

By Mr. POLK: A bill (H. R. 12497) to prevent corrupt practices in the election of Senators, Representatives, or Delegates in Congress; to the Committee on Election of President, Vice President, and Representatives in Congress.

By Mr. SELLS: A bill (H. R. 12498) to pension widow and minor children of any officer or enlisted man who served in the War with Spain or the Philippine insurrection; to the Committee on Pensions.

By Mr. CRAGO: A bill (H. R. 12499) providing for pay and allowances to certain officers and enlisted men of the Army of the United States other than the Regular Army; to the Committee on Military Affairs.

By Mr. CHARLES B. SMITH: Resolution (H. Res. 398) requesting the Secretary of State to furnish the House information regarding the diversion of water from Niagara River by the Province of Ontario; to the Committee on Foreign Affairs.

By Mr. CRAMTON: Resolution (H. Res. 399) requesting the President to report to the House of Representatives whether any order has been issued restricting the supply and transportation of materials and machinery for use in manufacture of intoxicating liquors or the transportation of such liquors; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DEWALT: A bill (H. R. 12500) granting an increase of pension to William D. Mickley; to the Committee on Pensions.

By Mr. DOREMUS: A bill (H. R. 12501) granting a pension to Magdalene Holden; to the Committee on Pensions.

By Mr. FIELDS: A bill (H. R. 12502) granting an increase of pension to Asa C. Pieratt; to the Committee on Pensions.

Also, a bill (H. R. 12503) granting an increase of pension to Mathew Adams; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12504) granting a pension to Eliza J. Elliott; to the Committee on Invalid Pensions.

By Mr. KELLY of Pennsylvania: A bill (H. R. 12505) granting a pension to Margaret E. Hinchman; to the Committee on Invalid Pensions.

By Mr. OSBORNE: A bill (H. R. 12506) granting a pension to Malinda J. Wilson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12507) granting a pension to Charley Williams; to the Committee on Pensions.

By Mr. SANDERS of Indiana: A bill (H. R. 12508) granting a pension to Mary St. Clair; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BROWNING: Petitions of members of Trinity Methodist Church, of Clayton, of members and friends of Barnsboro, of citizens of Audubon, of citizens of Hurville, and of citizens of Pennsville, all in the State of New Jersey, urging nation-wide prohibition during the period of the war; to the Committee on the Judiciary.

By Mr. CRAGO: Resolutions of Frederick Funston Post, No. 94, Veterans of Foreign Wars of the United States, of the Territory of Hawaii, for the deportation of all aliens from the United States after the war, and all aliens therein who are not loyal to the United States during the war; to the Committee on Immigration and Naturalization.

By Mr. DALE of Vermont: Petition of the Vermont Society, Sons of the American Revolution, favoring legislation to suppress the publication and circulation of papers and periodicals published in the German language; to the Committee on the Judiciary.

Also, petition of State Women's Union No. 15187, of South Poultney; of M. P. Boyce, of Ascutneyville; and of Bertha L. Washburn, of South Royalton, all in the State of Vermont, favoring the repeal of the zone system of postal rates on periodicals; to the Committee on Ways and Means.

By Mr. DELANEY: Resolution of the Women's Auxiliary, Sewanaka Democratic Club, of Brooklyn, N. Y., urging that all boys in the military service of the country be allowed free transportation on all railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. DOOLITTLE: Petition of Wanshara Church, Harveyville, Kans., for the enactment of war prohibition legislation; to the Committee on the Judiciary.

By Mr. HAMILTON of Michigan: Petition of sundry citizens of the State of Michigan, protesting against the zone-system amendment to the war-revenue act and asking for its repeal; to the Committee on Ways and Means.

By Mr. MAHER: Resolution of New York Association of Women Workers, advocating the establishment of a national conservatory of music and art; to the Committee on the Library.

Also, petition and statement of O. E. Wilson, president Iowa Division, Farmers Educational and Cooperative Union of America; I. N. McCollister, president Farmers Educational and Cooperative Union of Louisiana; J. M. Collins, president Farmers State Union of Colorado; Louis Roether, secretary Farmers State Union of Colorado; and D. E. Lyday, president Farmers Educational and Cooperative Union of Texas, asking that all laws restricting or interfering with labor coming into the United States be suspended during the war; to the Committee on Immigration and Naturalization.

By Mr. ROBBINS: Resolutions of citizens of Latrobe, Pa., and vicinity, protesting against zone system of postage for second-class matter and observance of the Sabbath law; to the Committee on Ways and Means.

SENATE.

WEDNESDAY, June 19, 1918.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, in these perilous times we lift our hearts day by day to Thee. We have been called forth by the challenge of Thy word. We have brought our best and laid it upon the sacrificial altar of the world's freedom, and when we have done all we still look to Thee for guidance and blessing and victory. Do Thou, O God, be pleased to hasten the time for the final triumph of the right. For Christ's sake. Amen.

The Journal of yesterday's proceedings was read and approved.

VOLUNTEER OFFICERS OF THE CIVIL WAR.

Mr. TOWNSEND. Mr. President, the last business transacted in the Senate last evening was placing before the Senate the bill (S. 130) to create in the War Department and the Navy Department, respectively, a roll designated as the "Civil War volunteer officers' retired list," to authorize placing thereon with retired pay certain surviving officers who served in the Army, Navy, or Marine Corps of the United States in the Civil War, and for other purposes. This the RECORD shows, but I notice that upon the calendar there is no reference to it as the unfinished business.

The PRESIDENT pro tempore. The Chair is informed by the Secretary that the measure is now the unfinished business of the Senate, and it will be laid before the Senate at 2 o'clock.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 11185) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1919, and for other purposes.

The message also announced that the House had passed the bill (S. 4127) to authorize the W. M. Ritter Lumber Co., a corporation, to construct bridges across the branches and tributaries of the Big Sandy River and their tributaries, in the counties of Buchanan and Dickenson, in the State of Virginia, with amendments, in which it requested the concurrence of the Senate.

PETITIONS AND MEMORIALS.

Mr. CUMMINS. Mr. President, I present a resolution adopted by the executive board of the Dubuque County Equal Suffrage Association, of Iowa, in the nature of a protest against undue delay on the part of the Senate in considering and adopting the proposed amendment to the Constitution providing for equal suffrage. I ask that it be printed in the RECORD.

Mr. SMITH of Arizona. I shall have to object to that request. A copy of the petition is probably on the desk of every Senator. If the Senator will look at the first page of the RECORD of yesterday's proceedings, he will see how a brief statement is given of every petition and memorial without printing them in the RECORD in full.

Mr. CUMMINS. This particular resolution would not take more than three lines in the RECORD.

Mr. SMITH of Arizona. I object to its being printed. It is with great reluctance that I have to object to printing in the RECORD any more petitions.

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

The PRESIDENT pro tempore. The absence of a quorum is suggested, and the Secretary will call the roll.

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

Borah	Johnson, Cal.	McNary	Smith, Ariz.
Brandegee	Johnson, S. Dak.	Martin	Smith, Ga.
Chamberlain	Jones, N. Mex.	Myers	Smoot
Colt	Jones, Wash.	Nelson	Sterling
Culberson	Kellogg	Nugent	Sutherland
Cummins	Kendrick	Overman	Tillman
Curtis	Kenyon	Page	Townsend
Fernald	King	Pittman	Trammell
Gallinger	Kirby	Polindexter	Underwood
Guion	Knox	Pomerene	Vardaman
Hale	Lenroot	Robinson	Warren
Harding	Lewis	Saulsbury	Wildley
Hardwick	Lodge	Shafroth	
Henderson	McKellar	Sheppard	
Hitchcock	McLean	Shields	

Mr. VARDAMAN. I wish to announce that the Senator from North Dakota [Mr. GRONNA], the Senator from Nebraska [Mr. NORRIS], the Senator from Kansas [Mr. THOMPSON], the Senator from South Carolina [Mr. SMITH], and the Senator from Louisiana [Mr. RANDELL] are detained in the Senate Committee on Agriculture and Forestry.

Mr. KING. The Senator from California [Mr. PHELAN], the Senator from Kentucky [Mr. BECKHAM], and the Senator from Rhode Island [Mr. GERRY] are detained on official business.

Mr. SMITH of Arizona. I desire to announce that the senior Senator from Kentucky [Mr. JAMES] is detained by illness, and that the Senator from Mississippi [Mr. WILLIAMS] is detained by illness in his family.

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

Mr. CURTIS. I wish to announce the absence of the senior Senator from New Jersey [Mr. FRELINGHUYSEN] and the junior Senator from Indiana [Mr. NEW] on official business. I will let this announcement stand for the day.

Mr. SHAFROTH. I desire to announce the absence of my colleague [Mr. THOMAS] on official business.

Mr. MCKELLAR. I announce the absence of my colleague [Mr. SHIELDS] on official business.

The PRESIDENT pro tempore. Fifty-seven Senators have answered to their names. There is a quorum present. Before the absence of a quorum was suggested the Senator from Iowa [Mr. CUMMINS] requested to have a certain petition printed in the RECORD. The Chair did not hear the colloquy which took place between the Senator from Iowa and the Senator from Arizona. The Senator from Iowa being absent, the Chair will assume that no motion was made to print, and therefore there is no question to be submitted to the Senate, as the rule requires.

Mr. BORAH. I send a telegram to the desk which is in the form of a petition, and the petitioners request that it be read into the RECORD. So I ask that it may be read.

The PRESIDENT pro tempore. Is there objection?

Mr. SMITH of Arizona. I object.

Mr. BORAH. Do I understand that the Senator from Arizona objects?

Mr. SMITH of Arizona. Yes, sir.

The PRESIDENT pro tempore. The Senator from Arizona objects.

Mr. BORAH. I ask to have the petition returned to me. I present a telegram in the nature of a petition from a number of women—

Mr. SMITH of Arizona. I ask for the regular order.

Mr. BORAH. I wish to state what it is so as to have it referred. I thought I was following the rule which the Senator suggested.

Mr. SMITH of Arizona. No; you are not if you are going to read it.

Mr. BORAH. I am not going to read it.

Mr. SMITH of Arizona. I beg the Senator's pardon.

Mr. BORAH. I am going to conform to the rule because I think it is a good rule. I simply state that I have a telegram in the form of a petition from a committee of women of Pocatello, Idaho, indorsing the national suffrage amendment and asking me to vote for it.

The PRESIDENT pro tempore. The petition will be received and lie on the table.

Mr. MCKELLAR. I have received a great number of petitions from the citizens of various cities and towns in Tennessee indorsing the Federal suffrage amendment to the Constitution,

urging the Senators from that State to vote for the measure, and also protesting against further delay in the Senate in bringing up the measure for final disposition. Under the rule I will present to the Reporter a list of the petitioners and have the resolutions lie on the table, the joint resolution being before the Senate, as I understand from the Senator from Arizona that that is the proper course to pursue.

Mr. SMITH of Arizona. The Senator is clearly within his rights. He has done what he ought to do in presenting the petitions, and inasmuch as he is making no effort to have the petitions printed in full, but will designate them as the rule requires, there can be no objection to it on the part of the Senate.

The petitions were ordered to lie on the table, as follows:

Resolutions from the Episcopal Daughters of the King. State convention, protest; Tennessee Republican State Committee, indorsement and protest; Memphis Trade and Labor Council, indorsement and protest; Tennessee State Federation of Women's Clubs, indorsement and protest; Nashville Political Study Club, indorsement and protest; Nashville Woman's Suffrage Association, indorsement and protest; Nashville Twenty-second Ward Association, indorsement and protest; Nashville Public School Association, protest; Nashville Parents-Teachers Association, indorsement and protest; Nashville Friday Morning Literary Club, indorsement and protest; Nashville Belmont Literary Club, indorsement and protest; Ward Belmont College for Girls, faculty and teachers, indorsement and protest; Nashville mayor and city commissioners, indorsement and protest; Nashville Twentieth Ward Organization, indorsement and protest; Altrusa Club of Business Women, indorsement and protest; Nashville Twentieth Century Club, indorsement and protest; mass meeting, Jackson, Tenn., indorsement and protest; Clarksville women's mass meeting, indorsement and protest; Clarksville Music Club, indorsement and protest; Lebanon women's meeting, indorsement and protest; Nashville Committee Fatherless Children of France, protest; Ashland City, Cheatam County, resolution signed by prominent men, indorsement and protest; McKenzie, Carroll County, resolutions signed by prominent men, indorsement and protest; Red Cross chapter, Franklin, Williamson County, resolutions of, indorsement and protest; Columbia, Maury County, resolutions of, indorsement and protest; public meeting, Mount Pleasant, Maury County, indorsement and protest; Tullahoma, Coffee County, petition of, indorsement and protest; Gallatin, Sumner County, resolutions sent by citizens of, indorsement and protest; Springfield meeting, Robertson County, resolutions of, indorsement and protest; Manchester Citizen, petition, indorsement, and protest; Pulaski, Giles County, resolutions, indorsements, and protests from citizens; Nashville Housewives' League, resolutions, indorsements, and protests; Memphis, resolutions, petitions, and protests from citizens; favorable editorials in both Nashville daily papers; favorable editorials in Memphis daily paper; favorable editorials in Clarksville paper; favorable editorials in Pulaski paper; Nashville Trade and Labor Council, indorsement and protest.

Mr. WARREN presented resolutions adopted by sundry citizens of the State of Wyoming favoring the enactment of further prohibition legislation as a war measure, which were ordered to lie on the table.

Mr. LENROOT presented petitions of sundry citizens of Oneida County, Wis., praying for the automatic forfeiture of citizenship for all disloyal citizens and the strict enforcement of the alien enemy, espionage, and naturalization laws, which were referred to the Committee on the Judiciary.

Mr. LODGE presented petitions of the Woman's Christian Temperance Union of Berkshire County, of the Equal Suffrage League of North Adams, and of the Dennison Memorial Women's Union, of New Bedford, all in the State of Massachusetts, praying for the immediate submission of a Federal suffrage amendment to the legislatures of the several States, which were ordered to lie on the table.

He also presented a petition of sundry citizens of Somerville, Mass., praying for the repeal of the present zone system of postage rates on second-class mail matter, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of the Massachusetts Federation of Churches, praying for national prohibition as a war measure, which was ordered to lie on the table.

Mr. HALE presented a petition of the Maine Medical Association, praying for the enactment of legislation to provide protection of the military and naval forces of the United States against venereal diseases, which was referred to the Committee on Military Affairs.

He also presented a petition of the Maine State Branch of the American Federation of Labor, of Lewiston, Me., praying for the immediate submission of a Federal suffrage amendment to the

legislatures of the several States, which was ordered to lie on the table.

The PRESIDENT pro tempore (Mr. SAULSBURY) presented petitions of sundry citizens of Kent County, Del., praying for the immediate submission of a Federal suffrage amendment to the legislatures of the several States, which were ordered to lie on the table.

REPORTS OF COMMITTEES.

Mr. HITCHCOCK, from the Committee on Foreign Relations, to which was referred the bill (S. 4527) to authorize the payment of indemnities to the Government of Greece for injuries inflicted on its nationals during riots occurring in South Omaha, Nebr., February 21, 1909, reported it without amendment and submitted a report (No. 515) thereon.

Mr. KING, from the Committee on the Judiciary, to which was referred the bill (S. 4687) to amend further an act entitled "An act to authorize condemnation proceedings of lands for military purposes," approved July 2, 1917, as amended, and for other purposes, reported it with amendments and submitted a report (No. 516) thereon.

HOMESTEADS IN ALASKA.

Mr. PITTMAN. From the Committee on Territories I report back favorably, without amendment, the bill (H. R. 8563) to amend the homestead law in its application to Alaska, and for other purposes; and I ask for its present consideration.

The PRESIDENT pro tempore. The bill will be read.

The Secretary read the bill, as follows:

Be it enacted, etc., That the act of Congress entitled "An act to amend the United States homestead law in its application to Alaska, and for other purposes," approved July 8, 1916, is hereby amended to read as follows:

"SECTION 1. That every person who is qualified under existing laws to make homestead entry of the public lands of the United States who has settled upon or who shall hereafter settle upon any of the public lands of the United States situated in the District of Alaska, whether surveyed or unsurveyed, with the intention of claiming the same under the homestead laws, shall, subject to the provisions and limitations of the act approved March 3, 1903, chapter 1002, United States Statutes at Large, page 1028, be entitled to enter 160 acres or a less quantity of unappropriated public land in said District of Alaska, and no more, and a former homestead entry in any other State or Territory shall not be a bar to a homestead entry in Alaska: *Provided*, That nothing herein contained shall be construed to limit or curtail the area of any homestead claim heretofore lawfully initiated.

"SEC. 2. That if the system of public surveys has not been extended over the land included in a homestead entry, the entryman may, after due compliance with the terms of the homestead law in the matter of residence, cultivation, and improvement, submit to the register and receiver a showing as to such compliance, duly corroborated by two witnesses, and if such evidence satisfactorily shows that the homesteader is in a position to submit acceptable final proof the surveyor general of the Territory will be so advised and will, not later than the next succeeding surveying season, issue proper instructions for the survey of the land so entered, without expense to the entryman, who may thereafter submit final proof as in similar entries of surveyed lands. So far as practicable, such survey shall follow the general system of public-land surveys, and the entryman shall conform his boundaries thereto: *Provided*, That nothing herein shall prevent the homesteader from securing earlier action on his entry by a special survey at his own expense, if he so elects.

"SEC. 3. That there shall be excepted from homestead settlement and entry under this act the lands in Annette and Pribilof Islands, the islands leased or occupied for the propagation of foxes, and such other lands as have been, or may be, reserved or withdrawn from settlement or entry."

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. TOWNSEND. I understand that unanimous consent is asked, and that no motion is made to take up the bill.

Mr. PITTMAN. Unanimous consent is asked; that is all.

Mr. LENROOT. May I ask the Senator from Nevada whether this is the House bill?

Mr. PITTMAN. It is the House bill reported without amendment.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment.

Mr. POINDEXTER. I will ask the Senator from Nevada to state in brief terms the general object and purpose of the bill. I am not familiar with it.

Mr. PITTMAN. There are a number of little isolated tracts of land in Alaska along river bottoms and the bottoms of little creeks that have been settled on for homesteads. It is impossible to apply the general law of survey by townships and sections to that character of land. The bill is simply to enable special surveys to be made of those isolated tracts upon the payment by the applicant for the service. That is about all there is to it.

Mr. POINDEXTER. Does it relate to homestead entries?

Mr. PITTMAN. To homestead entries.

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

WAR-RISK INSURANCE—CONFERENCE REPORT.

Mr. SMITH of Georgia. I wish to call attention to the conference report on the bill (S. 4482) to amend an act entitled "An act to authorize the establishment of a Bureau of War-Risk Insurance in the Treasury Department," approved September 2, 1914, as amended.

This is an amendment to our war-risk insurance legislation and the department is very anxious to have it completed at once. The Senate passed the bill and the House passed the bill with amendments. The conferees have agreed upon a conference report and the House has adopted the conference report. I am very anxious to have the conference report laid before the Senate this morning and to have the Senate adopt the report.

There are scarcely any changes in the conference report from the bill as it passed the Senate. Perhaps the most important one is to add "parents by adoption" to the list of those who are to have the benefit under the insurance and compensation provisions of the act. The Senate did not adopt that provision; the House did, and the Senate conferees yielded to the House and added "parents by adoption" to the parties.

There are one or two other things. We have had it printed in a way that we think Senators can understand it. [After a pause.] I understand there are a number of other routine matters that it is the desire to have disposed of during the morning hour. I will wait until a little later in the morning hour.

Mr. SMOOT. I will say to the Senator I do not think it will take long to adopt the conference report.

ABANDONED LIGHTHOUSE AND LIFE-SAVING STATIONS.

Mr. MYERS. On the 7th of this month, at the request of the Secretary of the Interior, I introduced a bill (S. 4679) to provide for the disposition of abandoned lighthouse and life-saving stations. The bill was prepared by the Interior Department, the object of which is a disposition under certain circumstances of the United States Government land once occupied by lighthouses and life-saving stations which have been abandoned. It does not relate in any way whatever to lighthouses and life-saving stations, but only relates to the land on which they once stood before they were abandoned. At the time of introducing it I asked that it be referred to the Committee on Public Lands, to which committee I think it belongs, but inadvertently I think it was referred to the Committee on Commerce. I do not believe that it belongs to that committee, as it relates wholly to public lands. I move that the Committee on Commerce be discharged from the further consideration of the bill and that it be referred to the Committee on Public Lands.

Mr. JONES of Washington. Mr. President, let me ask the Senator from Montana to what the bill relates. I did not understand that.

Mr. MYERS. The bill relates to the disposition of United States lands which were once used by lighthouses and life-saving stations which have been since abandoned. I did not know that the bill had been referred to the Commerce Committee until a few days ago. I have been trying to see the chairman of that committee in reference to the matter; but he is sick, and I do not know when he will be here. The bill does not relate to matters within the jurisdiction of the Committee on Commerce at all, and I think it ought to be referred to the Committee on Public Lands.

Mr. JONES of Washington. I suggest to the Senator that he ask unanimous consent that the Committee on Commerce be discharged from the further consideration of the bill, instead of making a motion to that effect.

Mr. MYERS. I ask unanimous consent that that may be done.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Montana? The Chair hears none, and it is granted. The Committee on Commerce will be discharged from the further consideration of the bill, and it will be referred to the Committee on Public Lands.

FILING APPLICATIONS FOR PATENTS.

Mr. BRANDEGEE. By the Committee on Patents I am instructed to report back favorably, without amendment, the bill (S. 3524) to amend the act entitled "An act to extend temporarily the time for filing applications and fees and taking action in the United States Patent Office in favor of nations granting reciprocal rights to United States citizens," approved August 17, 1916, and I ask unanimous consent for its immediate consideration. Before the question is put, however, I should like to make a very brief statement.

It is a bill proposing to extend the time within which foreigners may file applications for patents during the war, and also to extend the time during which our citizens may file applications for patents in foreign countries; that is, for foreigners to

give us reciprocal conditions. There was approved August 17, 1916, House bill 13982, which is the existing law. The Commissioner of Patents has written a letter, which is a part of the report of Mr. SMITH, of the Patents Committee of the House of Representatives, upon H. R. 8763, which is identical with the bill which the Senate Committee on Patents has just instructed me to report favorably. The House committee has unanimously reported favorably the identical bill which the Senate committee now directs me to report favorably. It has not yet, however, been acted upon by the other House. The Commissioner of Patents is extremely anxious to have early action upon the bill, and at his request the Senate committee has instructed the bill to be reported without amendment.

I ask that the report and the act of August 17, 1916, the existing law, be printed in the RECORD. I have included in parentheses in the act the words which have been dropped out of the law, which accomplish the desired change. The Commissioner of Patents states in his letter—which, of course, can be read if the Senate desires to hear it—that the act we passed, which is known as the trading-with-the-enemy act, would allow certain privileges to Germans and their allies as to filing their applications for patents and trade-marks in this country, but did not allow such privileges to our friends with whom we are in alliance. The object of this bill, by striking out the language which I have included in parentheses in the act of August 17, 1916, is to put our friends upon an equally advantageous basis with our enemies in the matter of extending the time within which they may apply for patents. Of course, the bill will be read, if considered, and if any Senator desires further information I shall be glad to give it. The report, however, contains the entire reasons for the legislation.

The PRESIDENT pro tempore. Without objection, the documents referred to by the Senator from Connecticut will be printed in the RECORD.

The documents are as follows:

[H. Rept. No. 616, 65th Cong., 2d sess.]

Mr. CHARLES B. SMITH, from the Committee on Patents, submitted the following report:

The Committee on Patents, to whom was referred H. R. 8763, respectfully report that they have had the same under consideration and recommend that the bill do pass. The bill is as follows:

"A bill to amend the act entitled 'An act to extend temporarily the time for filing applications and fees and taking action in the United States Patent Office in favor of nations granting reciprocal rights to United States citizens,' approved August 17, 1916.

"Be it enacted, etc., That the act entitled 'An act to extend temporarily the time for filing applications and fees and taking action in the United States Patent Office in favor of nations granting reciprocal rights to United States citizens,' approved August 17, 1916, be amended to read as follows:

"SECTION 1. That any applicant for letters patent or for the registration of any trade-mark, print, or label, being within the provisions of this act, if unable during war or within six months thereafter, on account of conditions arising out of war, to file any application or pay any official fee or take any required action within the period now limited by law, shall be granted an extension of nine months beyond the expiration of said period.

"SEC. 2. That the provisions of this act shall be limited to citizens or subjects of countries which extend substantially similar privileges to the citizens of the United States.

"SEC. 3. That this act shall be operative to relieve from default under existing law occurring since August 1, 1914, and all applications and letters patent and registrations in the filing or prosecution whereof default has occurred for which this act grants relief shall have the same force and effect as if said default had not occurred."

This bill was recommended by the Commissioner of Patents for reasons which he set forth in a statement to the Committee on Patents. Following is Commissioner Newton's statement:

"This is a bill to extend to the allies the privilege of filing applications for patents more than a year after they are filed in their own country when they have been prevented from filing during the year on account of the conditions of the war. It is rather an important bill, since we have about 100 applications waiting for its passage; in fact, it is the most important one to be considered.

"The trading-with-the-enemy act gave to the enemy the right to file applications in this country, and it also gave them the right to file them more than a year after they had filed in their native country. The present statute gives a foreigner, an Englishman, for instance, who files an application in his own country the privilege of filing in this country within a year from the time he files in his own country, or if he fails to file within the year, his patent is invalid when taken out in this country.

"We found that there were so many cases where they could not get their applications over here within a year that when the trading-with-the-enemy act was introduced there was a provision made in it that the Germans and their allies could file in this country more than a year after they filed in their own country. That privilege has never been extended to our allies at all.

"The trading-with-the-enemy act extends it to our enemies and does not extend it to our allies, so there can be no question, I think, but what we ought to pass that bill.

"That is the only question involved. I might add we do not grant any of those countries the privilege to file more than a year after the granting of patent in their own country unless those countries grant the same privileges to American citizens. That is a fundamental condition in all those bills."

The Committee on Patents voted unanimously to report the bill favorably and recommended its passage. It is especially desired that

the measure pass at the present session of Congress, in view of the fact that more than a hundred applications are now pending in the Patent Office and can not be acted on in view of the inconsistency of the law as it now exists.

A letter from Acting Secretary of the Interior A. T. Vogelsang was submitted to the committee favoring the passage of the bill. This communication is as follows:

"DEPARTMENT OF THE INTERIOR,

"Washington, May 24, 1918.

"HON. CHARLES B. SMITH,

"Chairman, Committee on Patents,

"House of Representatives.

"MY DEAR MR. SMITH: The Commissioner of Patents informs me that on September 27, 1917, he submitted to you a copy of a proposed amendment to the act 'to extend temporarily the time for filing applications and fees and taking action in the United States Patent Office in favor of nations granting reciprocal rights to United States citizens,' approved August 17, 1916. Until this act is passed we will be in the position of extending privileges under the trading-with-the-enemy act to our enemies while denying the same privileges to our allies, which is, of course, regrettable.

"The commissioner states that this proposed bill was introduced in the Senate (S. 3524) and in the House (H. R. 8763), but no further action has been taken, and I write to request that since there can be no objection to this bill, and since there are numerous cases in the Patent Office that are awaiting action the bill be passed during the present session if possible.

