means.

By Mr. STEPHENS of California: Petitions of the Spaulding Chapter of the American Woman's League, Compton, Cal., numbering 63, favoring a speedy hearing of the Bartholdt indemnity bill; American Woman's League of Huntington Park, Long Branch, Los Angeles, and San Bernardino, and Los Angeles Chapter, Los Angeles, all in the State of California, in favor of the Bartholdt indemnity bill; to the Committee on the Judiciary.

By Mr. TUTTLE: Resolutions of Sterling Camp, No. 11, Patriotic Order Sons of America, urging passage of illiteracy test; to the Committee on Immigration and Naturalization.

By Mr. VOLSTEAD: Petition of citizens of the Northwest against Canadian reciprocity; to the Committee on Ways and Means.

By Mr. WOOD of New Jersey: Petition of W. J. McLaughlin and F. O. Lozier, of Trenton, N. J., urging the repeal of the duty on lemons; to the Committee on Ways and Means.

SENATE.

FRIDAY, *April 28, 1911.*

Prayer by the Chaplain, Rev. Ulysses G. B. Pierce, D. D.

The Journal of yesterday's proceedings was read and approved.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. South, its Chief Clerk, announced that the House had passed the following bill and joint resolutions, in which it requested the concurrence of the Senate:

H. R. 2983. An act for the apportionment of Representatives in Congress among the several States under the Thirteenth Census.

H. J. Res. 1. Joint resolution to correct errors in the enrollment of certain appropriation acts approved March 4, 1911;

H. J. Res. 2. Joint resolution making appropriations for the payment of certain expenses incident to the first session of the Sixty-second Congress;

H. J. Res. 3. Joint resolution making immediately available the appropriations for mileage of Senators and of Members of the House of Representatives; and

H. J. Res. 38. Joint resolution to grant authority to the American Red Cross to erect temporary structures in Potomac Park, Washington, D. C.

PETITIONS AND MEMORIALS.

The VICE PRESIDENT presented a petition of the president of the Woman's Home Missionary Auxiliary of the Methodist Episcopal Church of Bristol, Ind., praying for the enactment of legislation to restrict the sale and traffic in opium, which was referred to the Committee on Foreign Relations.

He also presented a memorial of Minisink Grange, No. 907, Patrons of Husbandry, of Unionville, N. Y., remonstrating against the ratification of the proposed reciprocal trade agreement between the United States and Canada, which was referred to the Committee on Finance.