"Very truly, yours,

ALEXANDER T. VOGELSAANG,

"Acting Secretary."

The committee voted unanimously to report the bill, and no objection whatever was raised to it while under consideration by the committee.

[Public, No. 213—64th Cong. (H. R. 13982).]

An act to extend temporarily the time for filing applications and fees and taking action in the United States Patent Office in favor of nations granting reciprocal rights to United States citizens.

Be it enacted, etc., That any applicant for letters patent or for the registration of any trade-mark, print, or label, being within the provisions of this act, if unable on account of the existing and continuing state of war to file any application or pay any official fee or take any required action within the period now limited by law, shall be granted an extension of nine months beyond the expiration of said period.

SEC. 2. That the provisions of this act shall be limited to citizens or subjects of countries which extend substantially similar privileges to the citizens of the United States, and no extension shall be granted under this act to the citizens or subjects of any country while said country is at war with the United States.

SEC. 3. That this act shall be operative to relieve from default under existing law occurring since August 1, 1914, and before the 1st day of January, 1918, and all applications and letters patent and registrations in the filing or prosecution whereof default has occurred for which this act grants relief shall have the same force and effect as if said default had not occurred.

Approved, August 17, 1916.

The PRESIDENT pro tempore. The bill will be read.

The Secretary read the bill, as follows:

Be it enacted, etc., That the act entitled "An act to extend temporarily the time for filing applications and fees and taking action in the United States Patent Office in favor of nations granting reciprocal rights to United States citizens," approved August 17, 1916, be amended to read as follows:

"That any applicant for letters patent or for the registration of any trade-mark, print, or label, being within the provisions of this act, if unable during war or within six months thereafter, on account of conditions arising out of war, to file any application or pay any official fee or take any required action within the period now limited by law, shall be granted an extension of nine months beyond the expiration of said period.

"SEC. 2. That the provisions of this act shall be limited to citizens or subjects of countries which extend substantially similar privileges to the citizens of the United States.

"SEC. 3. That this act shall be operative to relieve from default under existing law occurring since August 1, 1914, and all applications and letters patent and registrations in the filing or prosecution whereof default has occurred for which this act grants relief shall have the same force and effect as if said default had not occurred.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

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

ADMITTANCE OF CHARTREUSE.

Mr. SMOOT. From the Committee on Finance I report back favorably, without amendment, the joint resolution (S. J. Res. 157) admitting into the United States 1,000 cases of chartreuse ordered by Batjer & Co., of New York, before the passage of the food-control act prohibiting the importation of distilled spirits, the delivery of which was delayed on account of war conditions until after that act went into effect, and I ask unanimous consent for its present consideration.

The PRESIDENT pro tempore. Is there objection to the present consideration of the joint resolution?

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

Joint resolution (S. J. Res. 157) admitting into the United States 1,000 cases of chartreuse ordered by Batjer & Co., of New York, before the passage of the food-control act prohibiting the importation of distilled spirits, the delivery of which was delayed on account of war conditions until after that act went into effect.

Whereas on July 31, 1917, Messrs. Batjer & Co., of New York, ordered from the Carthusian Monks in Tarragona, Spain, 1,000 cases of chartreuse, which was shipped August 9, 1917, but owing to delays caused by the state of war was not received at the New York custom-house until September 14, 1917; and

Whereas the admission of these 1,000 cases of chartreuse was refused by the collector of customs at the port of New York because they were received after the food-control act prohibiting the importation of distilled spirits, approved August 10, 1917, went into effect on September 9, 1917: Now, therefore, be it

Resolved, etc., That in view of the good faith in which this importation was attempted and of the abnormal conditions which prevented its delivery, the collector of customs at the port of New York be, and he is hereby, authorized and directed to admit the said 1,000 cases of chartreuse imported from the Carthusian Monks in Tarragona, Spain, and consigned to Messrs. Batjer & Co., of New York, importers, and to deliver the said consignment to Messrs. Batjer & Co. upon the payment of the import duty and war-revenue tax due and any other charges accruing thereon.

Mr. FALL. Mr. President, I shall not oppose the passage of the joint resolution, but it strikes me that it might be appropriate to refer it to the Committee on Agriculture and Forestry, to see if it would be proper to incorporate it with other amendments of like character.

Mr. SMOOT. I shall ask that the letter from the Treasury Department be printed after the passage of the joint resolution. The PRESIDENT pro tempore. Without objection that will be done.

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

The preamble was agreed to.

Mr. SMOOT. I ask that the preamble be stricken out.

The PRESIDENT pro tempore. The preamble to the joint resolution has been adopted, and the Senator will have to move to reconsider the vote by which it was adopted if he desires to strike it out.

Mr. SMOOT. Very well; that can be done in the other House if it is desired. I ask that the letter to which I have referred be printed in the RECORD.

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

The letter is as follows:

TREASURY DEPARTMENT,
June 12, 1918.

The CHAIRMAN COMMITTEE ON FINANCE,
United States Senate, Washington, D. C.

SIR: The department is in receipt of your letter of the 5th instant, inclosing a copy of Senate joint resolution 157 for the authorization of the admission into the United States of 1,000 cases of chartreuse ordered by Batjer & Co., of New York, before the passage of the food-control act prohibiting the importation of distilled spirits, the delivery of which, it is stated, was delayed on account of war conditions until after that act went into effect. You request an opinion respecting the desirability of enacting the provisions of the resolution.

Section 15 of the act of August 10, 1917, prohibited the importation into the United States of any distilled spirits, the provision being effective with respect to shipments arriving after September 9, 1917.

From correspondence in the department's files it appears that the shipment in question, consisting of 1,000 cases of chartreuse was shipped from Tarragona, Spain, by bill of lading dated August 9, 1917, but did not arrive at the port of New York until September 14, 1917. It is assumed that the merchandise was shipped on August 9, 1917, the date of the bill of lading, and in the ordinary course of transportation should have reached New York a week or 10 days before September 9, the date when the provision in the law prohibiting the importation of distilled spirits became operative. In the opinion of the department the delay in the arrival of the merchandise was due to the unsettled conditions caused by the war, and it therefore interposes no objection to the adoption of the resolution.

Respectfully,

L. S. ROWE,
Acting Secretary.

READMISSION OF CERTAIN ALIENS.

Mr. HARDWICK. From the Committee on Immigration I report back favorably without amendment the joint resolution (H. J. Res. 255) authorizing the readmission to the United States of certain aliens who have been conscripted or have volunteered for service with the military forces of the United States or cobelligerent forces, and I submit a report (No. 513) thereon. I ask unanimous consent for its present consideration.

The PRESIDENT pro tempore. Is there objection?

Mr. HITCHCOCK. Mr. President, I should like to ask the Senator from Georgia whether the joint resolution refers simply to those who have entered the Army of the United States?

Mr. HARDWICK. I will say to the Senator—and I am glad to have the opportunity to explain it—that it refers also to certain aliens who have already been admitted here, but who have gone back to Europe to fight in the allied armies. The provision is simply that in the case of such aliens they shall be readmitted without reference to the rigors of the immigration act of February 5, 1917. If the Secretary will read the report of the committee, I think it states pretty compactly exactly what the object is. I will say further that the joint resolution has been

unanimously reported by both the Senate and the House Committees on Immigration.

The PRESIDENT pro tempore. The Secretary will read the report of the committee.

The Secretary read as follows:

Mr. HARDWICK, from the Committee on Immigration, submitted the following report:

The Committee on Immigration, to whom was referred the resolution (H. J. Res. 255) authorizing the readmission to the United States of certain aliens who have been conscripted, or who have volunteered for service with the military forces of the United States, or cobelligerent forces, reports the resolution to the Senate with the recommendation that the same be passed without amendment.

The resolution undertakes to correct a condition produced by the war and to relieve certain people who, by going into it on the side of the allied powers, broke with countries to which they owed a technical allegiance. When the war began there were many aliens residing in the United States many of whom were from Polish territory under the political domination of Germany, Austria, and Russia; many of these people had declared their intention to become citizens of the United States. When war was declared in 1914 many of these aliens went to Europe and joined the forces of the allied powers in order to oppose the Governments that they regarded as oppressors of the people, thinking that they had an opportunity to correct an injustice done to Poland when her sovereignty was killed and her territory divided. For that act there was due them admiration and sympathy, for Americans have always sympathized with a struggling people who aspire to independence. These brave and patriotic people abandoned comfort and security in the United States and are important factors in the allied forces, having returned to Europe to lend their aid in the struggle against the common foe.

Among the people to be benefited by this resolution are some Jews, Armenians, and Syrians who were residing in the United States before April, 1917. This resolution provides that aliens who were here before we declared war on the central powers, and who have heretofore been conscripted for service with the Army of the United States, or who have volunteered, or who may hereafter go into it voluntarily or by draft, may be readmitted to the United States if they apply for readmission within one year after the close of the war. This class of aliens will be permitted to return, notwithstanding the fact that they have not declared their purpose to become citizens. This resolution also authorizes the return to the United States of aliens who were residing here prior to April 6, 1917, within one year after the termination of the war provided they had declared their intention to become citizens of the United States, and who have enlisted for military service with any one of the cobelligerents of the United States in the present war or with Czecho-Slovak, Polish, or other independent forces attached to the United States Army, or to that of any one of the cobelligerents of the United States, after being honorably discharged or furloughed abroad by the proper military authorities.

The Committee on Immigration was unanimous in its vote directing that this resolution be favorably reported, as it felt that its passage will do an act of justice to a people whose services are valuable, and who by connecting themselves with the allied powers or with us incur extreme peril.

Mr. HITCHCOCK. Mr. President, as I gather the purport of this joint resolution from its reading, the committee only proposes to readmit to the United States those aliens who have declared their intention to become citizens of the United States.

Mr. HARDWICK. That is where they have enlisted in the armies of other powers that are fighting Germany.

Mr. HITCHCOCK. That would not cover the case of the thousands of Italians, who have answered the call of their country and gone back to Italy to serve in the Italian Army, unless they had in this country declared their intention to become American citizens.

Mr. HARDWICK. That is true.

Mr. HITCHCOCK. It is only a matter of time when Italy probably will ask the United States to permit the return of that class of aliens; and I wish to inquire of the Senator whether it would not therefore be wise and consistent with our support of the war to permit the return of all aliens who have enlisted under the flag of our cobelligerents or who have answered the call of their mother country?

Mr. HARDWICK. Let me say to the Senator that neither the committee of the House of Representatives nor the Senate Committee on Immigration thought it best to go that far just at the present moment. What we have done and what the other House has done is this: We have declared that aliens who have heretofore or may hereafter enlist or be conscripted in the military service of the United States may be readmitted without regard to the rigors of the immigration act of February 5, 1917. As to aliens, however, who have joined the Czecho-Slovak forces or the armies of foreign powers, even if they are cobelligerents with us, we felt that they ought not to be relieved of all of the requirements of the law except in cases where they have declared their intention to become citizens. Of course, after the war is over, when we face this condition and come to it, our minds will be open on that question; but it seems to me when the Senator considers the tremendous immigration problem that we may be confronted with when this war is over, he will agree that we have gone as far as it is safe to go now. I am willing to let aliens who serve in our own armies come back without condition, qualification, or restriction, and without regard to any law; but where they have gone over to serve in other armies, even in the armies of cobelligerents, I doubt whether all the requirements of the law and all the safeguards of the law ought to be thrown aside, unless they had declared their inten-

tion to become American citizens before they left this country. That is the theory, at least, on which both the House and Senate committees have acted.

Mr. HITCHCOCK. My only purpose in raising this question at this time is to call attention to the fact that it has got to be met at some time.

Mr. HARDWICK. Does not the Senator think it would be wiser, if he will let me ask him a question in turn, to cross that bridge when we come to it and see what the immigration conditions are when we do arrive at that period, as we must do—

Mr. HITCHCOCK. No.

Mr. HARDWICK. Because I think the Senator will agree with me that one of the troubles we have had in this country is a large mass of undigested and undigestible foreign immigration that we have not been able to assimilate into our body politic.

Mr. HITCHCOCK. The Senator misunderstands me.

Mr. HARDWICK. Just let me finish my statement, if the Senator pleases. I do not think that in advance of the termination of the war we ought to dispose of that question, until we see exactly what conditions are going to confront us and do confront us when the war is over. I am sure the Senator from Nebraska will sympathize with that sentiment.

Mr. HITCHCOCK. The Senator misunderstands me. I think we will have to reach that question very soon—I mean, before the war is over—because it will be raised by Italy. We desire to have a reciprocal treaty with Italy, for instance, under which we can compel Italians in this country to serve in our Army or to serve in the Italian Army. When that time comes it may be that we will be confronted by a request on the part of Italy that we permit those men, under those circumstances, to return to the United States.

Mr. HARDWICK. If they serve in our Army?

Mr. HITCHCOCK. Whether they serve in our Army, or whether they respond to our law and return to Italy to serve in the Italian Army. Now, if we must meet that question soon, the query I put to the Senator is, Why would it not be wise to meet it now?

Mr. HARDWICK. I suppose the State Department and the Department of Commerce, which have urged this joint resolution upon us, feel that it is not wise to meet that condition until we make some sort of treaty. I think we had better go this far now, anyhow, and then we can take up that question.

Mr. HITCHCOCK. I have no objection to the joint resolution, but I wondered whether the Senator and the committee had considered that question.

Mr. HARDWICK. No; we have not considered that question, because we are not up to that point.

Mr. HITCHCOCK. I think we ought to go that far.

Mr. HARDWICK. Yes; I think we ought to go that far, and I think possibly that is far enough.

Mr. LEWIS. Mr. President, may I say to the Senator from Georgia, who had been very energetic as the chairman of the committee in acting upon these questions, that I have a very large population of Czecho-Slovaks in my State, in the city of Chicago. They have been sending me much correspondence, fearful that they were to be denied the same privileges that are being granted others who are fighting in the allied armies. One of the fears they have expressed concerning this joint resolution is that there was some amendment tendered in the House which deprived them of the privileges of the joint resolution unless they had previously declared their citizenship legally before leaving this country, and that many of them who were about to declare their citizenship, but who went into the Army quickly, would be denied the right of coming back into this country. Is there any foundation for that fear?

Mr. HARDWICK. There is this foundation, and this alone: The Czecho-Slovaks are treated exactly like the subjects of Great Britain and Italy and every other power at war with Germany, but there is this difference, that they are named. Let me read the language of the joint resolution:

and who have enlisted for service with Czecho-Slovak, Polish, or other independent forces attached to the United States Army or to the army of any one of the cobelligerents of the United States in the present war, who may, within one year—

And so forth.

Mr. LEWIS. Their fear seems to be that those who have not declared their citizenship, but who would have done so, and were on the eve of doing so, being forced to go into the Army, are now prohibited from returning to this country at all because they had not previously declared their citizenship. Are they right in that fear?

Mr. HARDWICK. No; the people in that category or that class would be subject to the provisions of the existing law as to admission.

Mr. LEWIS. There is nothing to prevent them from returning here, then?

Mr. HARDWICK. Nothing on earth.

Mr. LEWIS. So that that fear is without foundation?

Mr. HARDWICK. That fear is without foundation.

Mr. LEWIS. They are put in the same category with every one of the several people?

Mr. HARDWICK. With the aliens who serve in the British Army or with the French Army.

Mr. LEWIS. In the same category with the French and Italian and Polish people?

Mr. HARDWICK. Yes; we give them exactly the same status.

The PRESIDENT pro tempore. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution.

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

PENSION APPROPRIATIONS.

Mr. JOHNSON of South Dakota. For the chairman of the Committee on Pensions, Mr. WALSH, who is detained from the Senate by illness, I report back favorably, with an amendment, the bill (H. R. 12000) making appropriations for the payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1919, and for other purposes, and I submit a report (No. 514) thereon. It is known as the general pension appropriation bill, and I ask unanimous consent for its present consideration.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from South Dakota?

Mr. SMITH of Georgia. Mr. President, I am not objecting to ordinary morning business, but I do feel that I should bring before the Senate the conference report which I have here on the war-risk insurance bill. If there is to be no discussion of the pension bill, I shall not object. I do not suppose there will be any. What is the nature of the bill?

Mr. JOHNSON of South Dakota. It is the general pension appropriation bill.

Mr. SMITH of Georgia. Very well.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Pensions with an amendment.

The amendment was, on page 2, line 1, to strike out "\$185,000,000" and insert "\$220,000,000," so as to make the bill read:

Be it enacted, etc., That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the payment of pensions for the fiscal year ending June 30, 1919, and for other purposes, namely:

Army and Navy pensions, as follows: For invalids, widows, minor children, and dependent relatives, Army nurses, and all other pensioners who are now borne on the rolls, or who may hereafter be placed thereon, under the provisions of any and all acts of Congress, \$220,000,000: *Provided*, That the appropriation aforesaid for Navy pensions shall be paid from the income of the Navy pension fund, so far as the same shall be sufficient for that purpose: *Provided further*, That the amount expended under each of the above items shall be accounted for separately.

For fees and expenses of examining surgeons, pensions, for services rendered within the fiscal year 1919, \$50,000.

The amendment was agreed to.

The bill was reported to the Senate as amended.

Mr. SMOOT. Mr. President, just one word, so that the Senators may know that the amount asked for includes not only the regular appropriations and also the increase in pensions of the Civil War veterans, but it also includes a deficit from last year of \$23,000,000. I wanted to make that statement, so that the Senators would know just what the pensions will cost for the coming fiscal year.

Mr. VARDAMAN. Mr. President, will the Senator give me an exact statement of what our pension list will amount to for the coming year?

Mr. SMOOT. This year the pensions will amount to \$197,000,000 under the laws passed up to date. Next year they will decrease at least 15 per cent, and perhaps 20 per cent.

Mr. SMITH of Georgia. Mr. President, let me ask the Senator a question. These will be the highest figures to which the pensions have ever gone?

Mr. SMOOT. This is \$12,000,000 higher.

Mr. SMITH of Georgia. Twelve million dollars higher than it has ever been before?

Mr. SMOOT. Than it has ever been; but I will say to the Senator that, even with the \$12,000,000 higher than the year 1912, this includes the \$35,000,000 of the law of June 10, 1918;

so the Senator can see that between the \$12,000,000 and the \$35,000,000 there has been a \$23,000,000 decrease since that time in the pensions at that time appropriated for.

Mr. SMITH of Georgia. Then this pension law, even without the deficit, will be the highest in the history of the Government.

Mr. SMOOT. I will say that I doubt whether there will be another general pension bill for the Civil War veterans. I expressed myself that way before, and I believe it.

Mr. KING. Mr. President, I should like to ask the Senator from Utah whether the appropriation carried in this bill includes Indian war pensions and Mexican War pensions?

Mr. SMOOT. It includes all pensions—Mexican War, Indian war, Civil War, and Spanish War, and every other pension that is provided for up to date.

Mr. KING. And does it include the amount carried in the pension bill passed a few days ago?

Mr. SMOOT. It includes that amount, and the amendment adding \$35,000,000 to the House bill is to cover that amount.

Mr. KING. I do not quite share the optimism of my colleague that this will be the last general pension bill.

Mr. SMOOT. For Civil War veterans, I say.

Mr. KING. I do not think it will be the last general pension bill for the Civil War veterans. I remember, a number of years ago, reading the statement of President Garfield. He stated that when the pension roll reached the maximum of \$27,000,000—the Senator from Ohio corrects me and says it was \$35,000,000, but the statement which I saw attributed to him the sum \$27,000,000—it would immediately recede, and that would be the highest crest of the wave. With a pension bill of \$220,000,000, it merely illustrates what a poor prophet the great President Garfield was. It illustrates, furthermore, that the further we recede from the period of that great strife the larger the pensions and the heavier the drafts made upon the Treasury of the United States. It will probably leap up, when this war is over, to several billion dollars a year; and the taxpayers can look forward with great equanimity to the burdens which will be placed upon them and upon their children for many generations to come.

The PRESIDENT pro tempore. The question is on concurring in the amendment made as in Committee of the Whole.

The amendment was concurred in.

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

The bill was read the third time and passed.

RIVER AND HARBOR APPROPRIATIONS—CONFERENCE REPORT.

Mr. RANSDELL. Mr. President, I ask to call up the conference report on the river and harbor bill, H. R. 10069.

Mr. POMERENE. Mr. President, I suggest that we continue the regular morning business. It will take only a few minutes, perhaps, to get these matters out of the way.

Mr. RANSDELL. I do not want to interfere with the regular morning business. All I wanted to do was simply to move that the Senate insist upon its amendments and ask for a further conference. It will take but a second.

I move that the Senate further insist upon its amendments in disagreement, and ask for a further conference with the House.

Mr. POINDEXTER. Mr. President, upon that motion I wish to say that one amendment of the Senate to this bill—No. 6, for which I see the conferees have agreed upon a substitute—relates to the pollution of streams by the discharge of waste into them from factories; and the amendment of the Senate authorizes the Secretary of War, through the Chief of Engineers, to put a stop to this nuisance. The conferees have substituted for that a more or less specific provision giving particular methods and details and requiring the Secretary of War to make an investigation and further report on this subject. My purpose in calling attention to it at this time is to put into the Record in that connection a letter on the subject which I received this month, since the bill was here in the Senate, from the Chief of Engineers. As it is very brief, I will read it, and I should like to call the attention of the Senator from Louisiana to it:

1. I have the honor to acknowledge receipt of your letter of May 24, 1918, inviting attention to the amendment to the river and harbor bill with reference to disposal of acid waste which was made in the Senate on your suggestion, and I wish to state that I am heartily in favor of any legislation that will improve the present conditions on streams that are seriously polluted by trade wastes.

2. The change from the phraseology as originally proposed, so as to limit the application to waters that are nontidal, is not deemed a step in the right direction, but as the difficulties experienced on this account up to the present time have been mainly in nontidal waters, the provision as amended would serve our most urgent needs. I shall be glad, therefore, to recommend favorable action on the amendment if I am consulted in the matter. At the same time, attention should be drawn to the importance of taking steps for the more general protection of all our streams, both tidal and nontidal, from use for disposal of trade wastes which are causing extensive injury to important public interests.

I shall not take the time of the Senator from Louisiana or of the Senate to discuss this question now or to point out what most of us are familiar with—the injury to the country in many ways through the pollution of navigable waters and of the tributaries of navigable waters. What I should like to ask the Senator from Louisiana is that when the bill goes back for a further conference he will consider this letter from the Chief of Engineers, and I suggest to him that the conferees consult with the Chief of Engineers on this matter. The original amendment to the bill on this subject left a certain amount of discretion in the Secretary of War. I am perfectly cognizant of the difficulties attendant on the removal of this nuisance and the fact that there will be more or less expense attached to the changes which may be necessary in the factories which are now polluting the streams. Nevertheless, it is a thing which can be done, and I am sure that the Secretary of War will be guided by reasonable discretion in the enforcement of the provision as it was adopted by the Senate.

Mr. RANSDELL. Mr. President, I beg to assure the Senator that the conferees will be delighted to confer with the Chief of Engineers if this matter is referred back to them, and also with the Senator from Washington, if he desires to be heard about it.

The PRESIDENT pro tempore. The Chair desires to call the attention of the Senate to the fact that unanimous consent has been asked, but not yet obtained, for the consideration of this conference report. Is there objection?

Mr. BORAH. Mr. President, before that consent is obtained I want to ask the Senator from Louisiana a question.

Mr. RANSDELL. We are not considering the conference report. I have simply asked that the Senate insist upon its amendments and ask for a further conference with the House. We are not considering the report now.

The PRESIDENT pro tempore. The conference report has been made to the Senate, and the Chair is informed by the Secretary that it has been before the Senate for some days. The first question would be on agreeing to the conference report as made, and insisting on the amendments still in disagreement. Is there objection?

Mr. BORAH and Mr. KENYON addressed the Chair.

Mr. SMITH of Georgia. If the matter is to lead to debate, I think we ought to object.

The PRESIDENT pro tempore. It is within the power of any Senator at this time to prevent its consideration.

Mr. SMITH of Georgia. I will not object if it is not to lead to any debate.

Mr. BORAH. As I have not had time to give the conference report attention, I shall object until I have an opportunity to examine it.

The PRESIDENT pro tempore. Objection is made. If there be no further reports of committees, the introduction of bills and joint resolutions is in order.

BILLS INTRODUCED.

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

By Mr. HITCHCOCK:

A bill (S. 4727) to authorize the payment to the Government of France of \$13,511.13 as an indemnity requested in behalf of Madame Crignier for losses sustained by her as the result of a search for the body of Admiral John Paul Jones; and

A bill (S. 4728) to authorize the payment of \$2,000 to the Government of Japan for the benefit of the family of Tatsui Saito, a Japanese subject killed at Camp Gerónimo, Mexico, May 25, 1916; to the Committee on Foreign Relations.

By Mr. SHAFROTH:

A bill (S. 4729) to exclude certain lands from the Pike National Forest Reservation; to the Committee on Public Lands.

By Mr. STERLING:

A bill (S. 4730) granting a pension to Ulysses S. C. Canfield (with accompanying papers); to the Committee on Pensions.

By Mr. PITTMAN:

A bill (S. 4731) granting an increase of pension to Daniel Callahan; to the Committee on Pensions.

By Mr. KENYON:

A bill (S. 4732) to deny the use of the mails to persons or concerns employing child labor.

Mr. KENYON. I ask that the bill be referred to the Committee on Education and Labor. I wish to say very frankly that it might be considered as a matter for the Committee on Post Offices and Post Roads, but I prefer to have it go to the Committee on Education and Labor.

Mr. HARDWICK. The bill belongs to the Committee on Post Offices and Post Roads.

Mr. KENYON. I frankly said so, but in looking over the Committee on Post Offices and Post Roads I would rather have it go to the Committee on Education and Labor.

Mr. HARDWICK. I do not think that a bill of this kind should be referred to a committee which has no jurisdiction of the subject matter.

Mr. KENYON. I would rather not have it go to a committee which may be largely against the proposition, but I suppose I have no right to ask it, if the Senator from Georgia objects. I feel that it is going to its death.

The PRESIDENT pro tempore. The bill will be referred to the Committee on Post Offices and Post Roads.

By Mr. KING:

A bill (S. 4733) requiring the filing of copies of all contracts for services rendered or materials furnished to the United States or certain contractors and agencies of the United States; to the Committee on the Judiciary.

By Mr. HARDING:

A bill (S. 4734) granting a pension to Samuel J. Haslett; to the Committee on Pensions.

AMENDMENT TO SUNDRY CIVIL APPROPRIATION BILL.

Mr. SHAFROTH submitted an amendment proposing to appropriate \$2,000 for the salary of statistician of Congress to serve under the direction of the Speaker of the House and the President of the Senate pro tempore, intended to be proposed by him to the sundry civil appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

CHILD-LABOR DIVISION.

Mr. POMERENE. I submit an amendment to the sundry civil appropriation bill and as it is a matter of considerable importance and is very short I ask that it be printed in the RECORD and referred to the Committee on Appropriations.

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

Mr. SMITH of Arizona. What was the request?

The PRESIDENT pro tempore. The Senator from Ohio requests that the amendment intended to be proposed by him to the sundry civil appropriation bill be printed in the RECORD and referred. There being no objection, it is so ordered.

The amendment is as follows:

That the appropriation item for the Department of Labor for the fiscal year ending June 30, 1919, which provides: "Child-Labor Division: To enable the Secretary of Labor to carry into effect the provisions of the act of September 1, 1916, entitled 'An act to prevent interstate commerce in the products of child labor, and for other purposes,' in the District of Columbia and elsewhere, including traveling expenses, per diem in lieu of subsistence at not exceeding \$4, telegraph and telephone services, express and freight charges, contingent and miscellaneous expenses, and personal services in the District of Columbia and elsewhere, \$125,000: *Provided*, That no salary shall be paid hereunder at a rate exceeding \$3,000 per annum," is hereby made available to enable the Secretary of Labor to investigate and report upon the employment of children in mines, quarries, mills, canneries, workshops, factories, and manufacturing establishments situated in the United States.

COTTONSEED-MEAL CAKE.

Mr. FALL submitted an amendment intended to be proposed by him to the bill (H. R. 11945) to enable the Secretary of Agriculture to carry out during the fiscal year ending June 30, 1919, the purposes of the act entitled "An act to provide further for the national security and defense by stimulating agriculture and facilitating the distribution of agricultural products," approved August 10, 1917, which was referred to the Committee on Agriculture and Forestry and ordered to be printed.

MONONGAHELA RIVER BRIDGE.

The PRESIDENT pro tempore. If there be no further morning business, the morning business is closed.

Mr. SUTHERLAND. I ask unanimous consent to call up the bill (S. 4597) extending the time for the construction of a bridge across the Monongahela River at or near the city of Fairmont, W. Va.

Mr. SMITH of Georgia. I think our conference reports ought to be disposed of before we take up separate bills.

The PRESIDENT pro tempore. A conference report, of course, is privileged.

Mr. SMITH of Georgia. A conference report is always in order.

Mr. SUTHERLAND. This is merely a short bill and will take only a few moments.

Mr. SMITH of Georgia. If it leads to any discussion, I appeal to the Senator from West Virginia not to urge it now, so that we may give attention to conference reports.

The PRESIDENT pro tempore. Is there objection to the consideration of the bill indicated by the Senator from West Virginia?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Commerce with amendments, on page 1, line 3, to strike out the word "time" and insert the word "times," and in line 7, after the word "Fairmont," to strike out "is" and insert "are," so as to make the bill read:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge authorized by the act of Congress approved April 17, 1916, to be built across the Monongahela River at or near the city of Fairmont, W. Va., by the city of Fairmont, are hereby extended to one year and three years, respectively, from the 17th day of April, 1918.

Sec. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The amendments were agreed to.

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

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

WAR-RISK INSURANCE—CONFERENCE REPORT.

Mr. SMITH of Georgia. I ask the consideration by the Senate of the conference report upon the disagreeing votes of the two Houses upon the bill (S. 4482) to amend an act entitled "An act to authorize the establishment of a Bureau of War-Risk Insurance in the Treasury Department," approved September 2, 1914, as amended, and I move its adoption. I think it has been laid before the Senate already.

The PRESIDENT pro tempore. The Senator from Georgia moves the consideration of the conference report indicated by him.

The motion was agreed to.

The PRESIDENT pro tempore. The question is on agreeing to the report.

Mr. LEWIS. Mr. President, I do not wish to intercept the conference report and disturb its final conclusion, but for some reason an amendment I have which extends this war-risk insurance seems to have been omitted from consideration. I wish now to make a parliamentary inquiry. Can an amendment be offered to the final conference report as a new subject matter?

The PRESIDENT pro tempore. It can not, the Chair rules.

Mr. LEWIS. I should like to have it understood that I want the soldiers' war-risk bill extended to all persons engaged in war work, all those who are engaged in work aiding munitions or shipbuilding, carrying the risk of life and health, and all other persons engaged in any other kind of work at this time that involves the risk of life and health. I only ask for information whether or not after the conference report has been adopted an amendment to the original bill can be offered. This is the bill brought in by the Senator from Mississippi [Mr. WILLIAMS].

Mr. SMITH of Georgia. It is.

Mr. LEWIS. Could an amendment to the original bill, which by accident and not by intention I realize, the committee in some way or other did not know existed, be tendered as being omitted by the committee and by accident not considered?

The PRESIDENT pro tempore. The Chair would be compelled to rule that such an amendment is not in order.

Mr. LEWIS. It would not take any precedence by virtue of being omitted through accident? I merely assert that the position I occupy on the question I have been unable to present at this particular time through accident, and I shall present it later as an independent matter.

Mr. KING. I wish to ask the Senator from Illinois a question, with his permission, before he resumes his seat.

Mr. LEWIS. Surely.

Mr. KING. Does not the Senator think that in the plenitude of his generosity we ought to extend a pension to farmers and to all the people of the United States, including Senators and Representatives in Congress, and everybody else, because practically all of the labor of the United States now is contributory, directly or indirectly, to the war? Let me say in passing that many of those persons engaged in arduous work, supplying the Government and our allies, do not receive the same compensation, perhaps less than one-half, that which is paid to those in munition plants and in some of the direct governmental activities. Let us pension farmers and pension everybody in the United States.

Mr. LEWIS. Mr. President, I reply to the eminent Senator from Utah and say I view the subject more seriously than he does. I would, sir, amend this law so that the persons now engaged in war work which involves their life or their health be made the object of the care of this pension bill and of this bounty. I would add a provision authorizing the particular board or authority which passes upon the soldiers' pensions as to whether the soldier has a right to the pension to be the board

of arbitration or judgment to decide what particular persons are entitled to the benefit of my suggested amendment as engaged in war work involving their life and health. If that comprehended farmers or comprehended any other persons mentioned by the Senator from Utah I certainly would include them.

The PRESIDING OFFICER (Mr. HITCHCOCK in the chair). The question is on agreeing to the conference report.

The conference report was agreed to.

RIVER AND HARBOR APPROPRIATIONS—CONFERENCE REPORT.

Mr. RANDELL. I move to take up the report of the committee of conference on the disagreeing votes of the two Houses upon the bill (H. R. 10069) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes. My motion is that the Senate insist upon its amendments and ask for a further conference.

The PRESIDING OFFICER. The motion is then to agree to the conference report as made?

Mr. RANDELL. Yes, sir; and to ask for a further conference on the disagreement between the two Houses.

The PRESIDING OFFICER. The question is on the motion of the Senator from Louisiana.

Mr. BORAH. Do I understand that this is a motion to take up the report?

The PRESIDING OFFICER. The first motion before the Senate is a motion to take up the conference report.

Mr. RANDELL. Yes, sir.

Mr. POINDEXTER. I move an amendment to that motion that the conference report be recommitted to the conferees.

Mr. RANDELL. I have no objection to that amendment, I will say to the Senator. I have no objection to the suggestion of the Senator from Washington.

The PRESIDING OFFICER. The question is on taking up the conference report.

The motion was agreed to.

The PRESIDING OFFICER. The conference report is before the Senate.

Mr. SMOOT. I will ask the Senator if he will not recommend to the Senate that the Senate disagree to the report and let it go back to conference, and then the whole subject matter—

Mr. RANDELL. That is exactly what I am willing to have done. I understand that to be the effect of the motion of the Senator from Washington, and that is what we are entirely willing to have done.

Mr. KENYON. Is the motion debatable?

The PRESIDING OFFICER. There is no motion before the Senate.

Mr. SMOOT. I move that the Senate disagree to the report.

The PRESIDING OFFICER. That places the question in the negative. The question must be placed in the affirmative. The question is on agreeing to the report.

Mr. KENYON. Mr. President—

Mr. BORAH. Before the Senator from Iowa proceeds, in order that I may know something about how to vote, I wish to make an inquiry. The only way we can reach this matter, then, is to reject the entire report?

The PRESIDING OFFICER. That is correct.

Mr. KENYON. Mr. President, about a year ago I introduced a resolution in the Senate with reference to a free and independent Bohemian-Slovak State. The Senator from Utah [Mr. KING] introduced a couple of weeks ago a resolution on the same subject, and a few days ago the Senator from Michigan [Mr. SMITH] introduced a resolution with reference to the recognition of the struggles of the Jugo-Slavs.

In the Washington Post of Monday there is an editorial on this subject. This editorial is, in part, as follows:

If anybody doubts the deadly earnestness of the oppressed peoples of Austria-Hungary, let him study the actions of the Czecho-Slovak regiments and brigades in Russia, now controlling much of the Trans-Siberian Railroad and endeavoring to reach the French and Italian fronts to strike full in the face the barbarians who have despoiled them of their rights for centuries. Nothing in history is more dramatic than the daring and initiative of these Czecho-Slovak soldiers, making their way for thousands of miles as an organized force and skillfully maintaining their organization against a thousand obstacles. The ancient lands of Bohemia and Moravia are justly proud of these indomitable heroes, who are the advance guard of the armies that are rising in the very midst of the enemy to wrest liberty from the expiring grasp of the Hohenzollerns and Hapsburgs.

It is a matter of little credit to the United States that while these Homeric struggles are going on the American Government appears to be indifferent to them and the American people as a mass are deaf to the cry that in ancient times electrified the sons of liberty.

I have felt, and so have other Senators, as evidenced by these resolutions, that the American Nation should send some word of encouragement to the Czecho-Slovaks in their struggle for independence. At this time, when the citizens of the United States of Bohemian lineage are welcoming Prof. T. G. Masaryk, the

greatest living exponent of a free and independent Czecho-Slovak State, and as the Secretary of State a few days ago expressed the earnest sympathy of the United States toward the nationalistic aspirations of the Czecho-Slovaks and Jugo-Slavs, it is not inappropriate that the Congress of the United States should take some action with reference thereto, or, if not, at least express its earnest approval of the struggle for liberty and nationality of these people bowed under the Austrian yoke.

It is America's right, yes, its duty, to sympathize with every nation struggling for liberty. True, the words of Prof. Bliss Perry:

The ideal passions of patriotism, of liberty, of loyalty to home and section, of humanitarian and missionary effort, have all burned with a clear flame in the United States.

The world is going to understand some day the part being played by the Czecho-Slovaks in this war. They have been silent and enduring sufferers. In the very heart of Austria-Hungary, believing in the righteous cause of the allies, they join with them in every way they can to stimulate their success. The papers of each day bring to us news of revolt and rebellion among the Czechs against Austrian rule. Last week at Prague they tore down the flag of Austria and raised in its place the flag of Bohemia. Compelled to fight against the cause in which they believe, whole Czech regiments refused to march to the Russian front and attacked the German officers commanding them. Dearly have they paid therefor. Czech regiments crossed to the Serbian side, contributing to the Austrian defeat in Serbia in 1914. It has been related that the One hundred and second Regiment crossed over in a body to the Serbians and entered Nish with its band playing the Serbian national hymn. Such instances were common on the Russian front. Whole regiments have been massacred by the Germans and Magyars. Those Czechs who surrendered to the Russians and Italians were soon at the front fighting against Austria. The world will not now nor until the war is ended know what tremendous service these people have rendered to the allies. The world does not know what they have suffered, the tortures that have been inflicted upon them; but some day, when the world is free from the curse of Prussian usurpation, they will know of these mighty people silently, quietly suffering and enduring. On this side of the water thousands of Czechs volunteered in the Canadian Army before we had become a part in the world struggle. They were in the armies of all the allies, but especially of the Italians.

John Huss is honored in Bohemia not so much as a religious reformer but as a champion of the Czech people against German kultur. When he was charged with instigating the Czechs to hatred against the Germans, he answered:

I have affirmed and yet affirm that Bohemians should by right have the chief place in the offices of the Kingdom of Bohemia, even as they that are French born in the Kingdom of France and the Germans in their own countries, so that Bohemians should rule their people and Germans rule over Germans.

The demand now of the Czechs and Slovaks is for an independent Bohemian-Slovak State. That demand is expressed in the manifesto of the Bohemian foreign committee, issued in Paris on the 14th day of November, 1915, from which I quote:

All Bohemian political parties have up to this time been fighting for a qualified independence within the limits of Austria-Hungary. But the events of this terrible war and the reckless violence of Vienna constrain us to claim independence without regard to Austria-Hungary. We ask for an independent Bohemian-Slovak State. The Bohemian people are now convinced that they must strike out for themselves. Austria was defeated not only by Russia but by the little, despised Serbia, and is now a dependency of Germany. To-day Berlin has galvanized this corpse, but it is the last effort. Austria-Hungary has abdicated. We have lost all confidence in its vitality; it has no longer any reason for existence. By its incapacity, by its voluntary subordination to Germany, it has convinced the whole world that the former belief in the mission of Austria is out of date, forever overthrown by the European war. Those who defended the usefulness, even the necessity, of Austria-Hungary—and at one time the great Bohemian historian and statesman, Palacky, was one of them—thought of Austria as a federal system of nations and lands with equal rights. But Austria-Hungary as a dualistic monster became the oppressor of all who were not Germans or Magyars. It is a standing threat to the peace of Europe, a mere tool of Germany seeking conquest in the east, a State having no destiny of its own, unable to construct an organic State composed of a number of equal, free, progressive races. The dynasty living in its traditions of absolutism manages to maintain the semblance of the former world power through the undemocratic cooperation of a sterile nobility, a bureaucracy that belong to no race, and a body of army officers that is against every race.

In the reply of the allies to President Wilson's note is found this language:

The civilized world knows that they [the aims of the allies] include the liberation of Italians, Slavs, Roumanians, and Czecho-Slovaks from foreign domination.

Germany, Austria, and Hungary have well understood the position of the Czechs and Slovaks. They do not dare to permit the regiments of these nationalities to fight unless the Magyar and German troops comprise a large percentage thereof. Wit-

ness the language of one of the Austrian leaders in the Hungarian Parliament on August 28, 1916, when he said:

This is not a war secret, and the whole world sees it, how the service battalions are composed—that in every Czech service battalion at least 40 per cent of Magyar and German troops are included.

America should be enthused by their demand for liberty. America should stand firmly for it when peace terms come. Bismarck once proclaimed that the power ruling Bohemia ruled Europe. A permanent peace can never be established in Europe without an independent Bohemian-Slovak State. That question assumes tremendous international importance and it will grow with every hour.

As early as the seventh century there was trace of a Bohemian State, and during the fifteenth century the Czechs stood almost alone fighting for the freedom of conscience. The Hapsburgs called to the Bohemian throne by the choice of the people pledged themselves to maintain the autonomy of Bohemia. The pledges of the Hapsburgs evidently are no more to be kept than the pledges of the Hohenzollerns.

From the middle of the sixteenth century to the present time Bohemian history has been a struggle between the Hapsburgs, on the one hand, to Germanize the people of Bohemia, and on the other hand the people of Bohemia fighting for independence.

After the Battle of White Mountain the heads of the Bohemian rebellion were executed, property was confiscated, people were exiled, tortured, persecuted. For Bohemia it was a hard struggle after that toward the light, but the unconquerable spirit of the Czech race never dies. There was a revival of their language and their literature, and in 1848 a political renaissance. In the nineteenth century they produced great poets, musicians, literary writers, philosophers, and have gone forward with tremendous industrial activities.

The Slovaks have not made the progress of the Czechs. Cruel Magyars have governed them but to oppress. They have a far greater percentage of illiteracy than the Czechs, and yet they are of the same kind and will reach the same high ideals if permitted to come out of the bondage of the Magyars.

The independent Czech-Slovak State would consist of Bohemia, Moravia, Silesia, and Slovakia. It would have a population of over 12,000,000 people and territorial extent of 50,000 English square miles. It would be larger than Belgium and rank eighth among the 22 European States. It would be strong financially and not compelled to carry by disproportionate taxation the luxury and foolishness of the Vienna court. True, it would be a little nation, as we speak of such nations, but little nations have their place. Little nations are to be permitted to exist when this war is over. There is a mighty international importance to them. As Lloyd-George, in a recent speech, declared:

The little nations, with their own languages, their own literatures, their glory in their own history, were never more alive, never more important than they are to-day in this conflict of gigantic empires.

In wealth, in ability to produce, in industrial life the new nation would take its place among the strong nations of Europe. A few facts are interesting as to Bohemia, even under the oppression of Austria. In cattle raising and farm products Bohemia takes first place among the Provinces of Austria. Without Bohemia, Austria could not exist. Without the agricultural riches of Bohemia, Germany could not have existed this long in the war.

In 1914 the United States Immigration Service found the percentage of illiteracy among immigrants of the Magyar race was 10.2, among Germans 5.5, and among Bohemians 1.3. Bohemia is rich in mineral resources. A third of all the iron produced in Austria comes from Bohemia's lands. Silver and gold are mined in large quantities; likewise tin. Eighty per cent of the brown coal of Austria comes from Bohemia, Moravia, and Silesia; and of the hard coal 88 per cent comes from these three Bohemian lands. Textile and other industries flourish in Bohemia. More steel is produced than in all the other Hapsburg possessions. Bohemian glass, of course, has been famous for centuries. Shoe factories, shops for musical instruments, pottery works abound. The capital of Bohemia's banks in 1910 amounted to 180,000,000 crowns. Of 669 savings banks of Austria, 356 were located in the Bohemian lands. Bohemia pays more than its share of Austrian taxes. Bohemia pays 4.34 crowns per head in direct taxes, while the rest of Austria pays 1.75. Taxation is not equitable. The Bohemians suffer from that.

I have shown, in a way, what Bohemia is politically and industrially. Let me inquire, What is Austria? What reason is there for Austria to exist? It is true the Hapsburg empire is second in area and third in population among the States of Europe. It consists, however, of various races gathered together, each one insisting on its own nationality, fighting

against any attempt to assimilate with other races. There can be no nationality in such an empire.

The population of Austria and Hungary and the various races composing the dual kingdom is as follows:

AUSTRIA.	
Germans.....	9,950,266
Bohemians.....	6,435,983
Poles.....	4,967,984
Little Russians.....	3,608,844
Slovenians.....	1,252,940
Serbo-Croatians.....	783,334
Italians.....	768,422
Roumanians.....	275,115
HUNGARY.	
Magyars.....	10,050,575
Roumanians.....	2,949,027
Germans.....	2,037,435
Slovaks.....	1,967,970
Croatians.....	1,833,167
Serbians.....	1,106,471
Little Russians.....	472,587

Austria is the greatest failure of all the world governments. It is as much a festering sore in Europe as Turkey. Dominated by the Germans, Austria is a mere lickspittle in Germany's plan of world domination. It should be dismembered. Nationalities with their own ideals should be permitted to dismember themselves from Austria and form their own governments. Those parts of Austria inhabited by Italians should be joined to Italy; those inhabited by Roumanians to Roumania; Serbians to the new Serbia; Galicia made a part of the future Poland. Then, with a Bohemian-Slovak independent State, all that is left of Austria will be the Germans and the cruel Magyars. The best solution of the Austrian problem is to get rid of the Austrian Empire. Austria in fighting the Slavs is fighting herself. There can be no federalization or nationalization of Austria. The nation is dead and never can be revived. It should not be. Its mission is merely a cringing vassal of Germany, pouring out incense to the brutal champions of lust and greed. Its burial will produce no sorrow in a liberty-loving world. Its existence has been a farce and a lie. Living only by force, let it be exterminated by force. Let its cringing, cowardly imbecile rulers take the only place that will be left for such rulers after the war—a part of the dust of the earth. No nation has been so contemptible in this war as the Austrian. Austria has no ideals, no literature, scarcely any language. It is a festering cancer, eating to the very heart of civilization. The sooner it is ended and forgotten the better for the world.

The nineteenth section of its constitution provides:

All races of the State enjoy equal rights, and every race has an inviolable right to assert its nationality and to cultivate its language; the equal rights of all languages in the country, in schools and public life, are recognized by the State.

What a farce and a lie, as evidenced by its treatment of Bohemia. The forces of Austria feed upon the Czech countries as parasites. It has attempted to destroy the language of Bohemia; destroy its literature; taken away the schools. Eleven million Germans in Austria have five universities. Ten million Czechs and Slovaks have but one. The Bohemians are not permitted to converse in their native tongue. The Hungarian part of Austria is even worse. One of the leading Bohemian authorities of the country, Mr. Pergler, in an article in *The Yale Review* some time ago, set forth the situation that for 3,000,000 Slovaks there is not in Hungary a single adequate Slovak school conducted in the Slovak language. The only purpose of Austria is to oppress her subjects, if they are not Germans or Magyars. But Austria's day of reckoning is near at hand. In 1914 for every \$6 of national wealth there was \$1 of national debt. At that time Austria-Hungary was in the worst financial condition of any of the six leading nations of the world. Economists asserted that a national debt of six billion would be all Austria-Hungary could bear. In 1914 her debt was practically four billion. Her national debt now must be close to her national wealth. She is tottering on the abyss of financial ruin and is practically now in the hands of a receiver, and that receiver is Germany.

At the feet of the German war lords the house of Hapsburg is still accorded the privilege of sitting, and in fear and trembling pour out incense to the Hohenzollerns. What a miserable, contemptible existence for a nation.

There is a call to our country in this situation; a call to strike in the east and the south of Europe through armies and through diplomacy. Germany destroyed the Russians through diplomacy. Are we to permit them to Germanize Bohemia and Slovakia while the instrumentalities are ready there for revolution? Let us assist in the revolution through diplomacy and by money if necessary. Let us also strike by arms from Italy when the present drive is over. It has been said in the papers that Gen. Leonard Wood is to command American troops in Italy. I hope it may be true. Napoleon struck at Austria through Italy. We can do the same. I do not pose as a mili-

tary expert or propose to offer any plans along military lines, or utter one word of criticism against the management of affairs, but I am trusting and hoping that our military powers may figure out a way to strike from Italy north into Austria. The newspapers of late are discussing that plan. In the last few days they have advised us that we are to have an army in Austria. The plan is being discussed and advocated of having a Slav army from America. The matter, I think, is before the Foreign Relations Committee in some form. There are 6,000,000 Slavs in the United States. A strong army could be formed from them. They are anxious to fight Austria. They would constitute a mighty force to stand side by side with their brethren already fighting in the Italian Army.

The present drive of Austria into Italy will amount to nothing. It is the last yelp of the dying beast, for the armies of Austria are filled with many thousands of men who despise Austria and all that it stands for; and are only waiting, as the soldiers did in the Russian campaign and in the former Italian campaign, where whole regiments of Czechs went over, to do likewise. We need have no fear of the drive on the Italian front.

We are not pessimistic as to the western front. The British and French and Americans will hold them until the death. Even if Paris falls there will be no lack of grim determination on the part of this Nation, Great Britain, and France to go through to a finish, knowing that some day the allies must triumph. At attack from Italy into Austria may later, however, relieve the pressure on the western front. Further than that, it would arouse the Czechs and Slovaks to a revolution that would send Austria to its doom. "On to Vienna" will become the slogan as powerful with the Italians as "On to Paris" is with the Germans.

We will reach Berlin from the western front. It will take time. There is another route to Berlin, that from Italy via Vienna, and that possibly may be the shortest route to Berlin.

The people of Austria, outside of the Magyars and Germans, sick of war, starving in body, are ready to rise and welcome troops and assist in the overthrow of the Hapsburgs. What a stimulus to the moral forces of the world would be the dismemberment of the Austro-Hungarian Empire.

It is well that the Secretary of State has expressed the earnest sympathy of this Government for the cause of the Czechoslovaks and the Jugo-Slavs; and we should pass some one of the various resolutions which have been introduced and are pending here conveying a message of cheer to those people. Hard, indeed, is it for us to realize the condition of people fighting as they are doing in the very heart of the enemy. The voice of America must be an inspiration to them. Peace terms must include provision for a free and independent Czechoslovak State, and we should send that message to these liberty loyalists. Let Germany understand this. Let Austria-Hungary understand it. Let them know that America is to stand for a free Bohemia; a Bohemia no longer fed on the husks of Austrian despotism, but a Bohemia working out its own ideals and its own salvation. A nation warring upon its people as Austria-Hungary is doing can not last. Why should it last? What excuse is there for its existence? Simply to keep on the throne a ruling family that has no regard at all for the citizenship of the land.

Robert Ingersoll once wrote upon "The Doom of Empires":

The traveler standing amid the ruins of ancient cities and empires, seeing on every side the fallen pillar and the prostrate wall, asks why did these cities fall; why did these empires crumble? And the Ghost of the Past, the wisdom of ages, answers: These temples, these palaces these cities, the ruins of which you stand upon, were built by tyranny and injustice. The hands that built them were unpaid. The backs that bore the burdens also bore the marks of the lash. They were built by slaves to satisfy the vanity and ambition of thieves and robbers. For these reasons they are dust.

Their civilization was a lie. Their laws merely regulated robbery and established theft. They bought and sold the bodies and souls of men, and the mournful wind of desolation, sighing amid their crumbling ruins, is a voice of prophetic warning to those who would repeat the infamous experiment, uttering the great truth, that no nation founded upon slavery, either of body or mind, can stand.

The recent Bohemian declaration of independence declares: "We take the side of the fighting Slav nations and their allies without regard to victory or defeat because right is on their side. The problem which side is right in this fatal war is a question of principle and of political morals, a question which at present no honest and sincere statesman, no conscientious and thinking nation can evade." Surely people with such ideals and courage are worthy the help of the great American Republic. We could extend help and cheer by passing some one of the three resolutions which have been introduced, and I earnestly hope the Committee on Foreign Relations may give consideration thereto.

Mr. LEWIS. Mr. President, ordinarily I would not have suggested any views upon these resolutions and should not do so now

but for the fact that the able Senator from Iowa [Mr. KENYON] has contributed an historic discussion in their behalf that now calls for indorsement. I represent, in common with my eminent colleague [Mr. SHERMAN], a population of the nationalities referred to by the Senator from Iowa, larger than is represented by any other Senator occupying a seat in this body—not more important, of course, nor more entitled to consideration, but because of their very large numbers they have a right to bring to my attention from time to time their interests and ask of me consideration for them. I beg the indulgence of the Senate for a moment or two while I add rather boldly a thought to the speech which has been made by the Senator from Iowa.

Mr. President, 340,000 of the population referred to by the Senator from Iowa live in my city of Chicago; 1,250,000 represent the best of citizenship in the State of Illinois. Coupled with their intermarriage, they are representative of all of the nationalities referred to by the Senator and expressed in these resolutions. It may interest you to note, sir, that there are nearly 2,000,000 people in the jurisdiction of Illinois belonging to these races, including the Jugo-Slavs. From them, and in different ways, I have obtained expression of their desires and their wishes, and, while I am not able to pass judgment as to what would be the best measure of local self-government, I took it upon myself once to travel through much of their lands. I wrote some articles upon what I felt was the historical situation of those countries. I contributed those articles to magazines of London and of the United States. Subsequently, sir, I had occasion to vindicate my own view, or to attempt to do so, by further investigation when twice in Russia and once through Siberia.

Mr. President, I should like at this time to make a suggestion of where I feel these men of the nations referred to could be of much service and their people be of much value to our Government. If I may be permitted to make an addendum to the eminent Senator's complete address, I would say that on the western front of the European war at this particular time, Mr. President, the forces of the allies are engaged in a terrific struggle and in a very severe encounter. Russia has been overcome by the central powers under the guidance of Prussia. If the nationalities of the Slavs, the Slovaks, and the Czechs and Jugo-Slavs living in the Russian domain shall be wholly overcome by Prussia they will be put into an army and forced to fight not only against Russia but against their own brethren who have come up from the Hungarian countries and the Bohemian land or any of the Slav countries. One of the things the United States could do, as I see it, most profitably would be to stimulate an army of these people who are in Russia into some force as a central army in Russia that they may be an army supplied with arms, munitions, and such other things as are necessary to enable them to contribute to this conflict as combatants in Russia against German military advance.

Guided, sir, by their spirit of liberty, these races would make a conflict against Germany within Russia. They could then rise and fight for the liberty of their land, because they would be supplied with instrumentalities to do so. They would occupy Germany internally, while she is occupied also by the allies without. We would divert from the western line a large number, thousands and thousands, I may add millions, of the support which Germany now has. These being diverted, sir, would weaken the western line and strengthen our possibilities at once against her. It would protect the United States, which in my mind is, of course, a prime consideration.

It may interest Senators who do me the kindness to hear these observations of mine to say that one of the fears I have entertained, and deeply entertain now, is this—that if Germany shall overcome Russia, and so amass her people into an army, Germany will march the Russian German Army through Russia from the north toward Alaska, toward the Bering Straits, and by the way of the Aleutian Islands, seizing Alaska, and proceeding against the United States from the northwest. This to divide us, of course, in our defenses, and force us to send our troops against her to the far Northwest. Then, sir, if she should succeed in getting into the Persian Gulf, from Hamburg, she will come out through Asia Minor into the open seas and down around the Pacific. Then we will have Germany at our shores at the northwest on the Pacific, as well, sir, as at present engaged against us in Europe.

That would mean, sir, a very serious situation for the United States, and one that her people could well at this time dwell upon. If we could take the forces referred to by me in support of this resolution, inspired by liberty as they are, and animated by their spirit of freedom and placing support of military nature within this body, they could build an army, aided by the Slavs of Russia, who likewise want freedom, and all turning upon the invader, Germany, will drive her out of the dominions of Russia.

Thus by this we would defend ourselves, we would protect ourselves against what I fear to be an ultimate invasion from the northwest upon us and from the Pacific, if Germany shall overcome Russia. Now, to say nothing of using these Russian forces as supplementary on the western front, for uses and benefits there from millions and millions of soldiers, it will be clearly seen, sir, that any move of ours to give this aid and support to these people in Russia in building them up as an army would come to be our own immediate rescue.

Now, sir, one of the methods which they would contribute, which to my mind is very practicable, is this; and I offer it in no wise as supplanting the military leaders or suggesting such a thought. I know there is a place for all things and that those who are authorized are those who should be permitted to control, without being embarrassed by any attempt to direct them from the outside—

Mr. POINDEXTER. Mr. President—

The PRESIDING OFFICER. Does the Senator from Illinois yield to the Senator from Washington?

Mr. LEWIS. Yes; in a minute. Let me finish the sentence. The thought in my mind is that if we can succeed by the suggestion I made, then, sir, Russia herself making the request upon the allies to take action in Russia or in Siberia, we will be able, sir, to avail ourselves of a force not referred to heretofore. I mean China. China is a Republic. She struggles for freedom. She can be overrun by Germany if Germany can overcome Russia and Siberia. With cooperation from Japan in its military institutions with China, supported with the spirit of America and inspired by the desires of the Russians, we could, through China and Japan and the force of these Slavs and the races referred to by the Senator from Iowa and described by me, put such an army from Russia to Siberia as not only to protect that country from the invasion of the Germans, but to turn them, sir, against the Germans within that central territory, driving them from Russia completely and overcoming them, and thus giving to the United States the opportunity to continue her forces upon the western front in solid array as aid of the allies to complete victory in Europe against the central powers.

I yield to the Senator from Washington.

Mr. POINDEXTER. Both the distinguished Senator from Illinois and also the Senator from Iowa, with both of whom I agree in these matters that they have been discussing with so much information and interest, with characteristic modesty disclaim any desire in discussing these problems to interfere with the views of military men. The thought has occurred to me—and I beg the Senator's pardon for interrupting him—that, it seems to me, military men would be about the last recourse of the State to decide questions of this kind. I should like to suggest to the Senator from Illinois that he himself and the Senator from Iowa, as Members of the United States Senate, and the civil authorities of the executive branch of the Government, by their experience in the conduct of government and the scope of view which they have of civil as well as military affairs, are the proper men to decide these questions, and not a general. It is a question of statesmanship; it is a question of world policy; and the experience of history generally teaches us that those who have the narrowest views of things of that kind are military men, who are absorbed upon tactics and strategy and military movements. It seems to me that this is somewhat a different question.

Mr. LEWIS. Mr. President, there is much to be said in support of the view of the Senator from Washington. When I used the word "military" heads I had specific reference to the Commander in Chief and his aides, and to the fact that it was not my intention to suggest any course contrary to that which they had reflected upon and regarded wisest. The Commander in Chief—the President—and his aids, I admit, must be at this time best informed as to the necessary military moves. I beg the Senate to understand, lest I did not make myself clear, that I meant to supplement the able statement made by the able Senator from Iowa of this theory: That not only are we interested from the standpoint of humanity in behalf of these peoples who live abroad in aiding them to achieve the liberty which the Senator from Iowa pointed out in detail and which I support in my argument, but I dared supplement that with the suggestion of a justification to the United States itself as would be of great benefit to our Republic, and that at this particular time, sir, would greatly serve as a vindication, so far as I am concerned, for our immediate action. Sir, I offer these views to deny from any source, should the charge be made, that we were seeking to interfere wholly in the affairs of other countries without a proper interest in our own behalf.

I was seeking to demonstrate where our interests really lay, in addition to the interests of these people, and, sir, to point out some of the respects in which, to my mind, we would not

only benefit, but from which the necessity of the situation calls for action in form on the part of this, my country.

I have expressed these views as they are in my mind. I do not wish to occupy this debate, sir, to a greater degree than necessary to the resolution. At a later time I shall resume this subject and carry it to the extent in detail and conclusion that which I feel I am justified in doing by virtue of my position in this body and the convictions that I entertain. At present my views were to support the resolution because of the request of those who come from my city and my State, because of my natural sympathy in their struggle for freedom, but also, sir, for the other reason that the interests of this country just now justify me in suggesting the use of these people in a manner military and defensive to the salvation of the Republic of the United States as well as their own hopes and aspirations.

That was my purpose, sir. That, I fancy I have expressed, I flatter myself sufficiently for this occasion, at least.

Mr. FALL. Mr. President, it seems to me that the observations of the Senator from Iowa and the Senator from Illinois have offered an opportunity, such as has been referred to by the Senator from Washington, for the exposition of real statesmanship or for some statesmanlike suggestions. We already have illustrations of little statesmanship every day. I make that remark in answer to a side suggestion from the Senator from Iowa. But, Mr. President, the Senator from Illinois has said that he would not even attempt to make any suggestions to the military leaders. The business which is detaining the Senate now very largely, and is occupying the attention of one of its most important committees, the result of which action we are awaiting here in the Senate, is the formation of a military measure—the military appropriation bill—for the consideration of this Congress. We have understood that the Army of the United States was by one means or another to be very greatly increased, and still we are informed that we have 2,000,000 men.

Now, Mr. President, I should like to ask, so that it may be answered at some time, what we propose to do with the 2,000,000 men we have? I speak, of course, merely as a layman, neither as a statesman nor as a military man, but merely as a Senator seeking a little common-sense information. What do we propose to do with the increased forces which we are proposing to raise, as we understand? Where are we going to use them?

The Senate of the United States, having something to do with foreign relations, to that extent at least takes part in the executive consideration of such relations. The Congress of the United States, in raising armies, raises them under the Constitution for certain purposes. To my mind it is perfectly proper for the United States Senate and Congress, in increasing the Military Establishment of the United States, to state directly what the purpose of such increase is, and for that reason I am suggesting certain interrogatories for my information in dealing with this subject when it comes before the Senate. I should like to know from some military man, whether the Commander in Chief or some of his subordinates, what he proposes to do with the increased forces which he is asking that we allow him to raise.

Of course, we may take 5,000,000 men and put them upon the western front, and, with the loss of two or three million of those men in the slaughterhouse, we may break the German lines and force them out of France and Belgium. Now, to an ordinary citizen, a layman, not a military expert, and not speaking, as I say, as a statesman, these thoughts will suggest themselves. We know what we have been contending with for four years on the western front. We see what the situation is now. Where and how are we going to relieve it? To my mind, it is the duty of the Congress of the United States to consider this matter in providing additional troops.

Now, sir, with reference to the very matter under discussion, a short time since the President of the United States stated to the people of Greece that the United States intended to see that justice was done to Greece and the Grecians; that her rights should be absolutely protected in whatever peace was made; and yet those who are threatening Greece are the Bulgarians, and we are at peace with Bulgaria. Those who have overrun Serbia are the Bulgarians, and we are proposing to protect, aid, or assist the Serbians; and now, under this resolution, we are seeking to get the Serbians, with the other nationalities, to assist the United States in this war. We are letting the Serbians go along; they are not even our allies as against Bulgaria, and still Bulgaria is the country which has overrun—with German assistance, it is true—Serbia, and has been continuously threatening Greece. The President, as I said, has solemnly pledged himself, as the Executive, to Greece, and yet the Congress of the United States has so far failed and refused to declare war on the enemy of Serbia and the enemy of Greece.

Now, sir, this is interesting to me, because, as I have said, viewing the military situation simply from the standpoint of a layman and not a military leader nor an expert, it would strike me that the weak point along the western front is the western front in Italy, or the western front at Saloniki. If we are going to raise 5,000,000 men or more—and I certainly shall favor a proposition of that character—if we propose to raise any such force of men in addition to those whom we can readily use on the western front and advantageously use without sending them into a slaughterhouse, where shall we use them? I think Congress has a right and a constitutional duty to perform in providing how they shall be used, or in directing that this Army which they provide to be raised shall be used in a certain way, and in a certain manner or in a certain place, if they so desire. That far, in my judgment, the Congress can interfere with the plans of the Commander in Chief. If the Commander in Chief does not choose to carry out the directions of Congress, he can retain the armies, I presume, and need not use them at all.

The Senator has spoken of Siberia. Mr. President, in my judgment, there is a graver proposition behind the Siberian question now than is generally discussed. There is no use in attempting to disguise from ourselves the fact that for years there has been in the minds of some people some reason for some antagonism between Japan and the United States. I am not one of those who have ever entertained any such idea. I do not believe that there is any necessity whatsoever for any conflict of any kind or character, now or in the future, between Japan and the United States. I am frank to say, sir, that I would vote to-day for any measure which would recognize the preponderating political interest of Japan in Asia, as against the purely political interest of the United States in Asia; and with such a policy adopted on the part of this Government, the Japanese question, in so far as the United States is concerned, will never raise its head. That is all that Japan demanded of Russia; that within certain districts of Asia Russia should recognize the preponderating political interest of Japan—not the closed door, not the preponderating commercial interest, but simply that she had greater political interests in Asia than had Russia; and as a matter of history I suggest that possibly some of us would do well to read the Japanese green book with reference to the Russian difficulty. You will there find that not one word was said indicating any contingency that might lead to the use of arms; not one word was said by Japan prior to the sinking of the Russian vessels and the attack upon the Russian fortified posts. A simple notice was given to her ambassador that it was apparent to Japan that the then conference touching the relative importance of the political interests of the two countries in certain spheres in Asia could not result in any definite decision. That was the only ultimatum issued, and notice was given to the Japanese ambassador to come home, as it was evident that nothing could result from the then conference. The next word which we heard was that the Russian ships had been sunk by Japan.

Japan is a great self-respecting, proud nation, and Japan has her political predominating interests in Asia. Japan will protect those interests in Siberia and in Manchuria, whether the United States agrees with her upon the methods to be used or not. We have it in our power now to agree with Japan and to avoid any future difficulty with Japan. We have it in our power through an agreement with Japan to protect the United States against the very threat which the Senator has referred to of German domination in Siberia and in eastern Russia. Why, then—

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (S. 130) to create in the War Department and the Navy Department, respectively, a roll designated as the "Civil War volunteer officers' retired list," to authorize placing thereon with retired pay certain surviving officers who served in the Army, Navy, or Marine Corps of the United States in the Civil War, and for other purposes.

Mr. FALL. Mr. President, why should the Congress of the United States not say directly that in providing for the huge increase in the military forces of this country a portion at least of such forces shall be used in Siberia?

Mr. BRANDEGEE. Will the Senator yield?

Mr. FALL. I yield with pleasure.

Mr. BRANDEGEE. I have not given that matter the consideration the Senator has, but I wanted to ask him if it does not seem to him that such a provision would conflict with the President's authority as Commander in Chief of the Army?

Mr. FALL. I have just referred to that proposition; I do not know whether the Senator heard me or not. I said that under the Constitution of the United States the Congress of the United States must raise armies. The Senator of course understands that.

Mr. BRANDEGEE. Certainly.

Mr. FALL. My proposition is that the Congress of the United States has the power and the authority to direct the raising of the armies, and not simply to allow, first, an unlimited number of men to be raised by the Commander in Chief; that that is delegating a power and, as I believe the Senator, or one of the Senators, said the other day, is "passing the buck." That is the first proposition. In the second place, I hold that in raising the Army the Congress of the United States can say not how it shall be used, but where it shall be used for the purpose of prosecuting the war against Germany in Siberia; that so many men shall be raised. Then, as to how best to handle those men for prosecuting the war against Germany in Siberia, that may rest entirely within the discretion of the Commander in Chief of the Army.

Mr. BRANDEGEE. I think the Senator holds exactly what I thought he held; but still the question recurs to my mind whether as a corollary of the constitutional power of Congress to raise and maintain an army we can attach conditions as to where it shall operate, which seems to me to be an invasion of the function of the Commander in Chief.

Mr. FALL. I know the Senator and myself have held different views upon this proposition from the very beginning, and I am aware of the fact that I am in the minority in holding that, in my judgment. I am one of those who does not hold to the theory announced in the Senate that the Commander in Chief of the United States in time of war is a dictator. While I do not agree that the Congress of the United States is able to map out a military plan and to direct an officer as to where he should use a certain number of brigades or corps or a certain army in carrying on a war after a declaration of war, which the Congress itself must make and not the President, the Congress of the United States in providing armies for carrying on that war can say that it is for carrying on war against Germany within Siberia.

I will say now frankly to the Senator that in my judgment the Congress of the United States should have said before a single soldier was sent across the water that the President had authority to send these troops out of the boundaries of the United States.

Mr. BRANDEGEE. I know the power of the President to order troops out of the country has been at times questioned heretofore.

Mr. FALL. I am not questioning that now, the Senator will understand.

Mr. BRANDEGEE. I understand. What seems to me to be doubtful, to put it mildly, is this: I do not see because Congress has power to raise and maintain an army, of which the President is Commander in Chief under the Constitution, that therefore we can say that the army so raised shall not be operated in any place except Siberia.

Mr. FALL. I did not undertake to advance that theory.

Mr. BRANDEGEE. I thought the Senator advanced the same opinion in a different form of words when he said it should operate in Siberia.

Mr. FALL. I think to raise an army to be used in Siberia is a perfectly proper, constitutional, and legal exercise of the power of the Congress of the United States.

Mr. BRANDEGEE. I know the Senator does, but it seems to me to say that it is to operate in Siberia is equivalent to saying that it can not operate anywhere else.

Mr. FALL. Then under the theory of the Senator and others, if the Congress of the United States adopted the resolution suggested and advanced by the Senator from Iowa [Mr. KENYON] and then declared war against Bulgaria to-day, the President of the United States would have the absolute authority to retain all the troops within the confines of the United States if, in his judgment, as a military man and Commander in Chief, that was the best method to prosecute the war against Bulgaria, and we need not prosecute the war at all except on our own soil.

Mr. BRANDEGEE. I think myself that the way the war is prosecuted, so far as ordering the movements of troops and naval vessels is concerned, is entirely within the jurisdiction of the President.

Mr. FALL. Undoubtedly.

Mr. BRANDEGEE. If we should declare war against Bulgaria and the President sent our Army and Navy to Patagonia and adopted a method which is ridiculously improper to carry out the declaration of war he is subject to impeachment, or to whatever remedy—

Mr. FALL. The suggestion which I am making now is that the proposition of using the forces only upon the western front in France in the prosecution of the war against Bulgaria is almost as ridiculous as the proposition which the Senator has suggested.

Mr. BRANDEGEE. It may be ridiculous to our minds, and we may not agree with the policy, but my query is, Can we constitutionally remedy blunders in the movements of troops?

Mr. FALL. I think so.

Mr. BRANDEGEE. Except by expostulating—

Mr. FALL. I unhesitatingly think so. I want to go further. I agree with Sumner that when it becomes necessary to save this Union Congress has done and will do again just as the Executive has repeatedly done and possibly will do again—ultraconstitutional things—if it is necessary to do it.

Mr. BRANDEGEE. Of course, I was not entering into that domain of thought. It may be—

Mr. FALL. But having entered into that domain of thought I naturally replied to the Senator's interrogatory.

Mr. BRANDEGEE. Of course; but I hope neither Congress nor the President ever will violate the Constitution during the war. I wish to take this occasion to say that I entirely agree with the Senator that after having declared war, no matter in what desperate emergency we may come in the future, I have not the slightest idea the President will be any sort of a dictator in this country, even if he should desire it.

Mr. FALL. I think not. I have not the remotest fear of that. But even if he desired to be dictator and would succeed in carrying out his desires, and I am not accusing him of having any such desire—as a matter of fact I am not criticizing at all what the President has done so far, whether under the advice of military men or not. I think the United States now may be proud of what it is doing under the direction of the President of the United States in reinforcing the allies on the western front, or it may be proud of what he is doing in providing ships for such purposes; it may be exceedingly proud of what he is doing in raising men and armaments. The subject nevertheless does crop out as to how this war shall be best prosecuted with the additional number of men we are to raise, and I say that the Congress of the United States has a right to say in raising 500,000 additional men or 1,000,000 additional men that they shall be used in certain places for carrying on the war.

Congress may not be able to compel the carrying out of its suggestions or directions. The President of the United States may in his wisdom refuse to carry out the orders of Congress in the matter. If he does, he will undoubtedly do so because of military reasons satisfactory to him, and I have no doubt that upon his placing before Congress such reasons, if Congress had offended him by directing him to do anything, it would withdraw the direction.

But we are now called upon to provide additional men to carry on this war. We are discussing the matter of the Serbians and Bohemians and Slavs in southern Europe. The fact is that we are confronted with a condition which has existed ever since the declaration of war against Austria. Congress has done nothing to make good the promises of the President of the United States to Greece; it has done nothing to make good the promises we have constantly held out to Serbia; it is doing nothing and has done nothing except in the nature of the suggestion now being discussed as to how best to assist the Serbians, Bohemians, Slavs, and others in southern Europe.

Now, something practical should be done. The matter of discussion of what is practical is peculiarly within the function of the Congress of the United States. As I have said, in my judgment, in the matter of raising armies, the Congress of the United States can not only raise them, but may say it is for the prosecution of the war in the Balkans, that it is for the prosecution of the war in Siberia, that it is for the prosecution of the war in Mesopotamia or in Palestine; and to me as a layman the additional force should be provided and used upon the weak points in the German offensive and not be thrown into a slaughter pen beyond the number necessary to hurl back the advancing Germans in France. It must be apparent to anyone that only a certain number of men can be economically used for such a direct purpose. Now, what are we going to do with the others?

Mr. TOWNSEND. Mr. President—

Mr. STERLING. If the Senator will yield to me, as very pertinent to the discussion a moment ago relative to the Japanese situation and the Japanese attitude toward our allies, I send to the desk an article clipped a day or two ago from the Washington Times entitled "Warns allies not to ignore Japan," by Mr. Arthur S. Draper. I ask unanimous consent that it may be read.

Mr. SMITH of Arizona. I did not hear the request of the Senator from South Dakota.

The PRESIDING OFFICER (Mr. GUYON in the chair). The Senator from South Dakota requests the reading of a clipping from the Washington Times.

Mr. SMITH of Arizona. Is it the request of the Senator to print it in the RECORD or to have it read?

Mr. STERLING. My request was to have it read at the desk, but I will waive that.

Mr. SMITH of Arizona. The Senator has a right to do that in his own time, and I would not think of telling the Senator to read it. So I withdraw any objection I may have.

Mr. STERLING. I ask that it may be printed in the RECORD as pertaining to the discussion just had relative to the Japanese situation.

Mr. KING. If the Senator will permit me, I think the article is so pregnant with information that it will prove of very great value to the Senate; I know it will to me. I should be delighted to have it read now.

Mr. STERLING. That was my first impression.

Mr. SMITH of Arizona. I have no objection to the Secretary reading it if I can have it understood that it is my object to keep out of the RECORD—and I am going to do it if I can, with the aid of the Senate—any editorial or printed matter from any source on earth. The Senator in his own time can take the floor and read it, but I would not subject the Senator to that labor, and I will not object if he desires the Secretary to read it from the desk. It will then go in the RECORD. But I will not consent to the printing, if I can help it, of any editorial from any paper in the RECORD without its being read before the Senate.

Mr. STERLING. I will say to the Senator from Arizona that this is not an editorial; it is a communication by Arthur S. Draper, giving his views of Russia, and is directly pertinent to and I should like to have it go in as a part of the discussion of the Japanese situation.

Mr. SMITH of Arizona. I have no objection, if the Senator wants to have it read in his time; but I object to unanimous consent for the printing of editorials in the RECORD.

Mr. TOWNSEND. Mr. President—

Mr. SMITH of Arizona. I say I have no objection to the Senator having it read in his time or in the time of the Senator from Michigan. The Senator understands my position in the matter.

Mr. TOWNSEND. I know the Senator from South Dakota—The PRESIDING OFFICER. Does the Senator from South Dakota yield to the Senator from Michigan?

Mr. STERLING. I yield.

Mr. TOWNSEND. I supposed that I had the floor and that I was yielding to the Senator from South Dakota.

The PRESIDING OFFICER. The Chair had recognized the Senator from South Dakota.

Mr. STERLING. I think the Senator from Michigan is right. I think I asked the Senator from Michigan to yield to me in order to present this matter to be read.

Mr. TOWNSEND. I desire to say a word before I yield. I know the Senator from South Dakota is acting in perfect good faith; I know the Senator from Utah is very anxious to have this article read rather than to have it printed, because it would take some time on the bill in which I am interested; but I recognize that later the Senator from South Dakota could take the floor and read it, whether anybody listened to it or not. Therefore I will yield for the purpose of having it read.

Mr. STERLING. I thank the Senator from Michigan for his courtesy. It is appropriate here and would not be so appropriate at any other time.

The PRESIDING OFFICER. Without objection it will be read.

The Secretary read as follows:

WARNS ALLIES NOT TO IGNORE JAPAN—NORDMAN, RUSSIAN, SAYS SHE SHOULD BE ASKED TO FIGHT WITH THEM—PROBLEM IS DELICATE.

[By Arthur S. Draper.]

LONDON, July 17.

Nicholas Nordman, formerly general secretary of the Russian restriction of enemy supplies committee and later head of the economy department of the Russian foreign office under Milukov and Kerensky, authorizes the following statement of the general political situation in the east. Nordman has just arrived in England from Sweden, where he prepared the recent agreement between Sweden and the allies.

The far eastern problem is very delicate in its solution and requires great tact, foresight, and brains of the highest caliber. The problem is not a simple one. On the one hand Japanese intervention in Russia without the allies might be considered dangerous, but on the other hand a refusal of the Japanese to help contains the seed of much trouble.

WHAT MIGHT HAPPEN.

"What would happen if Japan considered herself rebuffed by not being invited to help in Russia? Having great interests in the Far East, she might sooner or later consider herself compelled to enter Siberia uninvited.

"It is necessary to remember that Japan is not a republic, but an empire with a strong military party and a highly sensitive honor. The allies must not encourage Japan's imperialistic ambitions by making her believe that to follow liberal tendencies would not secure her as much prestige as the militarists feel she is capable of conquering by force of arms.

"Japan has never been accused of forsaking the allies. The Japanese high code of honor forbids such a thought, but in any case it is not desirable to create a situation in which the interests of Japan will be different from the interests of her allies.

MUST WELCOME IN LEAGUE.

"Japan feels especially strongly any attitude which, rightly or wrongly, she interprets as a differentiation between herself and the other allies. One of the first and obvious ways to retain Japanese sympathy is to somehow arrange so that her national army actually fights the Germans. We must show that we welcome her to one of the highest places in the league of nations. By every means in our power we must encourage Japan to follow other nations in the liberal, democratic path rather than to embrace frank imperialism.

"I conceive that the solution of the eastern problem would probably be to invite Japan to intervene in Russia with the allies on some definite basis. What compensation Japan might require I have no idea. She should be asked. In any case, it is essential that Japan agree not to simply remain in Siberia but advance to fight the Germans as far west as possible.

SHOULD ADVANCE TO URALS.

"She must undertake immediately an advance as far as the Urals, forming a base, say, at Irkutsk and then at Tseliabininsk, while the western allies form similar bases at Archangel and Vologda. A northern railway connects Archangel with the Tseliabininsk via Vologda and Viatka. The allied forces should gradually push forward along this railway until they meet, establishing a new eastern front, from which the allied activities can extend westward as the new army gathers strength.

"It seems to me that unless some such action is taken to prevent Germany laying hands on Russian raw materials, Germany will be able to hold out for years. Under such a plan the Germans would undoubtedly immediately occupy Petrograd and Moscow, but under the present circumstances this must be regarded as relatively unimportant.

SEES NO REASON FOR FEAR.

"From the Russian point of view I see no great reason to fear Japanese intervention if it is carried out in conjunction with the allies. From an economical point of view I believe that some foreign force is absolutely necessary to establish the conditions necessary for the productive activity of the Russian people.

"Russia is now in the position of a man standing on his head. Previously 180,000,000 Russians worked while 1,000,000 governed. Now 180,000,000 prefer governing and compelling the 1,000,000 bourgeoisie to work. Such a situation is bound to lead to disaster.

NOBODY WANTS TO WORK.

"The real trouble with Russia at present is that nobody wants to work. The Germans, who fully realize this, keep 30 divisions of troops in the Ukraine, whose chief duty is compelling the people to work. Germany cares nothing for Petrograd, Moscow, and northern Russia, for they are quite unproductive. She completely neglects them, knowing full well that starvation will keep them in her power, while she concentrates her attention on regions rich in food and raw material and which also lead to India.

"By their arrival at Rostoff, the Germans have completed one-third of the way to India. After dominating the Ukraine and Crimea, the Germans will push eastward and busy themselves in the Don and Kuban Cossack regions. Representatives of the Caucasus, which lies still farther on the way to India, are now in Berlin discussing an agreement with Germany."

EXHIBIT OF TRENCH WARFARE AT QUANTICO, VA.

Mr. TILLMAN. Mr. President, about an hour ago I received a letter from the Secretary of the Navy, which I send to the desk. I ask to have the letter read for the information of the Senate, and after it is read I shall have something to say on the subject.

The PRESIDING OFFICER. The letter will be read.

The Secretary read as follows:

THE SECRETARY OF THE NAVY,
Washington, June 19, 1918.

MY DEAR SENATOR TILLMAN: To-morrow (Thursday) at Quantico the marines are going to have an exhibition of trench warfare, machine-gun practice, and other military exercises. I would be glad if you and all the members of the Naval Affairs Committee would go down. We will leave on the 9.30 train, arriving at Quantico at 10.40. We will come back on the *Mayflower*, leaving there at 4 o'clock and getting to the navy yard about 6.30.

Will you be good enough to extend this invitation to all the members of the committee and any other Senators you think would be interested?

Sincerely, yours,

JOSEPHUS DANIELS.

HON. B. R. TILLMAN,

United States Senate, Washington, D. C.

Mr. TILLMAN. Mr. President, under the broad authority suggested, I take the liberty of inviting any Senator who is interested enough to go down to Quantico to go. The Secretary of the Navy will bring us all back on the *Mayflower*. We will have a ride on the water, if nothing else.

I am very much interested in seeing a little something of this trench warfare and the machine guns we read so much about and hear so much about. That is my reason for having the letter read for the information of the Senate.

Mr. TILLMAN subsequently said:

There seems to be some confusion in the minds of Senators about the time the train will leave for Quantico to-morrow. I merely wish to state that the Secretary says we will leave on the 9.30 train, arriving at Quantico at 10.40. Therefore those who want to go will go to the Union Station and take the 9.30 train.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by G. F. Turner, one of its clerks, announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10854) making appropriations for the naval service for the fiscal year ending June 30, 1919, and for other purposes.

The message also announced that the House recedes from its disagreement to the amendments of the Senate numbered 4, 33, 75, and 101 to the bill (H. R. 10854) making appropriations for the naval service for the fiscal year ending June 30, 1919, and for other purposes, further insists upon its disagreement to the residue of the amendments of the Senate, asks a further conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. PADGETT, Mr. TALBOTT, Mr. RIORDAN, Mr. BUTLER, and Mr. BROWNING managers at the conference on the part of the House.

VOLUNTEER OFFICERS' RETIRED LIST.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 130) to create in the War Department and the Navy Department, respectively, a roll designated as the "Civil War volunteer officers' retired list," to authorize placing thereon with retired pay certain surviving officers who served in the Army, Navy, or Marine Corps of the United States in the Civil War, and for other purposes.

Mr. TOWNSEND. Mr. President, the bill before the Senate is one that is familiar to all Senators, I presume. It is known as the volunteer officers' retirement bill. A similar measure passed the Senate a few years ago, and then went to the House, where it failed to receive consideration on account of the lack of time before the close of the session. It has been reported several times from the Committee on Military Affairs of the Senate, and I have asked for a vote upon it, but two or three Senators have always been able to employ dilatory tactics sufficiently to defeat final action.

I do not blame any Senator for opposing the bill if he does not believe it ought to pass. I have felt, however, that inasmuch as it is thoroughly understood and has been considered so extensively that it was only fair that a vote should be granted.

I now propose, so far as it lies within my power, to hold the measure before the Senate until a vote is obtained, and if two or three Senators feel it is their duty to delay the business of the Senate and of the country in their efforts to thwart a clear desire of a majority to vote upon this bill, that responsibility must lie with them and not with me.

I first desire to call the attention of the Senate to the fact that there are two reports on this bill.

When it was reported by the Military Affairs Committee, the chairman did not understand that a new report had been prepared, and so the clerk of the committee adopted the old report; that is, the report on the previous bill. I have caused to be prepared, however, another report, going into the matter more in detail than has ever been done before and more nearly brings it up to date. I ask Senators to obtain the last copy, the one of June 6, which gives the various statutes to which references are frequently made, the orders of President Lincoln, and other matters connected with the merits of the subject.

Mr. President, I recognize, as does every other Senator, I believe, that this is the time when economy should be practiced; I have thought that we have voted money sometimes that was not necessary, and if this were an ordinary matter I could consent that action upon it should be deferred; but this question has been postponed for 53 years. The proposed beneficiaries under it are now 53 years older than they were when the obligation was incurred and the practical pledges of the Government made. They are now 80 years of age on an average; they are dying at the rate of 1,200 a year, and but about 7,000 of them are now living. From the very nature of things this legislation can not be longer deferred without continued grave injustice, without irreparable injury, if my contention on their merits is correct. Therefore I am urging final action at this time.

The bill proposes no new policy, Mr. President. This policy, as I recall it, about 40 years after the Revolutionary War, was adopted by Congress, and the volunteer officers were retired not at one-half pay, as we propose here, but at full pay. We are now by our current legislation placing the National Guard, the National Army, and the Regular Army all on an equal footing, and in the future retirement will apply to all with equal impartiality. I feel sure that such a policy will be adopted.

I repeat that there are about 7,000 of these men now living, and according to the best statistics and information which I can obtain, now that the so-called Smoot general pension law has been enacted, this bill the first year will carry something be-

tween four and five million dollars—less than five million. That amount will decrease very rapidly during the next few years, until in six or eight years it will be practically wiped out and there will be no more expense incurred by reason of it.

Mr. President, notwithstanding the opinion of Senators who may talk without the record, but who have convictions or ideas upon the subject of economy, I submit that the volunteer officers of the United States, who enlisted and trained and commanded 95 per cent of the forces of the Civil War, were promised treatment exactly in all respects like that accorded the Regular Army officers. They have not been so treated. Congress has not treated even volunteer officers with impartiality. We have enacted laws retiring some four or five Civil War officers on full pay; they had never been in the Regular Army. Congress has enacted laws retiring men in the Regular Army at the age of 62 at a grade in advance of the highest rank they held in the Army, simply because they served a few days, it might have been, as volunteers in the Civil War. Service as a volunteer retired them one grade higher than their Regular Army service would have entitled them to receive. Certainly the Congress can afford to be as just to the men and officers of the Civil War who left the Army at the close of that conflict when they were no longer needed and went into the pursuits of civil life to repair the ruin of war as it is to officers who remained in the Army during the long years of peace. These volunteers should be treated as fairly and as justly as their comrades who stayed in the Regular Army when the war was over and had their futures provided for, unconnected with danger, because they saw little service on the field after the end of the war. Yet, I repeat, the Congress of the United States has been almost constantly rewarding these Regulars because of their service in the Civil War as volunteers.

But, Mr. President, these facts are known. I have presented them a number of times on the floor of the Senate, and I dislike very much to take the time of the Senate in discussing matters with which all are already familiar. I know the opposition to the bill; in my judgment it is without foundation in reason or justice, but, under the rules of the Senate, Senators can occupy the time, and they have already threatened so to occupy it to defeat the will of the majority. But I repeat that I propose, so far as I am able, to hold the measure before the Senate for a final vote, and if it remains here unduly long opposition Senators will be responsible for delaying the work of Congress and of the country.

I know, sir, as does every other Senator, that we have passed bills in this body which have received the indorsement of some of the Senators who will oppose this bill which had much less merit than this particular one has. I shall not criticize Senators for voting against it. I know Senators do not all agree with me any more than I agree with them. I have no right to criticize them, and I do not do so; but I do insist that, when the merits have been presented to the Senate, there shall be an opportunity to dispose of it by a final vote.

I shall be pleased at any time to answer any question that I may be able to answer going to the merits of the bill itself. I am ready to explain its every detail.

Mr. GALLINGER. Mr. President—

The PRESIDING OFFICER (Mr. VARDAMAN in the chair). Does the Senator from Michigan yield to the Senator from New Hampshire?

Mr. TOWNSEND. I do.

Mr. GALLINGER. Does the Senator from Michigan really feel and believe that after this bill has been debated for a reasonable time a vote will not be taken on it?

Mr. TOWNSEND. No; I think we shall have a vote on the bill.

Mr. GALLINGER. I stood here the other day and called attention to the fact that there had been very few exceptions during my 27 years' service in the Senate when a vote had been denied on a measure; and I do not believe there is any disposition at this session to delay or to defeat any measure by refusing a vote. I hope the Senator from Michigan will make himself believe, in discussing this question, that we shall have a vote on the bill.

Mr. TOWNSEND. Mr. President, I have faith that we shall have a vote. I will say to the distinguished Senator from New Hampshire that I believe the majority sentiment of the Senate will prevail after the question has been thoroughly discussed.

Perhaps I ought to mention before I take my seat this fact: One of the principal arguments in opposition to the bill has been that it proposes to treat the officers differently from the way the so-called common soldier is treated by our Government. Of course, that is true in a measure, for that is the case in every nation in the world; that is true of all the provisions that are made for an army. It is one of the distinctions which main-

tain, necessarily; there must be officers and men, and the former receive higher compensation than the latter; but let me remind you, Mr. President, that since 1890 there has been no recognition of rank in the Army among the Civil War volunteers. When we placed them on the flat pension basis we took away from the officer a distinction dear to him, which is recognized by all other nations, and which we ourselves had theretofore recognized.

Furthermore, while I have supported bills for granting pensions to the rank and file, I have recognized that they have been given practically double the pension or the pay which they received while they were in the Army. It is the only retirement that we can grant them. They received \$13 a month, while some of them are now receiving \$40 a month. The officers who paid their expenses, who were responsible for the property of the Government, and of whom superior qualifications were required, and who were charged with great and important responsibilities, have only received a pension of the ordinary enlisted man, and we are now asking in this bill that they shall receive recognition as officers, and we are doing it with the approval of the enlisted men in the ranks. We are demanding that after 53 years of deferred hope these officers may at least have their rank recognized by the Government, and that they shall be paid not to exceed one-half of the pay of officers of their actual rank but in no case to exceed three-fourths the pay of an active captain in the Army. I believe that would be just.

I repeat, if Senators will look at the references to the statutes which we have quoted, and recall that the act of July 25, 1861, was enacted solely for the purpose of correcting something that was left out of the statute of July 22, if they recall that the act of August 3, 1861, was pending and under discussion when the act of July 22, 1861, was under discussion, they will understand that Congress at that time had in mind not simply equality as to pay and allowances, but equally in all respects, present and future, that they were to be treated then and thereafter as the men in the Regular Army. They have not been so treated. Therefore I have had no embarrassment, even in this time of extreme expense, in asking that justice, long-deferred justice, be approximately done. I believe the passage of this measure will be helpful to patriotism. The report before the Senate does not ask pay for service to their country for these old officers. Their duty was gloriously performed without thought of compensation, and they are patriots now, and more is the reason for this Congress to perform its duty. Our action will further demonstrate that the Government keeps faith with its defenders.

So, Mr. President, I have waited patiently, hoping for the time to come when a majority could express itself. Now, we have the opportunity to do so, and I hope Senators will not think I am overpersistent if I insist in holding this bill before the Senate and urging its friends to be present and not allow two or three Senators to succeed in delaying action until they think something of more pressing war importance shall come up to take this measure off the floor, and with the hope that finally Congress will again fail to act. These veterans, who are now 80 years old and who were our heroes in 1861, as much so as are the men who now are wearing our uniform on the foreign battle fields, this remnant of volunteer officers of the Civil War, should not again be defeated by a filibuster. No Senator can say with reason that this is a proposition to pay these men more than is their just due.

They are entitled to the enforcement of the contract that was made by their Government with them. It is their due; it should be our privilege. In their old age the great majority of them are now in the soldiers' homes, subjects of public charity, and the few remaining days of their lives should be made brighter by this expression of a Nation's gratitude. If Congress is ever to take action on this matter, it must be taken now. The ranks of these officers are being depleted rapidly. They will be with us only a very few years, most of them only a few months. We should not delay action longer.

But I repeat, Mr. President, I have submitted these facts before. Most of the Senators are as familiar with them as I am. If they will read the last report, they will secure all the information I can give; and I shall be content if Senators, after voicing their opposition by such arguments as they can command, will allow us without concerted delay to come to a vote upon the measure.

Mr. McCUMBER. Mr. President, before the Senator ceases speaking I should like to ask him to what extent would the enactment of this bill diminish our ability to pay the salaries of about 70,000 officers who are now performing the duties of file clerks in our several departments?

Mr. TOWNSEND. Well, it would be absolutely insignificant; it would scarcely be counted in the balance. I am glad the Senator has called attention to that fact, because it emphasizes what

I said a moment ago, viz, that we are spending the money of the Government now for all kinds of schemes that are advocated and for salaries for men who live in comfort and have many votes. The men affected by this bill are few in number, and their influence politically is practically gone. They are old men, nearing the end of life; yet their rights ought to be as sacred as the rights of those of the moderns who are drawing big salaries and who are perhaps more potential politically. I refer now, of course, to that army of captains, majors, colonels, and generals who some day will be pensioned for work performed not upon the battle fields but in comfortable offices here in Washington and other war-preparative centers.

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

Mr. KING. Mr. President, this bill is so important that it seems to me it ought to be discussed when there is a fuller attendance of Senators than is at present found in the Chamber. The justice of the claims of the individuals to whom the Senator from Michigan has referred, according to his view, seems to be so strong that I feel that other Senators ought to be here in order to listen to the advocacy of the justice of their claims.

Mr. GALLINGER. Mr. President—

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

Mr. KING. I yield to the Senator.

Mr. GALLINGER. Did it occur to the Senator when the Senator from Michigan [Mr. TOWNSEND] was making his splendid speech that there might well have been more Senators present?

Mr. KING. Yes; I thought of that; but I thought perhaps the Senator from Michigan was satisfied with his auditors, and was so satisfied that his bill would pass that I disliked to disturb him. When, however, I remember, Mr. President, that some of my own relatives who took part in the Civil War as volunteers, some of whom obtained commissions, when the war was over went back to private life, and have spent their lives in active work incident to citizenship and not in the Army, and when I realize that this bill now seeks to give them a gratuity, to give them a claim upon the Government, to place them on the same list as men who have given all their lives to the service of the country, who have not gone back to their various vocations, but have been compelled to give, by reason of their stay in the military service, all of their time and all of their talent to the Government—when I realize that it proposes to give men who have not served the Government for 40 years, but have been serving themselves, the same rank, the same pay, the same emoluments, and the same pensions as the former class, I confess that to appreciate the justice of that contention requires a mind built along different lines than my own; and I am so eager to have other Senators listen to the persuasive arguments of the Senator from Michigan and of those who entertain that strange view, that I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

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

Ashurst	Hale	Lewis	Sheppard
Bankhead	Harding	Lodge	Sherman
Borah	Hardwick	McCumber	Smith, Ariz.
Brandeggee	Hitchcock	McKellar	Smith, Ga.
Chamberlain	Hollis	McNary	Smoot
Colt	Johnson, Cal.	Nelson	Sterling
Cummins	Johnson, S. Dak.	Norris	Sutherland
Curtis	Jones, Wash.	Nugent	Thompson
Dillingham	Kellogg	Page	Tillman
Fall	Kendrick	Polindexter	Townsend
Fernald	Kenyon	Ransdell	Vardaman
Gallinger	King	Robinson	Wadsworth
Gerry	Kirby	Saulsbury	Watson
Gronna	Lenroot	Shafroth	

Mr. VARDAMAN. I have been requested to announce that the Senator from Florida [Mr. TRAMMELL] is absent on official business.

The PRESIDING OFFICER (Mr. ASHURST in the chair). Fifty-five Senators have answered to their names. A quorum of the Senate is present.

Mr. KING. I move that the Senate proceed to the consideration of executive business.

The PRESIDING OFFICER. The question is on the motion of the Senator from Utah that the Senate proceed to the consideration of executive business.

The motion was rejected.

Mr. KING. I move that the Senate adjourn.

The PRESIDING OFFICER. The question is on the motion of the Senator from Utah that the Senate adjourn. [Putting the question:]

Mr. KING. I ask for a division.

On a division the motion was lost.

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

Mr. SMITH of Georgia. Mr. President—

The PRESIDING OFFICER. The Senator from Georgia is recognized.

Mr. SMITH of Georgia. Mr. President, I have opposed this measure when it has been before the Senate on prior occasions. As I understand, it proposes to place upon the rolls for pay as retired officers those who served temporarily during the Civil War; I mean those who served during the Civil War and then were retired honorably from the service.

We have a system by which those who entered the Army and served forty-odd years receive two-thirds pay when they reach the age of 62 or 64. I believe the Navy has a retiring age of 62 and the Army 64. We have followed the policy with reference to men who have served in the Army, beginning usually at about 20 and lasting until they are 64, of retiring them on something like two-thirds pay; the exact figures I do not recall—possibly three-fourths. These officers to whom this bill applies served a short time—at most not more than four years, I believe—and the effect of this bill, as I understand, is practically to place them upon the footing of those who served forty-odd years. They left the Army after the war. They have had the opportunity, with the prestige that they won, of success in civil life. Very many of them have won distinguished success in civil life, and this bill, without regard to their financial condition, without regard to their having suffered any injury during the war, with the very short period of service, relatively, proposes to treat them now practically as those are treated who served something like 44 years. It is to give them—is it two-thirds or three-fourths of their salaries during the balance of their lives?

Mr. TOWNSEND. They get three-fourths pay, not to exceed half the pay of a captain.

Mr. SMITH of Georgia. Three-fourths pay, not to exceed half the pay of a captain. Then my statement would be entirely in error as to a general, because you limit the pay to three-fourths pay, not to exceed half the pay of a captain.

I do not intend to consume the time of the Senate upon this measure, and I do not intend in any way to seek to prevent a vote. I am opposed to it, and I only wish to reexpress at this time my opposition. I believe in the most liberal compensation to those who are injured in the service. Anyone injured in the service of the United States as a soldier should be made whole by his country as nearly as money can make him whole; but those who are mustered out sound, those who really do not suffer physical injury as a result of the service, should receive their financial compensation during the period that they are in the service. I have never agreed with the view of the Senator from Michigan that there was any kind of contract with these men or any obligation to these officers—splendid officers no doubt they were, splendid citizens no doubt they are—to put them on the retired roll with retired officers' pay. There has been some talk about that from time to time, but I have seen nothing that amounted in any way to a binding obligation on the part of the Government to give this bounty.

We have carried the pension pay roll over \$200,000,000. We appropriated to-day over \$200,000,000 for the pension rolls for the ensuing year, the largest bill of the kind in the history of the country, and that over 50 years after the war ceased. The further we get from the war, and the fewer there are to recognize, the higher the charge. I do not think we ought to have made any of these increases in pensions during the past week. I do not think the pension bills of the recent date ought to have passed. I do not think the pension bill ought to have passed yesterday. I was compelled to be away from the city with a committee, visiting some airplane-manufacturing plants, or I should have expressed, not lengthily but very positively, my opposition to the bill that passed yesterday.

This is simply a measure to place these officers on the roll as retired officers, carrying their pay up to something like \$3,000 apiece. I have not studied the bill in detail since we had it up more than a year ago, and I may be inaccurate in my figures. I do not pretend to be accurate. At that time it was thought that the charge would be something like \$10,000,000 a year. I do not know what it will be now.

It is an ungracious thing to object to pensions. It is an ungracious thing to object to these appropriations. It is not a pleasant thing to do. The Senate has a right, as far as this body is concerned, to do whatever it wants to do, and I will content myself with this very brief expression of my regret that the measure is about to pass and that we are to carry the pension roll for the next year upward by increased bounty to those receiving no injury. We will have to add, I suppose, \$10,000,000

or something like that to the appropriations to meet the expenditure that will be incurred under this bill. About what does the Senator from Michigan now think it will be?

Mr. TOWNSEND. I think, as I said before, that under the greatest estimate that has been made by the Interior Department and others, when we take out the pensions that have been granted, it can not exceed \$5,000,000. It will be less than that.

Mr. SMITH of Georgia. Of course, each year it will be less.

Mr. TOWNSEND. Very much.

Mr. SMITH of Georgia. Several years ago, when the bill was under consideration, the best estimates I saw then were that it would be between nine and ten million dollars, I think. I have not looked into it carefully as to the total since.

Mr. SMOOT. Mr. President, I will say to the Senator from Georgia that the passage of the bill on June 10 of this year considerably reduces the amount of pensions that will be granted under this bill; I can not say how many million dollars.

Mr. SMITH of Georgia. Oh, yes; because they have already been increased by that bill?

Mr. SMOOT. They have been increased by that bill, and this bill in some cases will not affect in the least the pension drawn by them under the existing law. In other words, if this bill passes there are a good many of the retired officers who will receive under existing law a pension as great as they would receive under this bill, and therefore they will not receive any increase of pension whatever.

Mr. SMITH of Georgia. In other words, the substantial increase in all pensions made within the past few weeks carries the amount they now receive in all cases much nearer to what they will receive under this bill, and in some cases up to as much as they will receive. That is what I understand the Senator to say.

Mr. SMOOT. Yes; that is true.

Mr. SMITH of Georgia. I do not know where all the money is coming from, but I suppose it will come, and with this very brief statement I shall take no more of the time of the Senate upon the subject.

Mr. KING addressed the Senate. After having spoken for some time,

Mr. VARDAMAN. Mr. President—

The PRESIDING OFFICER (Mr. ASHURST in the chair). Does the Senator from Utah yield to the Senator from Mississippi?

Mr. KING. I yield to the Senator.

Mr. VARDAMAN. I suggest the absence of a quorum.

Mr. KING. I yield for that purpose.

The PRESIDING OFFICER. The Senator from Mississippi suggests the absence of a quorum. The Secretary will call the roll.

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

Ashurst	Hitchcock	McNary	Smith, Ga.
Brandegee	Hollis	Myers	Smoot
Chamberlain	Johnson, Cal.	Nelson	Sterling
Colt	Jones, Wash.	Norris	Sutherland
Curtis	Kellogg	Nugent	Townsend
Dillingham	Kendrick	Page	Trammell
Fall	King	Poindexter	Vardaman
Fernald	Kirby	Ransdell	Wadsworth
Gronna	Lenroot	Robinson	Watson
Gulon	Lewis	Saulsbury	Wilfley
Hale	McCumber	Sheppard	
Harding	McLean	Sherman	

The PRESIDING OFFICER. Forty-six Senators only have answered to their names. There is not a quorum present.

Mr. MYERS. I move that the Senate adjourn.

Mr. BRANDEGEE. On that I ask for the yeas and nays. The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. DILLINGHAM (when his name was called). I transfer my pair with the senior Senator from Maryland [Mr. SMITH] to the Senator from New Jersey [Mr. BAIRD] and vote "nay."

Mr. VARDAMAN (when Mr. McKELLAR's name was called). I was requested to announce that the junior Senator from Tennessee [Mr. McKELLAR] is absent on official business.

Mr. STERLING (when his name was called). I have a general pair with the Senator from South Carolina [Mr. SMITH]. I transfer that pair to the Senator from Maryland [Mr. FRANCE] and vote "nay."

Mr. TILLMAN (when his name was called). I transfer my pair with the Senator from West Virginia [Mr. GOFF] to the Senator from New Mexico [Mr. JONES] and vote "nay."

Mr. WARREN (when his name was called). I ask if the Senator from North Carolina [Mr. OVERMAN] voted?

The PRESIDING OFFICER. That Senator has not voted.

Mr. WARREN. I have a general pair with that Senator. I therefore withhold my vote. If privileged to vote, I should vote "nay."

Mr. WATSON (when his name was called). I have a general pair with the junior Senator from Delaware [Mr. WOLCOTT]. I transfer that pair to my colleague [Mr. NEW] and vote "nay."

The roll call was concluded.

Mr. LEWIS. Mr. President, my purpose in rising is to announce for the day, as well as for this particular vote, the absence of the Senator from Kentucky [Mr. JAMES], occasioned by his personal illness, and the absence of the Senator from Mississippi [Mr. WILLIAMS], occasioned by illness in his family.

Mr. JONES of Washington (after having voted in the negative). The junior Senator from Virginia [Mr. SWANSON] is necessarily absent for the day and I have a pair with him. Therefore I withdraw my vote.

Mr. HARDING (after having voted in the negative). I inquire if the junior Senator from Alabama [Mr. UNDERWOOD] has voted?

The PRESIDING OFFICER. That Senator has not voted.

Mr. HARDING. I have a general pair with the junior Senator from Alabama. In his absence and my inability to secure a transfer I withdraw my vote.

Mr. GALLINGER. I have a general pair with the senior Senator from Florida [Mr. FLETCHER]. I transfer that pair to the Senator from Idaho [Mr. BORAH] and vote "nay."

Mr. CURTIS (after having voted in the negative). I have a general pair with the junior Senator from Georgia [Mr. HARDWICK] and ask leave to withdraw my vote, but ask to be counted as present to help make a quorum.

Mr. KELLOGG. I have a pair with the Senator from North Carolina [Mr. SIMMONS]. If permitted to vote, I would vote "nay."

Mr. SAULSBURY. The senior Senator from Nevada [Mr. PITTMAN] and the junior Senator from Nevada [Mr. HENDERSON] are necessarily absent.

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from New York [Mr. CALDER] with the Senator from Rhode Island [Mr. GERRY];

The Senator from New Jersey [Mr. FRELINGHUYSEN] with the Senator from Montana [Mr. WALSH];

The Senator from Pennsylvania [Mr. KNOX] with the Senator from Oregon [Mr. CHAMBERLAIN];

The Senator from Pennsylvania [Mr. PENROSE] with the Senator from Mississippi [Mr. WILLIAMS];

The Senator from Michigan [Mr. SMITH] with the Senator from Missouri [Mr. REED]; and

The Senator from Massachusetts [Mr. WEEKS] with the Senator from Kentucky [Mr. JAMES].

The result was announced—yeas 10, nays 32, as follows:

YEAS—10.

Beckham	Kirby	Saulsbury	Wilfley
Kendrick	Myers	Trammell	
King	Robinson	Vardaman	

NAYS—32.

Brandegee	Gulon	McNary	Sherman
Colt	Hale	Nelson	Smoot
Cummins	Hollis	Norris	Sterling
Dillingham	Johnson, Cal.	Nugent	Sutherland
Fall	Lenroot	Page	Tillman
Fernald	Lewis	Poindexter	Townsend
Gallinger	Lodge	Ransdell	Wadsworth
Gronna	McLean	Sheppard	Watson

NOT VOTING—54.

Ashurst	Harding	Martin	Smith, Md.
Baird	Hardwick	New	Smith, Mich.
Bankhead	Henderson	Overman	Smith, S. C.
Borah	Hitchcock	Owen	Swanson
Calder	James	Penrose	Thomas
Chamberlain	Johnson, S. Dak.	Phelan	Thompson
Culberson	Jones, N. Mex.	Pittman	Underwood
Curtis	Jones, Wash.	Pomerene	Walsh
Fletcher	Kellogg	Reed	Warren
France	Kenyon	Shafroth	Weeks
Frelinghuysen	Knox	Shields	Williams
Gerry	La Follette	Simmons	Wolcott
Goff	McCumber	Smith, Ariz.	
Gore	McKellar	Smith, Ga.	

So the Senate refused to adjourn.

The PRESIDING OFFICER. The following Senators are present in the Chamber and not voting, being seven in number: The Senator from Minnesota [Mr. KELLOGG], the Senator from Arizona [Mr. ASHURST], the Senator from Wyoming [Mr. WARREN], the Senator from Nebraska [Mr. HITCHCOCK], the Senator from Washington [Mr. JONES], the Senator from Ohio [Mr. HARDING], and the Senator from Kansas [Mr. CURTIS], making a quorum present.

Mr. LEWIS. As a matter of parliamentary privilege, the Chair did not mean to announce, I fancy, that he recognized the Senators as present and counted them because they were here. The Chair meant to assume that they announced themselves as being present?

The PRESIDING OFFICER. The Chair stands corrected. The Chair should have observed that the Senators, with the exception of the Presiding Officer, announced that they were present. The Presiding Officer did not announce that he was present. The bill is before the Senate as in Committee of the Whole and open to amendment.

Mr. LENROOT. Mr. President, this bill has been before Congress, either in one House or the other, for a great many years. Up to this time I have taken no attitude in opposition to the bill, because, while it is merely a gratuity, I did not see that it would create a precedent that might be followed in the future which would be very serious to the Treasury of the United States. It is largely because of the precedent that the passage of this bill would create and the action of the Congress in the future with reference to the officers of the present war if this bill is passed that I speak in opposition to the passage of the bill.

I said, Mr. President, that I regarded it as a gratuity if the bill was passed. I am aware that the report of the committee treats this matter as an obligation upon the part of the Government to the surviving officers of the Civil War. I think I shall be able to show that there never has been a pledge upon the part of the Government to retire these officers in the way that is now proposed or in any other way, but even if that were so, from the beginning to the end of the report of the committee they endeavor to argue that the alleged promise held out by Congress and Abraham Lincoln to these volunteer officers that they should be upon the same footing in all respects as officers in the Regular Army was an inducement to these men to offer their services. Mr. President, I believe that is an undeserved reflection upon the volunteer officers of the Civil War. I believe the officers of the Civil War were just as patriotic as are the officers of the war in which we are now engaged, and there is no pretense that there is any such inducement held out to the young men of to-day in entering the Army, and there is no dearth to-day of applications for commissions in this war. I can not for one moment believe that at the time of the Civil War the men who then so nobly responded to the call of their country did it because an inducement was held out to them that they should be put upon the retired list for life. It is a reflection upon them that is undeserved.

But, Mr. President, as we read the history of the Civil War, the motives that induced these officers to enter the service were not different from the history that is being made in this war, and the motives that induce the young men to enter the service now. The fact is, Mr. President, as to officers in the Civil War, as it is true of officers in this war, the securing of a commission is not looked upon as a sacrifice. It is not looked upon as rendering a greater service to the country than the sacrifice of an enlisted man. On the contrary, then, as now, a commission was looked upon as a reward to the man, as giving to him something better and of higher degree than the enlisted man received.

Indeed, the committee in its report recognizes it by stating, I think, more than once in the report that many of these officers were "promoted" from the ranks to an officer's commission. Of course they were, and as officers of the Civil War they received not only higher compensation than enlisted men, but they received the glory, they received the honor, which attended the position.

So it can not be said, it seems to me, that the officer either in the Civil War or in this war is entitled to any greater honor or to any greater consideration after the war is over than is the man in the ranks. Yet this bill would place the officers in that war upon a plane which would give them a compensation many times that which the enlisted man received during his life.

Reference has been made to the fact that the officer in the Regular Army who serves up to a certain age is retired and given retired pay, and the suggestion is made that these men who patriotically offered themselves ought to receive at least the same consideration as those officers in the Regular Army.

Mr. President, it does not seem that it should require any argument to show the distinction. In the case of the Regular Army military service, it is held out as a profession. It is not called forth as a matter of patriotism. It is a profession, and because the man gives up the opportunity for life to acquire a competence for himself and his family, if he has one, devotes his entire life to that profession at a very moderate compensation, retirement pay is given.

But in the case of the officer who served during the period of the war the situation is entirely different. It does not require any such inducement to get him into the service, for I hope we are not paying for patriotism in this country.

But, Mr. President, throughout this report it is argued that here was a pledge made by Congress and by Abraham Lincoln

to these officers that they should receive this consideration. If it were true that there was such a pledge, whether or not the men were actuated by that in proffering their service, it would be a pledge that we ought to keep by the passage of this bill. However, I do not think that anyone can read even the report of the committee, which argues for the position that there was such a pledge, and come to the conclusion that there was any pledge or any promise of this character.

What is the legislation upon the subject? On July 22, 1861, the first act was passed, upon which the committee relies as the basis for this bill. That act provided:

Sec. 5. *And be it further enacted*, That the officers, noncommissioned officers, and privates, organized as above set forth, shall in all respects be placed on the footing, as to pay and allowances, of similar corps of the Regular Army.

Sec. 6. *And be it further enacted*, That any volunteer who may be received into the service of the United States under this act, and who may be wounded or otherwise disabled in the service, shall be entitled to the benefits which have been or may be conferred on persons disabled in the regular service. * * * (Approved July 22, 1861.)

That is the first legislation that is quoted by the committee. The next act quoted is an act passed by Congress three days later, on July 25, and substantially the only change, so far as it affects this question, is this:

Sec. 2. *And be it further enacted*, That the volunteers authorized by this act shall be armed as the President may direct; they shall be subject to the Rules and Articles of War, and shall be upon the footing in all respects with similar corps of the United States Army, and shall be mustered into the service for "during the war." (Approved July 25, 1861.)

This is what the committee relies upon as the pledge of Congress to these officers that they should be placed upon the same footing in all respects as those who served in the Regular Army. That is true; they were placed upon the same footing in all respects as those who served in the Regular Army, and there has never been any discrimination against them under the law. The fact is that at the time this act was passed there was no retirement law at all upon the statute books of the United States; so if the committee rely upon this act they certainly could not have relied upon any promise that after these officers received their discharge, they should be put upon the retired list and receive retired pay, because there was no such provision of law in existence at the time of the passage of this act. The first retirement law passed by Congress was a little more than one month later, on August 3, 1861. Let us see what that act provided. The only section which the committee claims has any bearing upon this proposition is section 16, which reads as follows:

And be it further enacted, That if any commissioned officer of the Army or of the Marine Corps shall have become, or shall hereafter become—

And, of course, Mr. President, the phrase "hereafter become" means during their service in the Army—

incapable of performing the duties of his office, he shall be placed upon the retired list and withdrawn from active service and command and from the line of promotion, with the following pay and emoluments, namely, the pay proper of the highest rank held by him at the time of his retirement whether by staff or regimental commission, and four rations per day, and without other pay, emoluments, or allowances. (Approved Aug. 3, 1861.) (12 U. S. Stat. L., 287-291; sec. 1245, U. S. Rev. Stats.)

Other provisions of the retirement act provided for retirement, I believe, at the expiration of 40 years' continuous service. Every officer in the Civil War had the benefit of that retirement act; no volunteer officer was denied its benefit. It applied to them as well as to officers of the Regular Army. If any volunteer officer of the Civil War during the period of his service became incapable of performing the duties of his office, he was retired under this act and received retired pay. But the difficulty with the situation is, that after these thousands of officers were honorably discharged they could no longer come within the terms of the act; they were separated from the service for reasons entirely apart from those which provided for their retirement in this retirement act. Remember, Mr. President, that this act was passed only a little more than 30 days after the act of July 25 upon which the committee relies as a pledge or promise to these officers. Certainly on August 3, a little more than 30 days after the passage of the act, every volunteer officer in the service of the United States knew exactly what the intention of Congress was and under what conditions he would be retired with retired pay. So it can not be for a moment said that there was any pledge made by Congress or by Abraham Lincoln to these officers which has not been fulfilled to the very letter.

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

Mr. LENROOT. Yes.

Mr. KING. Is it not a fact that the officers of the Regular Army who, to use the Senator's expression, separated them-

selves from the Army by voluntary resignation prior to this time, ceased to get the benefit or were denied the benefit flowing from the retired-officers' act?

Mr. LENROOT. Certainly; and that is true to-day. Any officer of the Regular Army who is separated from the service, except under the conditions that are provided for in our present retirement laws, receives neither retirement status nor retirement pay.

Mr. President, it seems to me that no Senator can claim that here is a pledge upon the part of the Government to place these officers upon the retired list with retired pay, because the very legislation referred to by them, and upon which they seek to base their claim for favorable consideration, shows that there was not a pledge; that there was not a pledge in the first place, because at the time this act was passed there was no retirement law in force, and, therefore, if they secured their commissions between July 25, 1861, and August 3, 1861, they could not have entered the service upon the belief that after the war was over they would have a retired status and retired pay, because there was no such law upon the statute books. If they offered their services subsequent to August 3, 1861, they could not then claim that there was any pledge, because by that time Congress had legislated upon the subject, and they were not entitled under the law to a retired status and retired pay at the end of the war if they were discharged from the service.

Mr. KING. Mr. President, the Senator from Wisconsin is giving an exposition of the subject that must be appealing to all fair-minded men, and it seems to me a very great misfortune that Senators should be denied the opportunity of hearing this magnificent argument. I therefore, if the Senator will pardon me, suggest the absence of a quorum.

Mr. TOWNSEND. Mr. President, if I recall correctly, under the ruling of the Senate the right of calling a quorum has been denied unless some business has been transacted since the last call for a quorum has been made. There has been no business transacted since the last call for a quorum, except the Senator's own speech, since we had the presence of a quorum developed by a roll call.

The PRESIDING OFFICER (Mr. JOHNSON of California in the chair). If the point is made by the Senator from Michigan [Mr. TOWNSEND], the Chair will rule that the point is not well taken. The Secretary will call the roll.

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

Bankhead	Harding	McCumber	Smoot
Beckham	Hardwick	McLean	Sterling
Brandegee	Hitchcock	McNary	Sutherland
Chamberlain	Hollis	Nelson	Tillman
Colt	Johnson, Cal.	Norris	Townsend
Cummins	Jones, Wash.	Nugent	Trammell
Curtis	Kellogg	Page	Vardaman
Dillingham	King	Polindexter	Warren
Fernald	Kirby	Ransdell	Watson
Gallinger	Lenroot	Saulsbury	
Guion	Lewis	Shafroth	
Hale	Lodge	Sheppard	

Mr. SHEPPARD. The Senator from Virginia [Mr. MARTIN], the Senator from North Carolina [Mr. OVERMAN], the Senator from Arkansas [Mr. ROBINSON], the Senator from Wyoming [Mr. KENDRICK], and the Senator from Tennessee [Mr. McKELLAR] are detained on official business.

The PRESIDING OFFICER. Forty-five Senators have answered to their names. There is not a quorum present. The Secretary will call the names of the absent Senators.

The Secretary called the names of the absent Senators, and Mr. FALL and Mr. GRONNA answered to their names when called.

Mr. SMITH of Arizona, Mr. WADSWORTH, Mr. ASHURST, Mr. PHELAN, and Mr. SHERMAN entered the Chamber and answered to their names.

The PRESIDING OFFICER. Fifty-two Senators have answered to their names. There is a quorum present.

Mr. LENROOT. Mr. President, when interrupted by the suggestion of the absence of a quorum, I was attempting to show by the report of the committee itself that there had never been a pledge by Congress or by the Government to place volunteer officers of the Civil War after the war was over upon the retired list with retired pay. I called attention to the fact that the only act relied upon by the committee as conveying this promise was the act of July 25, 1861, which provided that those who should respond to the call for volunteers should be placed upon the same footing in all respects as members of the Regular Army; but at the time that act was passed there was no retirement law for officers of the Regular Army upon the statute books, and therefore at that time there could have been no promise held out to those who offered themselves under the terms of the act of July 25, 1861, that they would receive the benefits of a retirement system. The first retirement act was

passed a little more than a month later, on August 3, 1861, and as to any who volunteered after that time they fully understood that there was no such pledge to them, because the terms of the act itself plainly indicated who would be entitled to the benefits of retirement; and that, unless they came within the terms of the act, there was no possibility of their being put upon the retired list with retired pay.

So, Mr. President, it seems to me plain that the proposed legislation now pending can not be justified upon the theory that there was a pledge or an obligation upon the part of the Government to these officers. If this bill passes at all, it passes as a gratuity to these men and not as the fulfillment of an obligation. I wish to discuss it for the moment upon the theory of a gratuity.

First, attention is called by the committee in its report to the fact that there is a precedent for legislation of this character in that Congress in 1828, I think it was, placed the officers of the Revolutionary War upon a retired basis with retired pay; but I call attention to the fact that we had a war in 1812, that we had another in 1848, and that no similar action has been taken with reference to the officers of either of those wars. There was a very good reason why action of this kind might be taken in the case of the officers of the Revolutionary War which would not hold good or be called forth with reference to the officers of other wars.

At the time of the Revolutionary War we had no strong Government and we had no such response to the call for volunteers as we had when Abraham Lincoln issued his various calls. The fact that we had an Army at all in the Revolutionary War was due very largely to the fact that there were patriotic men who, without any assistance from the Government and without that patriotic law which afterwards existed, raised companies and regiments and were responsible in a very much greater degree for the existence of the Revolutionary Army than were the officers of the Civil War responsible for the existence of the Army in the Civil War, because the response upon the part of the enlisted man in the Civil War came very largely from the call of Lincoln, from the call of his country, rather than through the personal efforts of the men who afterwards were officers of the various companies and regiments.

But, Mr. President, treating it as a gratuity, if it were not for the fact that, if this bill passes, it will create a precedent that will entail in the very near future a burden upon the Treasury of the United States of anywhere from \$150,000,000 to \$500,000,000 a year, I do not know that I should oppose its passage. It is not the five or six or seven million dollars that will be given to these retired officers of the Civil War that is alone involved in the passage of this bill; if this bill passes Congress, it seems to me we will be equally obligated to put every commissioned officer serving in the present war upon the retired list with retired pay when the treaty of peace shall have been made.

Mr. KING. Mr. President—

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

Mr. LENROOT. Certainly.

Mr. KING. Let me suggest to the Senator that to be consistent and just according to the standard of the proponents of this bill we will also have to put all of the volunteer officers of the Spanish-American War upon the retired list as soon as they reach the age of retirement.

Mr. LENROOT. That is true; and while that, of course, would not involve perhaps a very great drain upon the Treasury, I do insist if this be a gratuity—and it is a gratuity—that the Congress can not afford to place a mortgage upon the Treasury of the United States for gratuities amounting anywhere, as I said a moment ago, from \$150,000,000 to \$500,000,000 a year for the next generation to come.

Mr. President, if sympathy for these men and the feeling of gratitude which we have toward them, as we have to all the enlisted men of the Civil War, were all that were involved we might say let this bill go through without protest—and I appreciate, I think, the fact that this bill is going to pass—but on account of the tremendous importance that it assumes because of the precedent that it will create, a precedent that very many Members of the Senate to-day will find confronting them who will still be here one, two, three, four, or five years from now, it is not a matter that should be lightly treated or one that should be regarded from the standpoint, "Oh, here is a paltry sum comparatively speaking, and let it go." I do not see how Senators who vote for this bill can, when this war is over, avoid voting for a like bill for every officer serving in the present war.

It is for that reason, Mr. President, that I can not favor the bill; it is for that reason that I have felt impelled to state my reasons why I can not support it. Not only has there been no pledge upon the part of the Government, not only are we under no obligation by reason of any promise made in the past Con-

gress or otherwise to take this action, but if this action is taken it is taken purely as a gratuity, and the Senate should remember that if it gives this gratuity now it ought for the same reasons and because of the same argument give in a year or two a like gratuity to 200,000 or 500,000 officers who are serving in the present war, involving hundreds of millions of dollars of expense to the Government of the United States.

Mr. McCUMBER. Why does the Senator say, Mr. President, "in a year or two," considering that we have waited 53 years before we have granted it for the officers of the Civil War?

Mr. LENROOT. I am very glad to answer the question of the Senator, Mr. President. If it is right and just that this bill be passed to-day it ought to have been passed 53 years ago.

Mr. McCUMBER. I was asking the question from the standpoint of the Senator that it was a gratuity only.

Mr. LENROOT. It is a gratuity; it is one which should be bestowed upon all in a like situation; and it would not be fair, from the standpoint of a gratuity alone, to let this matter run on for years, so that we would give some men a gratuity, but most of them may go to their graves without having it. If we are going to treat it at all as a gratuity we should treat them all alike, and we should do it at the earliest opportunity.

Mr. VARDAMAN. I move that the Senate proceed to the consideration of executive business.

The PRESIDING OFFICER. The Senator from Mississippi moves that the Senate proceed to the consideration of executive business. [Putting the question.] By the sound, the yeas seem to have it.

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

The yeas and nays were not ordered, and the motion was rejected.

Mr. KING. I move that the Senate adjourn, and upon that motion I demand the yeas and nays.

The yeas and nays were not ordered, and the Senate refused to adjourn.

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

The PRESIDING OFFICER. The Senator from Utah suggests the absence of a quorum. The Secretary will call the roll.

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

Brandegge	Hale	McLean	Sterling
Chamberlain	Johnson, Cal.	McNary	Sutherland
Colt	Johnson, S. Dak.	Nelson	Tillman
Cummins	Jones, Wash.	Norris	Townsend
Curtis	Kellogg	Poindexter	Trammell
Dillingham	King	Ransdell	Vardaman
Fernald	Lenroot	Saulsbury	Wadsworth
Gallinger	Lodge	Shafford	Watson
Gronna	McCumber	Sheppard	
Gulon		Smoot	

Mr. LEWIS. I desire to announce that the Senator from Arkansas [Mr. ROBINSON], the Senator from North Carolina [Mr. OVERMAN], and the Senator from Virginia [Mr. MARTIN] are detained on official business.

Mr. VARDAMAN. I wish to announce the absence of the junior Senator from Tennessee [Mr. MCKELLAR] on official business.

The PRESIDING OFFICER. Thirty-eight Senators have answered to their names. There is not a quorum present. The Secretary will call the names of the absentees.

The Secretary called the names of absent Senators, and Mr. FALL, Mr. HARDING, Mr. PAGE, Mr. THOMPSON, Mr. WARREN, and Mr. WILFLEY answered to their names when called.

The PRESIDING OFFICER. Forty-four Senators have answered to their names. There is not a quorum present. What is the pleasure of the Senate?

Mr. TOWNSEND. I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

Mr. HARDWICK, Mr. POMERENE, and Mr. KENYON entered the Chamber and answered to their names.

Mr. TOWNSEND. Has the roll call disclosed a quorum?

The PRESIDING OFFICER. It has not.

Mr. TOWNSEND. I move that the Sergeant at Arms be directed to compel the attendance of the absent Senators.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will carry out the order of the Senate.

Mr. CALDER entered the Chamber and answered to his name.

Mr. CURTIS. I desire to announce the unavoidable absence of the junior Senator from Maryland [Mr. FRANCE]. I will let this announcement stand for the day.

Mr. JONES of Washington. I wish to inquire whether or not the Sergeant at Arms has been informed of the order of the Senate.

The PRESIDING OFFICER. The Chair will state to the Senator from Washington that he is informed that the Sergeant at Arms is executing the order of the Senate.

Mr. PHELAN and Mr. NUGENT entered the Chamber and answered to their names.

The PRESIDING OFFICER. Fifty Senators have answered to their names. There is a quorum present.

Mr. TOWNSEND. Mr. President, I am informed by Senators who are opposed to the bill that they will consent to an agreement to vote on this matter to-morrow. Therefore I send a proposed unanimous-consent agreement to the desk and ask for its consideration.

The PRESIDING OFFICER. The proposed unanimous-consent agreement will be stated.

The SECRETARY. The Senator from Michigan asks unanimous consent that at not later than — o'clock p. m., on the calendar day of Thursday, June 20—

Mr. TOWNSEND. I should like to have that 2 o'clock. The Senator from Utah suggests 4 o'clock.

Mr. KING. As I understand, we will take an adjournment until to-morrow, and the morning hour doubtless will be occupied by the usual matters to come before the Senate, so that the resumption of the discussion upon this matter could not occur until 2 o'clock. I know that there are some observations to be submitted by other Senators, and I desire to submit a few myself.

Mr. TOWNSEND. Would the Senator agree to a recess until to-morrow at noon? Then the matter would come up and be disposed of right away. I do not know of any Senator who will want to occupy much time.

Mr. KING. Mr. President, I should not like to take the responsibility of consenting to a recess.

Mr. TOWNSEND. Then, suppose we have the agreement read "not later than 4 o'clock." Probably we can get a vote before that time.

Mr. KING. I have no doubt that we can reach a vote before 4 o'clock.

Mr. TOWNSEND. I think so.

The PRESIDING OFFICER. The Secretary will state the proposed agreement.

The SECRETARY. The Senator from Michigan asks unanimous consent that at not later than 4 o'clock p. m., on the calendar day of Thursday, June 20, 1918, the Senate will proceed to vote, without further debate, upon any amendment that may be pending, any amendment that may be offered, and upon the bill S. 130, a bill to create in the War Department and Navy Department a roll designated as the "Civil War Volunteer officers' retired list," and so forth, through the regular parliamentary stages to its final disposition; and that after the hour of 2 o'clock p. m., on said calendar day, no Senator shall speak more than once or longer than 30 minutes upon the bill, nor more than once or longer than 10 minutes upon any amendment offered thereto.

Mr. KING. I suggest to make it 3 o'clock, because there will be some debate during the first hour when we take up this measure for consideration, and that should be unlimited.

Mr. TOWNSEND. All right.

Mr. VARDAMAN. May I ask if it is the intention of the Senator from Michigan to take a recess?

Mr. TOWNSEND. I am perfectly willing to do that as far as I am concerned.

Mr. KING. I shall ask for an adjournment because I think some Senators would desire to submit some matters in the morning. There will be reports of committees, and I do not think we ought to deprive Senators of the morning hour.

Mr. VARDAMAN. At what hour is a vote to be taken?

Mr. TOWNSEND. The vote is to be taken not later than 4 o'clock.

The PRESIDING OFFICER. The Senator from Michigan has asked unanimous consent for the agreement which has just been read. Is there any objection? The Chair hears none. It is agreed to.

Mr. TOWNSEND. I move to annul the order by which the Sergeant at Arms was directed to compel the attendance of absent Senators.

The motion was agreed to.

EXECUTIVE SESSION.

Mr. KING. If no other Senator desires to present any matter at this time, I shall move an executive session. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 5 o'clock and 10 minutes p. m.) the Senate adjourned until to-morrow, Thursday, June 20, 1918, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate June 19, 1918.

ENVOY EXTRAORDINARY AND MINISTER PLENIPOTENTIARY.

T. Sambola Jones, of Louisiana, to be envoy extraordinary and minister plenipotentiary of the United States of America to Honduras.

MEMBER OF AIRCRAFT BOARD.

William C. Potter, of New York, to be a member of the Aircraft Board, vice Harry B. Thayer, resigned.

COLLECTORS OF CUSTOMS.

Frederick C. Peters, of Charleston, S. C., to be collector of customs for customs collection district No. 16, with headquarters at Charleston, S. C. (Reappointment.)

James H. Fry, of Indianapolis, Ind., to be collector of customs for customs collection district No. 40, with headquarters at Indianapolis, Ind., in place of Thomas E. Stucky, whose term has expired.

George G. Davidson, jr., of Buffalo, N. Y., to be collector of customs for customs collection district No. 9, with headquarters at Buffalo, N. Y., in place of George Bleistein, deceased.

REGISTER OF LAND OFFICE.

Frank S. Heer, of Idaho, to be register of the land office at Boise, Idaho, his present term expiring June 24, 1918. (Reappointment.)

PROVISIONAL APPOINTMENTS, BY PROMOTION, IN THE ARMY.

CAVALRY ARM.

First Lieut. Jay D. B. Lattin, Cavalry, to be captain with rank from October 12, 1917.

Second Lieut. George L. Snelling to be first lieutenant with rank from June 10, 1918.

FIELD ARTILLERY ARM.

Second Lieut. Kenneth L. Holmes-Brown, Field Artillery, to be first lieutenant with rank from May 29, 1918.

TRANSFER TO THE ACTIVE LIST OF THE ARMY.

INFANTRY.

To be lieutenant colonel with rank from May 15, 1917, Capt. Robert E. L. Spence, United States Army, retired.

APPOINTMENTS IN THE ARMY.

MEDICAL CORPS.

To be first lieutenants.

First Lieut. Burton Argyle Baird, Medical Reserve Corps, from June 4, 1918.

First Lieut. Thomas Francis McCormick, Medical Reserve Corps, from June 6, 1918.

First Lieut. James Day Edgar, Medical Reserve Corps, from June 7, 1918.

First Lieut. Wesley Charles Becker, Medical Reserve Corps, from June 8, 1918.

First Lieut. Russell Arthur Hennessey, Medical Reserve Corps, from June 9, 1918.

First Lieut. William Eli McCormack, Medical Reserve Corps, from June 10, 1918.

First Lieut. George Franklin Rendleman, Medical Reserve Corps, from June 11, 1918.

First Lieut. Benjamin Franklin Fridge, jr., Medical Reserve Corps, from June 12, 1918.

First Lieut. Fred Gasser, Medical Reserve Corps, from June 13, 1918.

POSTMASTER.

MASSACHUSETTS.

James F. Healy to be postmaster at Worcester, Mass., in place of John Alden Thayer, deceased.

CONFIRMATIONS.

Executive nominations confirmed by the Senate June 19, 1918.

SURVEYOR GENERAL.

Henry Gerharz to be surveyor general of Montana.

REGISTER OF LAND OFFICE.

John B. Sanford to be register of the land office at San Francisco, Cal.

RECEIVERS OF PUBLIC MONEYS.

Mrs. Grace B. Carkin to be receiver of public moneys at San Francisco, Cal.

Alexander Mitchell to be receiver of public moneys at Los Angeles, Cal.

APPOINTMENTS AND PROMOTIONS IN THE NAVY.

The following-named lieutenants (junior grade) to be lieutenants:

James B. Will,
Millington B. McComb,
Donald B. Beary,
Charles J. Moore,
James T. Alexander,
Francis A. LaRoche,
John H. Wellbrock,
Edwards B. Gibson,
Lorain Anderson,
James G. Ware,
Walter A. Edwards,
Herbert H. Bouson,
Ole O. Hagen,
Delavan B. Downer,
William D. Chandler, jr.,
Oscar C. Badger,
James C. Byrnes, jr.,
Robert K. Awtrey,
John R. Peterson, jr.,
Paul F. Foster,
Frank Loftin,
Lewis W. Comstock,
George B. Ashe,
Walter S. Davidson,
Henry J. Shields,
George A. Rood,
Alexander Macomb,
Eugene T. Oates,
Oliver M. Read, jr.,
Joseph M. B. Smith,
Albert R. Mack,
Webb C. Hayes,
Robert M. Doyle, jr.,
Robert M. Hinckley,
Guy C. Hitchcock, and
Thales S. Boyd.

The following-named ensigns to be lieutenants (junior grade):

John C. Lusk and
Stuart A. Maher.
The following-named midshipmen to be ensigns:
Malcolm F. Schoeffel,
Thomas G. W. Settle,
Lucien M. Grant,
James E. J. Kiernan,
Richard M. Rush,
James R. Allen,
Daniel W. Hand, jr.,
Charles A. Nicholson, 2d,
Paul W. Hains,
Ralph A. Ofstie,
Rex LeG. Hicks,
Herbert M. Scull,
Matthias B. Gardner,
Leslie C. Stevens,
Charles H. Cushman,
Howard W. Fitch,
Creighton C. Carmine,
Robert F. Nelson,
Antonio S. Pitre,
Winfield A. Brooks,
Thomas P. Wynkoop, jr.,
Ernest E. Herrmann,
James M. Johnston,
Arthur S. Adams,
William E. Hilbert,
Hugh W. Olds,
Albert T. Sprague, 3d,
Maurice H. Stein,
Hobart A. Sailor,
William McC. Callaghan,
Rodman D. de Kay,
Harold L. Challenger,
John J. Orr,
Hubert H. Anderson,
Joseph Buchalter,
Thomas P. Jeter,
Robert G. Waldron,
Adolph O. Gieselmann,
David H. Clark,

Jeffrey C. Metzel,
 Festus F. Foster,
 Russell M. Ihrig,
 James J. Graham,
 Ralph B. Netting,
 Ralph H. Roberts,
 Valentine H. Schaeffer,
 Floyd S. Crosley,
 Eugene L. Kell,
 Allen D. Brown,
 John W. Roper,
 William C. Vose,
 Harry B. Slocum,
 Charles E. Olsen,
 Robert P. Briscoe,
 Harry R. Thurber,
 James B. Sykes,
 Lyle N. Morgan,
 Clarence H. Schildhauer,
 Cuthbert A. Griffiths,
 Franz O. Willenbuecher,
 Harry McC. Jones,
 Thomas J. Griffin,
 William H. Ferguson,
 Ernest H. von Heimburg,
 Morton T. Seligman,
 Douglas A. Powell,
 William N. Updegraff,
 Stuart S. Murray,
 John O. Huse,
 Charles J. Palmer,
 William D. Sample,
 Arthur P. Thurston,
 Logan C. Ramsey,
 Scott G. Lamb,
 Alfred P. Moran, jr.,
 William E. Clayton,
 Richard B. Tuggle,
 Harry Goodstein,
 John H. Cassady,
 Julian B. Noble,
 Gerald L. Schetky,
 Donald C. King,
 Henry R. Herbst,
 Charles E. Coney,
 Dean D. Francis,
 Wade E. Griswold,
 William H. Mays,
 Elmer R. Hill,
 Henry D. Baggett,
 William L. Marsh,
 Bayard H. Colyear,
 Charles L. Andrews, jr.,
 Ralph W. Hungerford,
 Charles B. Hunt,
 George McF. O'Rear,
 John W. Cullens,
 James D. Lowry, jr.,
 Albert P. Burleigh,
 Eric M. Grimsley,
 Charles K. Post,
 John B. Griggs, jr.,
 Eliot H. Bryant,
 George C. Dyer,
 Alonzo B. Alexander,
 Walter D. Whitehead,
 David S. Crawford,
 Charles J. Rend,
 Everett D. Kern,
 Ten Eyck DeW. Veeder, jr.,
 Robert L. Boller,
 Albert R. Staudt,
 Henry C. Fengar,
 John Neal,
 Gordon H. Mason,
 Dorrance K. Day,
 Paul F. Lee,
 Marshall R. Greer,
 Philip P. Welch,
 George J. Downey,
 Walter S. Barlow,
 Joseph R. Lannom,
 Louis B. Pelzman,
 Harry A. Rochester,
 Edwin Friedman,

George Kirkland,
 James J. Hughes,
 Carl K. Fink,
 John J. Patterson, 3d,
 Walter Ansel,
 Wilfrid C. Wilcock,
 Adrian O. Rule, jr.,
 Miles P. Duval, jr.,
 Walther G. Maser,
 Elmer R. Runquist,
 Walton R. Read,
 Daniel M. McGurl,
 William E. Tarbutton,
 Homer I. Sherritt,
 Philip V. Sullivan,
 Stephen K. Hall,
 Robert McL. Smith, jr.,
 Robert B. Crichton,
 Paul H. Talbot,
 Russell S. Barrett,
 James L. Holloway, jr.,
 Gustave H. Bowman,
 James L. Wisenbaker,
 Ralph E. Jennings,
 Frank N. Sayre,
 Peyton S. Cochran,
 Paul B. Thompson,
 Fred W. Beltz,
 John B. McDonald, jr.,
 Kenneth D. Muir,
 John G. Crawford,
 Paul D. Dingwell,
 James G. Atkins,
 Frank V. Aler, jr.,
 Leonard C. Parker,
 Cyril K. Wildman,
 Francis H. Gilmer,
 Earle H. Kincaid,
 Carleton McGaully,
 George W. Brashears, jr.,
 Giles E. Short,
 Van Rensselaer Moore,
 Thomas B. Fitzpatrick,
 Dixie Kiefer,
 Horace R. Whittaker,
 Willis W. Pace,
 Harold M. Martin,
 Joseph S. Ives,
 Edgar R. Winckler,
 John L. Reynolds,
 William J. Strachan,
 John R. Redman,
 Ross A. Dierdorff,
 George F. Mentz,
 Herbert S. Woodman,
 George H. Mills,
 Charles Allen,
 Jack C. Richardson,
 Robert M. Dorsey,
 Desmond J. Sinnott,
 Spencer H. Warner,
 John S. Spaven,
 Grayson B. Carter,
 Riffel G. Rhoton,
 Willment P. Martin,
 Franklin P. Waller, and
 Charles H. Rockey.

Boatswain Joseph A. Rasmussen to be a chief boatswain.
 Gunner John Meyer to be a chief gunner.

The following-named officers of the United States Naval Reserve Force to be ensigns for temporary service:

Charles L. Bristol, jr.,
 Stuart L. Peck,
 Henry W. Reding,
 Harold M. Levy,
 Elmo H. Conley,
 Donald McL. Day,
 James I. Boyce,
 Ralph R. Brubaker,
 Robert D. Longyear,
 Frank F. Walker,
 Alfred M. Gagneux,
 Frederick S. Hodgman,
 Louis Etshokin,
 Robert C. McKean,

Donald E. Montgomery,
Albert L. Baker,
John H. Fenton,
Vergil A. Davison,
Ralph L. Colton,
Chandler D. Ingersoll,
Bruce Hoggson,
Robert R. Titus,
Herman Siefke, jr.,
Alexander A. Cameron,
Robert A. Skinner,
Frank N. Bolton,
Henry A. Orrick, jr.,
Harold M. Kennedy,
Cecil L. Shockley,
Perry A. Howard, jr.,
Perry McK. Sturges,
Francis P. Baeyertz,
John F. Kelsey,
Cushing Phillips,
Howard L. Seaton,
Edward R. Simpson,
Samuel W. Morris,
Irving B. Levi,
William R. Brent,
Carlisle C. McIvor,
John F. O'Rourke, jr.,
Caspar W. B. Townsend,
Otis R. Marston,
Russell C. Lewis,
Allan C. Davis,
Robert E. Christy,
Freeman L. Curtis,
Ralph C. Taylor,
Frederick N. Worth,
Leonard M. Starbuck,
Harold Edwards,
Raymond W. Smith,
Henry S. Bothfeld,
Hoyt M. Leisure,
David H. Hammer,
Virgil E. Durden,
Edmund G. Flint, jr.,
John T. Goree,
Joseph H. Cox,
Albert H. Siemer,
John R. Montgomery,
Walter S. Mallory, jr.,
Clarence V. Lally,
Carl H. Zeiss,
Clifford L. Fenton,
Louis T. Young,
David M. Gilmore,
John R. Shuman,
Thomas L. R. Huxelton,
John P. Hillyard,
John W. Bishop, jr.,
Stephen S. Whitby,
John A. Cleverley,
Harold P. Manly,
Carl King,
John W. Savage,
Francis Earle,
Rodney N. Landreth,
John H. Jones,
Thacher Jenny,
William H. Gridley,
Roy L. Maryatt,
James R. Weaver,
Robert F. Massonneau,
Ira D. Bertolet, jr.,
Percy E. Ricketts,
Frederick R. Rogers,
Albert J. Matthes,
Frederick H. Hunter,
Edward S. Esty,
Ralph McK. Hammer,
Stuart S. Cutler,
Egmont G. Hildner,
Rodney W. Henry,
Edgar C. Earle,
Paul G. Neal,
Warren C. Du Bois,
Donald S. Good,
Raymond D. Thiery,

Lewis J. D. Truhan,
James B. Griffin,
Samuel W. Roberts,
Donald C. Burnham,
Leo M. Blancke,
Hal C. Harding,
Gilder S. Horne,
Edward K. Crothers,
Francis L. Hamill,
Frank O. Wilhelm,
Harold B. Leland,
Robert M. Macdonald,
Paul F. Dudley,
George P. MacDonald,
Herbert E. Harrington,
Arthur E. Stivender,
Howard W. Sherrill,
George N. Whiting,
Edwin W. Hartzell,
Russell L. Colley,
Donald B. Caldwell,
Richard G. Berger,
Matthew K. Coleman,
Dwight L. Armstrong,
Raymond C. Hartung,
Fred C. Shoebridge,
John H. Barnitz,
Frank C. Fisher,
George M. Murray,
Russell P. Crothers,
Sullivan A. Sargent, jr.,
Malcolm M. Chesney,
James I. Marsh,
Frederick S. Blackall, jr.,
Norman F. Thompson,
Allan S. MacGillivray,
Charles W. Cornell,
Ray L. Morrow,
Thomas E. Hapgood,
Lee L. MacLellan,
Donald S. Page,
Hugh Y. Blodgett,
John M. Convery,
Walter S. Hayes,
George E. Hansen,
Ernest A. Scholze,
Frank H. Nelms,
Algernon P. Reeves,
Yale R. Schively,
James H. Mitchell,
Edmund D. Dodd,
Richard C. Enderly,
Hallett W. Thorne,
James C. Stephens,
William A. Schwacofer,
Malcolm J. Otis,
Douglas E. C. Moore,
Walter L. Weil,
Roy J. McKee,
Everett C. Read,
Benjamin T. Hoogland,
Palmer M. Gunnell,
John A. Dodd,
Edward L. Freeman,
William E. Wesson,
Herman C. Anderson,
William H. Parker, jr.,
Thurmond Chatham,
Andrew J. McElhinney,
Franklin McI. Simpson,
Larcom Randall,
Jonathan L. Sellman,
Edgar E. Evans,
Clarence A. Murfey,
Emmett J. Driscoll,
Robert F. MacNally,
William P. Thomas,
Edward DeM. Payne,
Earle Walton,
Murray C. Binford,
George M. Stevens,
Samuel B. Ogden,
Wallace R. Crumb,
Joseph N. Owen,
Robert S. Boles,

Joseph C. Newman,
Benjamin M. Hooper,
Herbert C. Phillips,
Daniel Drake-Smith,
Benjamin Allen,
Clarence E. Knapp,
John H. O'Connell,
William G. Gaston, jr.,
William H. Wilsen,
Daniel M. Lord, jr.,
Arthur F. Folz,
John Adikes, 2d,
Francis D. H. Eaton,
Joseph DeV. Keefe,
Robert L. Clarkson,
Paul F. Hittinger,
Thomas C. Ould,
Charles W. Johnson,
Warren M. Robertson,
Alvin E. Loucks,
Marshall E. Montgomery,
Malcolm L. Wallace,
Walter S. Mack, jr.,
William N. MacGowan,
William C. Wright,
George B. South,
Frank E. McClure,
Harold E. Shore,
David M. Little, jr.,
Leland F. Henderson,
Julian F. Greeley,
Robert L. Atwell,
William J. English, jr.,
Richard H. Woodward, jr.,
Vincent J. O'Reilly,
Barry L. Morgan,
Raymond A. Baur,
Robert V. Anderson, jr.,
Oliver J. Anderson,
Roland N. Calkins,
William O. Randall,
Norman E. Donnelly,
Amor B. Brehman,
William O. Tait,
Clarence H. Benham,
Walter C. Askew, jr.,
David W. Pinkerton,
William D. Phelps,
John G. Muirheid,
Warren S. Pratt,
Carl F. Pieritz,
Charles E. Judge,
Fred A. Hardesty,
Robert S. Babcock,
Harry E. Johnson,
Hilary E. Corwin,
Henry C. Monroe,
Joseph M. Higgins,
Harry H. Fisher, jr.,
Donald B. Van Hollen,
Allison N. Piper,
Lee C. Hinslea,
Stuart D. Hazen,
Everett W. Edwards,
Earl R. Loomis,
Henry S. Bohling,
John B. Fitzpatrick,
William Ross,
George J. Carr,
William M. White,
Leslie Wheeler,
Samuel E. Breck,
Herbert Shoemaker,
Alfred Pedrick,
Charles W. Hickernell,
Lowell McCutcheon,
Edward W. Duggan,
Irving H. Perkins,
Charles W. Brown, jr.,
Charles S. Goldammer,
George W. Van Slyck,
Danford M. Baker, jr.,
Albert S. Kohl,
Arthur F. Morrill,
John H. Duncan,
Thomas C. Perkinson,

James D. Griffin,
Jeremiah F. Sullivan,
Samuel Temple,
Gilbert L. Pitcairn,
Don S. Prescott,
Harry E. Dow,
George C. DeLacey, jr.,
Ralph W. Bulkeley,
Edgar F. Wilson,
Ralph A. McWald,
Benjamin F. Schwartz,
Charles W. Arnold, jr.,
William R. Squire,
Herbert D. Pearl,
Donald G. Beachler,
George F. Rieman,
George W. Robinson,
Herbert S. Warren,
Frank L. St. John,
Charles L. McCune,
Peter A. Wilkinson, jr.,
Charles T. Ballard,
John L. Priest,
William W. Palmer,
Luther S. Phillips,
Warren P. Vickerman,
Everett L. Cole,
Donald C. McFadyen,
Donald P. Robinson,
Lloyd S. Kinnear,
Foster Gunnison,
Arthur J. Grant,
Bernard C. Decker,
Ryder H. Gay,
Alden W. Allen,
Donald L. Smith,
Frederick L. Ryon,
Samuel H. Packer,
Parker Poole,
Daniel S. Brierley,
Gordon M. West,
Frank E. Vensel, jr.,
Frank H. Inscho,
Robert P. Hughes,
Edgar W. Upton, jr.,
Edward L. Stites,
Charles E. Franklin,
William G. McKee,
Howard W. Clarke,
Henry G. W. Parmele,
Clarence B. Brewster,
Hugh T. Keyes,
James H. Woodward,
Stewart R. Whitehurst,
Oswald C. Grattan,
William E. Bingham,
Paul Fisher,
Mortimer B. Veale,
Clayton R. Jones,
Charles B. McGowan,
Thomas E. Scofield,
Henry F. Massnick,
Louis B. McCagg, jr.,
James L. Billingsley,
Walter H. Stanton,
John A. Cronin,
Murray C. Harvey,
John W. Stafford,
Arthur F. Anderson,
John E. O'Gara,
William H. Bloeser,
Thornton H. Bissell,
Theodore C. Junkins,
David S. Hirschberg,
Phillip M. Woodwell,
Edwin Franklin,
John S. Humphreys,
Franklin H. Thomas,
Nils V. Nelson,
Frank W. Wilmarth,
Edmond S. Spencer,
William H. Henszey,
Earle H. Strickland,
Charles W. Williams, jr.,
John G. Allen,
Donald F. Miller,

Rosser A. Huff,
Charles S. Seely,
Richard N. Wilder,
Walter Logan,
Elbert C. Isom,
Phillips S. Dutton,
Elliot F. Landon,
Duncan McC. Dayton,
Henry W. Post, jr.,
Alexander V. Tisdale,
Joseph T. Hayes,
Ernest A. Houle,
Samuel M. Hunt,
William H. Cullinan,
Edwin B. Dickinson,
Joseph L. Cassidy,
Jere D. Eggleston,
Otto D. Walz,
Leo B. Tyson,
Arthur C. Torrey,
Elliott F. Upson,
Edward W. Lombard,
Ira W. Truitt,
Horace D. Glover,
Howard N. Porter,
Holden K. Farrar,
Franklin C. Morton,
Abram L. Hopkins,
Milton F. Smith,
Frank H. Wright,
Morton L. Wallerstein, and
John B. Duff, jr.

Asst. Surg. Louis C. Vattier, of the United States Naval Reserve Force, to be an assistant surgeon with the rank of lieutenant (junior grade), for temporary service.

The following-named citizens to be acting chaplains with the rank of lieutenant (junior grade), for temporary service:

Charles B. Bare,
Clinton A. Neyman,
Mortimer A. Sullivan,
Norris L. Tibbetts,
Ludwig Hildebrandt,
Philip C. King,
Powell H. Norton, and
Truman P. Riddle.

POSTMASTER.

PENNSYLVANIA.

Charles H. Cullen, Derry.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, June 19, 1918.

The House met at 12 o'clock noon.

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

We draw near to Thee, Almighty God our Heavenly Father, that we may worship Thee in the beauty of holiness, renew our allegiance to Thee, and press toward the mark for the prize of the high calling of God in Christ Jesus.

Let Thy blessing crown our efforts as a people, our President and all others in authority, that they may be upheld in their efforts to bring peace out of a terrible war.

Protect our soldiers, sailors, and all others who are giving their support to a successful issue of the mighty conflict; and Thine shall be the praise for liberty, truth, justice, mercy; in His Name. Amen.

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

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 385. An act to authorize mining for metalliferous minerals on Indian reservations;

S. 4444. An act to pension widows and minor children of officers and enlisted men who served in the War with Spain, Philippine insurrection, or in the Boxer rebellion in China; and

S. 4631. An act to amend section 107 of the act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, as heretofore amended.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 4631. An act to amend section 107 of the act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, as heretofore amended; to the Committee on the Judiciary.

S. 385. An act to authorize mining for metalliferous minerals on Indian reservations; to the Committee on Indian Affairs.

S. 4444. An act to pension widows and minor children of officers and enlisted men who served in the War with Spain, Philippine insurrection, or in the Boxer rebellion in China; to the Committee on Pensions.

NAVAL APPROPRIATION BILL.

Mr. PADGETT. Mr. Speaker, I call up the conference report on the naval appropriation bill.

The SPEAKER. The Clerk will report the title.

The Clerk read as follows:

H. R. 10854. Making appropriations for the naval service for the fiscal year ending June 30, 1919, and for other purposes.

Mr. PADGETT. I ask the Clerk to report Senate amendment No. 101.

The Clerk read as follows:

Senate amendment 101, page 64, line 14: Improvements central power plant systems, including quay wall and fill at power house, \$800,000.

Mr. PADGETT. Mr. Speaker, I move to concur in the Senate amendment. That was reserved at the time the bill went to conference by the gentleman from Wisconsin [Mr. STAFFORD]. We have had hearings upon the matter. At all of these stations it has been necessary to increase very largely the power-plant facilities with reference to heat, light, and power on account of the larger activities. A great part of this is for the necessity of having a quay wall with reference to the land mentioned in the amendment agreed to yesterday. This was left open, I presume, on account of that.

Mr. STAFFORD. Will the gentleman inform the House how much of the appropriation is for extension of the power plant and how much is for the wall and fill? The reason that I reserved it was because we had no information about it, and I thought it might be a dredging proposition to fill in swamp land up there at the station. No one has any objections to increasing the facilities of the power plant, but I think there is objection to going ahead with sea-wall construction that can be postponed until after the war is over and utilize the fund for more pressing necessities.

Mr. PADGETT. Admiral Earle, who has charge of the torpedo-plant activity there, was before the conferees, and I called his attention to this amendment and asked him to explain it. He says—I am reading from page 660 of the hearings before the conferees:

Admiral EARLE. That is an addition to the original estimate obtained in the last congressional bill for the power plant. It has been found necessary to add this amount simply on account of the excess cost of the original project.

The CHAIRMAN. This embraces three different things. It embraces improvement of central power-plant system, and then you have a quay wall.

Admiral EARLE. And a fill.

The CHAIRMAN. And a fill at the power house; but the quay wall and fill at the power house is all one.

Admiral EARLE. The land on which the power plant is being built is practically made land, and the fill and quay wall for that are the items required here.

The CHAIRMAN. How much did we appropriate for that enlargement of the power plant in the former bill?

Admiral EARLE. It was \$990,000, I think.

The CHAIRMAN. Was that last year, you mean? Was it last year or year before last? There was not anything in the last bill.

Admiral PARKS. I have not seen the station yet, but my understanding is that that power plant had to be extended out on account of the small amount of land available there, and that necessitated this quay wall and fill.

Mr. STAFFORD. Glancing over the testimony, I find they are as vague as they possibly can be as to the amount of appropriation that will be utilized for the heating plant and how much for filling purposes in making land and for how much for a quay wall.

Mr. PADGETT. The hearings continue. I am reading from page 661:

The CHAIRMAN. I would like to have that segregated so that we will know how much is intended for the quay wall and the extensions, and the dimensions of that wall and the fill at the power house.

Mr. BUTLER. Mr. Chairman, did Admiral Parks tell us where any necessity arose for the immediate consideration of this? Admiral Earle said Admiral Parks called his attention to it, and he had only heard of it a very few days ago, and this is an awful lot of money for a power plant at Newport—a torpedo station.

Admiral PARKS. This arises wholly from the necessity for torpedoes, and a power plant was designed which was intended to be sufficient for the production of the torpedoes, and evidently the contracts for machinery, etc., were not let early enough, and prices have been increas-

ing so rapidly that one element of the increase requested is on account of the great increase of the cost of electrical and mechanical equipment. Now, there was one matter there, of air compressors, which is a pretty large item, and awarded since I have been here; that is, within the last three or four months. The prices of those air compressors were certainly high, compared with what we used to have to pay for them, but there is a great increase in the price of all the mechanical equipment we have to buy at the present time.

Mr. STAFFORD. Yes; he is giving information that air compressors, like all other machinery, have gone up tremendously in price. I can testify to that myself. How much of this enormous amount—of course, not very large when we consider that we are appropriating billions—is to be spent for the fill, how much for the quay wall, and how much for the heating plant? You can glance over this testimony and will not find any testimony on this important matter.

Mr. PADGETT. I asked him to insert these items, and I think they are here.

Mr. STAFFORD. I suppose the committee went on the theory that as the bureau chief asked for it, therefore it should be granted without any further inquiry.

Mr. PADGETT. No. Now, if the gentleman will turn to page 687 he will find this:

Admiral PARKS. On account of the large increase in the activities of the torpedo station incident to the war, it was found that the present obsolete and out-of-date power plant was totally inadequate to serve the purpose. It was therefore decided to construct an entirely new and modern power plant in a new section of the island. The space surrounding the old power plant was too restricted to permit of expansion. In order to start this work \$850,000 was allotted from one of the bureau's appropriations, covering work for the Bureau of Ordnance. The additional amount now requested is to continue this work which is now under progress and provide for an extensive system of distribution for light, heat, and power from the new power plant to the various buildings on the island. The original estimate provided only for the power plant and did not include extension of the quay wall made necessary by the construction of this power plant, the filling, or the extensive distributing systems necessary.

It was necessary to fill in the site of the new power plant in order to provide space for the construction of this building without further encroaching on the limited area of this island. This made it necessary to extend for a distance of about 700 feet the present quay wall in order to retain the filling. The estimated cost of the filling with the surrounding quay wall is \$149,000, the balance being necessary for the distributing system, intake and discharge tunnels for condensing water, and part of the power-plant equipment.

Power plant	\$451,000
Distributing system	200,000
Quay wall	131,000
Fill	18,000

So we have a very detailed account of it.

Mr. STAFFORD. Perhaps more detailed than is desirable when we consider that for an extension of 700 feet of quay wall it is estimated that an amount of \$131,000 is required, or nearly \$200 a foot. That is to be spent in these pressing times for building an ornate granite wall, which could be postponed until other times than now, when we need these funds so much for pressing war activities.

Mr. PADGETT. No; that is a misconception. If you have to dig down 20 feet into the subsurface to build a wall to support the power house and the activities there in manufacturing torpedoes, you will see that it is not a dream nor an ideal conception, but a practical necessity.

Mr. STAFFORD. There is no necessity for building a granite-faced quay wall 700 feet in length at an expense of \$131,000.

Mr. PADGETT. Now, here is a letter from the Secretary of the Navy:

NAVY DEPARTMENT.
Washington, May 6, 1918.

MY DEAR SENATOR: It is desired that there be added to the pending naval bill, H. R. 10854, as introduced into the Senate April 22, 1918, page 49, line 9, the following items:

"Improvements central power plant and distributing systems, including quay wall and fill at power house, etc., \$800,000." This amount is needed in order to complete the power plant now under construction at the torpedo station, Newport, R. I., and covers the cost of extensive distributing systems, sea wall, and fill at the power plant, and the great increase in the cost of electrical and mechanical equipment. In view of the increase of the activities of this station it was found necessary to increase the area of the island by considerable filling. The new power plant is located on this fill, which necessitates an extensive quay wall construction. This quay wall construction is also an important element in connection with the storage and handling of fuel.

The early completion of the power plant at the torpedo station is vitally needed, as the capacity of the plant has been and is being increased; for the work at the station, making and repairing of torpedoes, work of the highest importance, has largely increased and must continue to meet the needs of the Navy.

Sincerely, yours,

JOSEPHUS DANIELS.

Hon. B. R. TILLMAN,
United States Senate, Washington, D. C.

Mr. STAFFORD. Has the gentleman any specific information as to the character of this quay wall of 700 feet for which \$131,000 is estimated?

Mr. PADGETT. It is a stone wall, but I could not tell the gentleman the size of the blocks or things of that kind.

Mr. STAFFORD. The gentleman has no information as to whether the matter could not be deferred until after the war?

Mr. PADGETT. Not when they say it is needed for the necessities of the present manufacture of torpedoes. Mr. Speaker, I ask for a vote.

Mr. STAFFORD. It is but another instance of extravagant expenditure.

The SPEAKER. The question is on the motion of the gentleman from Tennessee to recede from the House disagreement to Senate amendment No. 101 and to concur in the same.

The motion was agreed to.

Mr. PADGETT. Mr. Speaker, I now call up Senate amendment 120 and move to still further insist upon the disagreement of the House to that amendment. I want to state in connection with that that the House committee had reported out a bill with reference to the Coast Guard. This Senate amendment embraces a part of the bill as reported by the House committee and other new matter. The conferees are in sympathy with the legislation. The Coast Guard is cooperating with the Navy and is a part of the Navy under legislation during the war. My idea is to have this sent back to conference in order that some proper amendments that have been suggested by the Secretary may be considered by the conferees and reported back to the House in an agreement.

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

Mr. PADGETT. Yes.

Mr. WALSH. I would like to ask the gentleman why somebody connected with the Coast Guard is not consulted in this matter.

Mr. PADGETT. They were. The House committee had a hearing, and Capt. Berthold and Capt. McAllister were present.

Mr. WALSH. I know; but that was before the measure went to conference. After the measure went to conference you had the Secretary of the Navy before the House conferees to express his views of the legislation and of the Senate amendment.

Mr. PADGETT. Yes; I wanted to get his views. We had already gotten the views of the others and never had gotten the views of the Secretary, so that we would have the whole matter before us.

Mr. WALSH. You got the views of the Coast Guard officials, but you did not get their views of the Senate amendment, because the Senate amendment is entirely different from what the House provided.

Mr. PADGETT. It is not entirely different; it is somewhat different.

Mr. WALSH. It is radically different in several provisions. Can the gentleman state whether the House conferees or whether the gentleman personally is opposed to what would be section 1 of amendment 120?

Mr. PADGETT. Section 1 is the identical provision of the House bill.

Mr. WALSH. Yes; but would the gentleman be opposed to having that redrafted so that instead of its reading "without regard to number or length of service in rank or grade" it should read "without regard to the number or length of commissioned service in rank or grade," so as to have it comply with the provisions of law applying to officers in the Navy?

Mr. PADGETT. I can not say whether I would or would not, because I have not considered that suggested amendment. This paragraph 1 was reported out in the language that it is here in this Senate amendment. The House has passed it, and the Senate has passed it in that manner. That is the language that is agreed upon by the officials of the Navy Department and the officials of the Coast Guard. That is the very language of the bill that the Coast Guard and the Navy agreed upon and sent down to our committee. Speaking for myself, and as I think for the others, the conferees want to go over this matter, and we are in sympathy with this legislation. I think the legislation should be enacted and should be enacted in this bill, because if it goes out of the bill it will be difficult to get consideration of a separate bill in the congested condition of the calendar.

Mr. WALSH. Will the gentleman state what there is objectionable about this amendment? The conferees being in sympathy with the legislation, why does he not move at this time to concur?

Mr. PADGETT. There are several matters in there that the Secretary has called attention to that I think ought to be considered carefully and more in detail than we can here.

Mr. WALSH. You have considered them and the Secretary has been before the House conferees and has expressed his views.

Mr. PADGETT. Yes; and he has expressed his views adversely to some matters that I do not know I am yet prepared to take his views upon.

Mr. WALSH. I do not know what the intentions of the House conferees may be, but it would seem that the House conferees

might well ascertain the views of some of the people in authority in the Coast Guard. I do not think that in providing for legislation for the Coast Guard simply because that branch of the service is now in the Navy the Bureau of Navigation or the Secretary of the Navy should be sole judge as to what legislation should be enacted as affecting that particular service.

Mr. PADGETT. That is not so. We called the two high officers of the Coast Guard before we called the Secretary of the Navy.

Mr. WALSH. But that was before the Senate amendment was put into the bill.

Mr. PADGETT. Certainly.

Mr. WALSH. You had the Secretary of the Navy before you since the Senate amended the bill?

Mr. PADGETT. Yes.

Mr. WALSH. My observation was that it would seem not out of keeping with the proprieties to ascertain the views of the Coast Guard officials as to the Senate amendment which the gentleman is now moving to insist upon our disagreement to.

Mr. PADGETT. For the purpose of perfecting it and reporting it back. That amendment is in the hands of its friends.

Mr. WALSH. I am very glad to hear that, but I wanted to get some idea as to what particular phases of the amendment the House conferees were objecting to, and whether there were any other aspects than those pointed out by the Secretary of the Navy.

Mr. PADGETT. Let me say to the gentleman that the House conferees did not object to any specific part of it, for the simple reason that when this bill went to conference it was one of the items that was reserved out of conference and we were called upon to agree to report back to the House out of the conference report, and for that reason we did not take it up for consideration.

Mr. CRAMTON. Will the gentleman yield further?

Mr. PADGETT. Yes, sir.

Mr. CRAMTON. I am anxious to know, if it is agreeable to the chairman, just a little more definitely as to the extent of his sympathies with this legislation, particularly as to line 19, on page 81, to line 5, page 82, in reference to the rank of the commandant of the Coast Guard, the engineer in chief, and I have also in mind certain senior captains who appear under lines 19 to 23.

Mr. PADGETT. That is legislation that is for two officers—

Mr. CRAMTON. I should have said lines 15 to 23, page 81.

Mr. PADGETT. Lines 19 to 23, beginning there. I will say to the gentleman I think frankly that personally it was my purpose to have a conference with some of the representatives of the Coast Guard people to get their views upon this matter. I have not yet formed an opinion as to whether I will or will not, because I have only investigated that particular phase of it that has been brought in. I have only investigated the Secretary's views about it, and I wanted to get the other side of it before I formed an opinion.

Mr. CRAMTON. I am very glad to hear the gentleman say so. Can the gentleman yield me two or three minutes to make a few observations in reference to this?

Mr. PADGETT. Yes. How much time?

Mr. CRAMTON. Two or three minutes; perhaps five minutes.

Mr. PADGETT. I yield the gentleman five minutes.

Mr. CRAMTON. Mr. Speaker, I am very glad to know that the mind of the chairman, and I suppose of the conferees, is open on this proposition, because it is a matter in which many of us are very much interested. Now, I was sorry to note in the hearings that the Secretary of the Navy appeared to take a position adverse to a proper recognition of the officers of the Coast Guard. This Coast Guard was a branch of the service in the Treasury Department. It was taken over bodily into the Navy for the war, and I do not suppose anyone would do it consciously, but it is inevitable that a feeling of class might have somewhat to do in ruling against the Coast Guard as a sort of outsider in the Navy. As a matter of fact, there are 6,000 men in the Coast Guard—

Mr. PADGETT. Will the gentleman permit me just at that point?

Mr. CRAMTON. Certainly.

Mr. PADGETT. I want to disabuse the gentleman's mind of that attitude of the Navy, and I want to do so in justice to the Navy.

Mr. CRAMTON. But the Secretary and Admiral Palmer have throughout—

Mr. PADGETT. I know, but allow me—

Mr. CRAMTON. Ruled against full recognition of the Coast Guard.

Mr. PADGETT. I want to do it with special reference to Admiral Palmer. We had two hearings upon that matter before

the Committee on Naval Affairs. It developed in the first hearing that under the bill—if the gentleman wants to go into particulars, I will give some—it developed in the hearing before the Committee on Naval Affairs, the first hearing, that at a given date—I do not remember the date—there were 132 officers in the Coast Guard in the line. Of that number 31 had the rank of captain, a certain number of lieutenants, and so on down. Under section 1 of the bill, as it was presented, the captains would be increased to 78 and every other officer would be promoted to the next lowest rank except one, and the committee was at once impressed with the idea that that was legislation creating a Salvador army, where we were putting every officer at the top except one.

Mr. CRAMTON. Admiral Palmer makes a very good statement as to that.

Mr. PADGETT. Yes. Now, the committee balked at that, and while the committee was hesitating at it Admiral Palmer talked with me personally and explained it, and came before the committee at the second hearing and explained that while it was true that under the legislation as proposed all of these men would be promoted up to the top, all the bottom would be left vacant, that these men were no longer operating as a unit, that they were distributed around through the Navy and worked as individuals with the Navy and not as a Coast Guard organization, and that they needed the men of that rank, and because of their experience they were valuable; and he talked and urged of us not longer to hesitate to report that bill in favor of the Coast Guard; but he was one of the best friends that they had, and I can not allow a criticism of him when I know that he made that appeal to me personally, and came before the committee and urged that we would pass legislation that would promote every officer to the highest and next highest grade except one in the organization.

Mr. CRAMTON. Do I understand that would have given promotion to all the Coast Guard officers, except perhaps the captain commandant? Is it not a fact that the Secretary of the Navy and Admiral Palmer both as yet have failed to urge any recognition for the four highest officers—captain commandant, the engineer in chief—I think that is the name—and the senior captains?

Mr. PADGETT. The Secretary of the Navy has not recommended a rank above that of commander. Now, in the bill here the Senate amendment provides for the ranking officer to have during the war, while they are operating with the Navy—

The SPEAKER. The time of the gentleman from Michigan [Mr. CRAMTON] has expired.

Mr. PADGETT. Mr. Speaker, I will speak in my own time and yield the gentleman some more.

The SPEAKER. The Chair can never tell whether he is speaking in his own time or that of somebody else.

Mr. PADGETT. I was trying to explain this matter. The Secretary said he did not favor giving the rank of commodore to the ranking officer of the Coast Guard. He says that instead of his duties being increased they have been decreased.

Mr. CRAMTON. That is the point I would like to call attention to in my time.

Mr. PADGETT. He says that before the war the captain commandant of the Coast Guard had an organization and had the management of and the responsibility for his organization, but he says since they have been taken over into the Navy that organization has been dissipated, and that these men have been distributed as individuals with the Navy, and are working with the Navy as a part of it, under naval officers and as naval officers and not as a Coast Guard organization. And that therefore all of the duties and responsibilities and the work, practically, of the captain commandant has dissipated with this organization.

Mr. CRAMTON. Might I proceed there?

Mr. PADGETT. I was going to say to the gentleman, as I said a moment ago, that that was just one side of the matter. I have not yet made up my mind. I could not tell you now what I shall favor, because I do not know. I have not reached a conclusion. Before I reached a conclusion I wanted to have a conference with these men in order to get the viewpoint of the Coast Guard officers with reference to that matter. But I rose for the purpose of disabusing the mind of the gentleman and of the other Members of the House that Admiral Palmer entertained any ill will or disparity against the Coast Guard, because he pleaded for them and for this legislation more than any man, and it was on his plea to the committee that we reported out the bill.

Mr. CRAMTON. Then I will only say, Mr. Speaker, if I may have a few minutes now—

Mr. PADGETT. I yield the gentleman five minutes.

Mr. CRAMTON (continuing). That I hope Admiral Palmer may also make a plea for the men at the head of the Coast Guard

who were in charge of that splendid organization in days of peace and were taken over with it into the Navy Department in time of war.

Now, the Secretary of the Navy, in his statement, or in his letter, to the Naval Committee, earnestly speaks of this matter, and says:

As for the promotion of the captain commandant of the Coast Guard to the rank of commodore, the department does not approve this because the captain commandant has less responsibility and less authority than before the war began. The Navy has taken over entirely the operations of the Coast Guard vessels and Coast Guard personnel, and it believes that it is injurious to the morale of the service to give increased rank except where there is increased responsibility, and then only when it is necessary to facilitate naval administration and command.

And he urges certain amendments.

Now, the question in my mind is, If that man is up there with decreased responsibility it is not his fault; it is the fault of the Navy Department that seeks to practically ostracize him and leave him at his desk without increased responsibility.

Let me quote from the letter of Admiral Palmer. It is an excellent letter, for which he should have full credit:

The Coast Guard is now a part of the Navy, and unless we can have means of utilizing its experienced officers as a part of the Navy, then the proper positions relative to all other officers of the Navy, then the original legislation which placed it under the Navy will to a great extent be nullified. The Coast Guard, for the period of the war, has lost its identity entirely as a separate organization. Its officers and men are considered as much a part of the Navy personnel as the officers and men of the reserve force of the Regular Navy are, and are assigned to duty accordingly. We have ships which have both Coast Guard officers and reserve officers on them, and we have stations where regular officers, Coast Guard officers, and reserve officers are on duty together. We could very easily have a ship commanded by a regular officer, a Coast Guard officer second in command, and reserve officers the juniors. In order to utilize the long experience of these Coast Guard officers it is necessary that they be given a rank commensurate with their experience, and whether it advances all of them to higher grades or not is immaterial.

Now, that reasoning, it seems to me, should apply to the four men at the head of the service as well as to any of the others, and in this tremendous naval expansion that we have there must be duties somewhere in the Navy that the Captain Commandant of the Coast Guard can perform that will give him increased responsibility in keeping with the times. Why, the Coast Guard under peace times had 6,000 men and 229 officers. If we were to give them rank commensurate with the Navy they would have two and one-half rear admirals for those 6,000 men. Now, this legislation does not propose to make a rear admiral or even half of one. It proposes to give the captain commandant the rank of commodore.

Mr. PADGETT. That is a rear admiral of the lower line.

Mr. CRAMTON. Perhaps that gives one of that rank, but it is nothing extravagant. Now, at the present time they are finding places of responsibility for some of these men. For instance, one of those captains to whom they do not propose to give any increase of rank if the Secretary's recommendation is followed, I understand is in charge of the naval training school at San Pedro. Another one is chief of the staff of the twelfth naval district. Now, both of those positions are customarily occupied by naval officers of higher rank, and I do not see if these men are performing the service why they should not have the rank. And in addition it should be understood that these men are men who have had years of training, men who have been familiar with the handling of ships for years, who have been on board ships in active service for many years.

Mr. PADGETT. Will the gentleman permit me just at that point?

Mr. CRAMTON. Certainly.

Mr. PADGETT. We must bear that in mind with this qualification, that they have been operating small ships along commercial lines and not fighting ships along naval lines. But I am not speaking to their disparagement. I do not want a misapprehension to get out. I am friendly to these people and have a great regard for them.

Mr. CRAMTON. I do not want to lessen the gentleman's friendship, but the gentleman realizes that now in our expansion of the Navy it is necessary to take in men who have not had long experience in command of battleships, and many men are taken in and given responsible commissions who have not had the training and experience that these Coast Guard officers have had.

Mr. PADGETT. That is true, but not above captain and rank of that kind.

Mr. CRAMTON. These men, I understand, have had many years of actual experience at sea rather than at desks here.

Mr. PADGETT. I am pretty well informed on the general service, but as I stated to the gentleman a while ago, it is my purpose to get the views of the Coast Guard people as well as the other side.

Mr. CRAMTON. I will say to the gentleman that I had overlooked the hearings of Capt. Bertholf before the gentleman's committee, if they were published.

Mr. PADGETT. They were published.

Mr. CRAMTON. I endeavored to get his hearing before the Senate Committee and found that it was not published.

Mr. PADGETT. But ours were published. We had him there, and we had Capt. McAllister also on the bill that they had agreed upon. And the bill that they agreed upon and sent down as a joint recommendation did not contain these matters. But I am not using that to their discredit, because I have an open mind.

Mr. CRAMTON. I have not desired to get from the gentleman a positive expression of his position.

Mr. PADGETT. Oh, no.

Mr. CRAMTON. I have not wanted to outdo his patience. But I did want to impress upon him that there are Members who are interested in the desirability of retaining and encouraging the Coast Guard as an effective fighting force either in war times or peace times.

Mr. PADGETT. Of course, in peace times they are not a fighting force.

Mr. CRAMTON. They come pretty near to it sometimes; they render duty that is almost as heroic.

Mr. PADGETT. They have hazardous duties.

Now, Mr. Speaker, I ask for a vote on my motion to further insist.

The SPEAKER. The gentleman from Tennessee moves that the House further insist upon its disagreement to Senate amendment No. 120. The question is on agreeing to that motion.

The motion was agreed to.

PROTECTION OF MIGRATORY BIRDS.

Mr. FLOOD. Mr. Speaker, the gentleman from Tennessee [Mr. PADGETT] has yielded to me a minute. I present, for printing under the rule, a conference report on Senate bill 1553.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

Conference report on the bill (S. 1553) to give effect to the convention between the United States and Great Britain for the protection of migratory birds concluded at Washington August 16, 1916, and for other purposes.

The SPEAKER. Ordered printed under the rule.

The conference report and accompanying statement are as follows:

CONFERENCE REPORT (NO. 669).

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1553) to give effect to the convention between the United States and Great Britain for the protection of migratory birds concluded at Washington, August 16, 1916, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendments of the House numbered 1, 2, and 5, and agree to the same.

Amendment numbered 3: That the Senate recede from its disagreement to the amendment of the House numbered 3, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "Provided, That no person who is subject to the draft for service in the Army or Navy shall be employed by the Secretary of Agriculture under the provisions of this act"; and the House agree to the same.

Amendment numbered 4: That the Senate recede from its disagreement to the amendment of the House numbered 4, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"Sec. 12. Nothing in this act shall be construed to prevent or affect the breeding of migratory game birds on farms and preserves for the purpose of increasing the food supply."

And the House agree to the same.

H. D. FLOOD,

CHAS. M. STEDMAN,

HENRY ALLEN COOPER,

Managers on the part of the House.

M. A. SMITH,

JNO. K. SHIELDS,

H. C. LODGE,

Managers on the part of the Senate.

STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1553) to give effect to the convention between the United States and Great Britain for the pro-

tection of migratory birds, concluded at Washington, August 16, 1916, and for other purposes, submit the following written statement explaining the effect of the action agreed upon.

The Senate receded from its disagreement to House amendments Nos. 1, 2, and 5.

The Senate receded from its disagreement to No. 3 with an amendment. The first proviso of No. 3 prohibited the expenditure of appropriation for the publication purposes. The amendment agreed upon was the second proviso, which prohibits the employment of any person under the provisions of this act who is subject to draft by the Army or Navy.

The Senate receded from its disagreement to amendment No. 4 with an amendment. The amendment No. 4 was a new section and stated that one of the objects of the bill was to foster the breeding of migratory game birds for food purposes. The amendment agreed upon is a new section providing that nothing in this act shall be construed to prevent the breeding of migratory game birds for food purposes.

H. D. FLOOD,
CHAS. M. STEDMAN,
HENRY ALLEN COOPER,

Managers on the part of the House.

NAVAL APPROPRIATION BILL.

Mr. PADGETT. Mr. Speaker, there is only one other Senate amendment that will call for a separate vote, and that is Senate amendment No. 170. I ask that the Clerk report that.

The SPEAKER. Does the gentleman make any motion?

Mr. PADGETT. Yes. I move that the House still further insist on its disagreement.

The SPEAKER. The gentleman from Tennessee moves that the House still further insist on its disagreement to Senate amendment No. 170, which the Clerk will report.

The Clerk read as follows:

Page 100, lines 5 to 10, inclusive, strike out the following: "nor shall any part of the appropriations made in this act be available to pay any premiums or bonus or cash reward to any employee in addition to his regular wages, except for suggestions resulting in improvements or economy in the operation of any Government plant."

The SPEAKER. Does the gentleman from New York [Mr. GOULD] want recognition?

Mr. GOULD. No.

Mr. PADGETT. I am entitled to recognition, Mr. Speaker.

The SPEAKER. I know; you have already made your motion. The Chair thought perhaps the gentleman from New York wanted to make a preferential motion.

Mr. GOOD. Mr. Speaker, I desire to make a preferential motion.

Mr. PADGETT. I will let the gentleman make it before I conclude. I want to make a little explanation of three or four minutes.

The legislation as reported by the House committee and as passed by the House is identical with the existing law and with what has been in the naval appropriation bill since and including the year 1915. It is the old question of the manufacturers on one side and the laborers on the other. The House passed this provision. It has also been carried in the Army appropriation bill and also the fortifications bill, as I remember. We have had a number of discussions of it on the floor of the House. We have had a number of votes in the House on it, and the House has always voted in favor of the provision. Sometimes it came on the motion to strike out, and the House refused to strike it out. The committees have sometimes failed to report it, and then it was offered as an amendment, and the House always voted to insert it as an amendment.

We asked the Secretary of the Navy about this matter, and he stated that it was his recommendation that the legislation be left as it now exists and as the House passed it. He said that his labor conditions were getting along fairly satisfactorily, and that while there might be merit—I do not know that he used the word "merit"; perhaps that is my interpolation—while there might be merit in eliminating this portion of the House provision, he did not think it wise at this time to bring in a disturbing element and a new agitation.

With this statement I am going to leave the matter for debate with the House, and if a preferential motion is made we can take the vote on that.

Mr. GOOD. Mr. Speaker, I move that the House recede from its disagreement to Senate amendment No. 170 and agree to the same.

The SPEAKER. The gentleman from Tennessee moves that the House further insist on its disagreement to Senate amendment No. 170, and the gentleman from Iowa [Mr. GOOD] makes a preferential motion that the House recede from its disagreement to Senate amendment No. 170 and concur in the same.

Mr. PADGETT. I believe I have control of the time in charge of the bill?

The SPEAKER. Yes.

Mr. BUTLER. The preferential motion of the gentleman from Iowa gives him an hour.

The SPEAKER. The gentleman from Iowa has the floor.

Mr. PADGETT. Mr. Speaker, I move the previous question on his motion.

Mr. GILLET. The gentleman does not want to do that.

Mr. PADGETT. I do not want to lose my hour's time.

Mr. BUTLER. The gentleman is entitled to reserve the time.

Mr. NOLAN rose.

The SPEAKER. For what purpose does the gentleman from California rise?

Mr. NOLAN. To see if we can not come to some understanding as to time and as to the division of time for and against the motion.

Mr. PADGETT. I am going to yield to both sides.

Mr. GOOD. I have made a preferential motion. Under the rules of the House I am entitled to one hour on that motion.

Mr. BUTLER. It was so held on me yesterday.

The SPEAKER. You can not take the control of the bill away from the gentleman from Tennessee.

Mr. GOOD. I do not care to take it away.

Mr. PADGETT. My understanding of the rule is that while I made my motion and while the gentleman from Iowa can make the other as a preferential motion and can discuss it, I have control of the time in charge of the bill and that I have an hour, and I am willing to yield to him.

The SPEAKER. The gentleman from Tennessee is entitled to an hour to advocate his own motion, and the gentleman from Iowa [Mr. GOOD] is entitled to an hour to advocate his motion. As to the division of the time, that is not the concern of the Chair.

Mr. PADGETT. How much time does the gentleman want?

Mr. GOOD. So far as I am concerned, the gentleman from Tennessee can control all the time. I want only 10 minutes myself.

Mr. GILLET. Say 30 minutes to a side.

Mr. NOLAN. Yes; let us have 30 minutes to a side.

Mr. PADGETT. I will take the time for one hour, and I will yield one-half of it to the gentleman from Iowa.

The SPEAKER. In the meantime the gentleman from Tennessee moves the previous question.

Mr. PADGETT. I withdraw that, Mr. Speaker, because I do not want to shut off debate.

The SPEAKER. The gentleman from Tennessee withdraws his motion for the previous question.

Mr. PADGETT. I will divide the time half between myself and half with the gentleman from Iowa.

Mr. GOOD. The gentleman from Pennsylvania [Mr. BUTLER] will control the time on this side.

Mr. PADGETT. The gentleman from Pennsylvania will control the time in favor of the motion of the gentleman from Iowa, and I will control the time in favor of my motion.

Mr. BUTLER. I will yield the control of the time to the gentleman from Iowa to dispose of it among gentlemen in favor of the motion made by the gentleman from Iowa, because I shall vote with the chairman of the committee, Mr. PADGETT, on this question.

The SPEAKER. Why not have the gentleman from Iowa control the time?

Mr. PADGETT. That is right. Let the gentleman yield his half to those advocating his side of it. I will yield the other half to the other side of the question.

The SPEAKER. The understanding is that the debate shall run not exceeding an hour, and that the gentleman from Tennessee shall control one-half the time and the gentleman from Iowa the other half, and do what they please with it. The gentleman from Iowa is recognized.

Mr. GOOD. Mr. Speaker, this provision has been in the naval appropriation bill, a similar provision has been in the Army appropriation bill, and a similar provision has been in the fortifications bill for several years, just as explained by the gentleman from Tennessee [Mr. PADGETT]. But that provision when it came before the House was enacted into law in connection with another provision which prevented the use of any part of the money appropriated to be expended in connection with what is known as the stop-watch or Taylor system.

Mr. GREEN of Iowa. Will my colleague kindly repeat the whole of that last sentence? There was so much confusion in the Hall that I could not hear it.

Mr. GOOD. The statement made by the gentleman from Tennessee [Mr. PADGETT] is practically correct. This provision has been carried in the Army bill, the Navy bill, and the fortifi-

cations bill for several years. It was enacted, however, when it was coupled with a proposition to prevent the use of any of this fund for what are known as stop-watch devices. The situation now is this, that if the motion I have made is adopted, then in the Naval Establishment the Secretary of the Navy and those who have charge of the expenditure of these appropriations and of the employment of labor will be permitted to pay bonuses to speed up production, if it is necessary to speed up to win the war. To-day there are men driving rivets in shipbuilding yards who are capable of driving as many as 5,000 rivets a day if they are permitted to do so, but they are paid on the basis of about 1,000 rivets a day. A man drives his 1,000 rivets, takes his time to it, and as a result you have men doing one-fourth of the amount of work which they are capable of doing; and it is proposed to enact into law a provision which absolutely ties the hands of the Chief of Ordnance in the Navy and the Chief of Ordnance in the Army, so far as production is concerned. My friends, we have come to a time in America when we must speed up or keep our mouths shut with regard to production. It does not lie in the mouth of any man to criticize the lack of production and at the same time vote for a law to delay and hinder production. Every man must do all he can do, if we are to win this war, and you are not giving the opportunity to every man to do what he can if the Government is unwilling to pay labor for its maximum of production. We should encourage officials who have charge of the expenditure of these funds, that they should stimulate production to the point that every man was doing his best in order that our own part in this war may be the maximum of all our people.

Mr. BARKLEY. Will the gentleman yield?

Mr. GOOD. I yield to the gentleman from Kentucky.

Mr. BARKLEY. I saw in the papers a few days ago that Mr. Hurley had taken under consideration the question of allowing bonuses to men in shipyards for excellence of performance in the driving of rivets. Under what authority does he do that, if the law already prevents it?

Mr. PADGETT. This only applies to naval appropriations.

Mr. GOOD. In the bill passed by the House two or three days ago—the sundry civil appropriation bill, carrying approximately \$2,000,000,000 for the building of ships—there is no provision prohibiting the payment of bonuses—not a word in that law with regard to stop watches and bonuses—and any part of that fund can be used not only for paying bonuses in Government-operated shipbuilding yards everywhere except navy yards, but can also be used for the enforcement of the stop-watch or Taylor system.

Mr. BARKLEY. So that there is no law at present that prohibits the paying of bonuses in shipyards?

Mr. GOOD. In the navy yards there is.

Mr. BARKLEY. I mean in other shipyards.

Mr. GOOD. Not under the Shipping Board or the Emergency Fleet Corporation.

Mr. PADGETT. And not in private yards, either.

Mr. GOOD. We have nothing to do with private yards.

Mr. PADGETT. This applies only to Government yards.

Mr. GOOD. This applies to the naval program so far as the appropriation for that kind of construction is concerned.

Mr. ROBBINS. In navy yards only.

Mr. GOOD. In Government navy yards only; but it is the announcement of the governmental policy. Are you going to have one policy for riveters and calkers at Hog Island, a Government yard, and another policy so far as the navy yards of the United States are concerned for the same character of work?

Mr. WALSH. Was there not an amendment offered to the sundry civil bill along lines similar to this provision?

Mr. GOOD. If there was, it was not adopted. It never has been carried in the sundry civil bill, nor has it been carried in any of the deficiency bills which have appropriated very large sums for the employment of labor in Government shipbuilding yards, and if we would cut all the politics out and confine our endeavor to the winning of the war it would not be here.

Mr. NOLAN. The gentleman knows that no amendment has ever been offered to any bill that would affect private contracts with the Government.

Mr. WALSH. I am not talking about private contracts. Hog Island is not a private yard. That is a Government yard.

Mr. NOLAN. The gentleman does not understand it, if he thinks that is a Government yard.

Mr. GOOD. I am only talking about this provision.

Mr. WALSH. I do not call the Emergency Fleet Corporation a private corporation.

Mr. GOOD. It only applies to Government establishments. Anyone who says that the Government shipbuilding yard at Hog Island is not a Government plant does not know what he is talking about. The gentleman has referred to the fortifica-

tion bill. The fortification bill came to the Committee on Appropriations this year with the recommendation of the Secretary of War that this entire provision be eliminated.

I am frank to say that when this matter came before the House first, when we were at peace, coupled as it was with the proposition of the stop watch, I voted for it. It was claimed that the so-called Taylor system has operated against the laboring men. I would vote for it again under similar conditions; but, my friends, it seems to me that we have come to a time when we must pay bonuses. When every industrial establishment that tries to acquire quantity production is paying bonuses why should we tie the hands of the Navy Department or of the Ordnance Department of the Navy in this regard? Where a man can drive 5,000 rivets in a day you say to him, "You shall not do it." When a man can do a certain amount of work in a machine shop, under splendid conditions, without impairing his health, and he wants to do it to help win the war, and if he was in a private establishment he would be permitted to do it and would be paid for it, you say, "No; you can not do it. You stop work when you get so much done and let the standard of efficiency in the United States be the standard of the least efficient." I am not willing now, in this time of war, to write that kind of a provision into the statutes of the United States.

Mr. ALEXANDER. Will the gentleman yield at that point?

Mr. GOOD. Yes.

Mr. ALEXANDER. I visited a—

Mr. GOOD. I yield for a question.

Mr. ALEXANDER. I understand that these men who drive 5,000 rivets in a day lay off for four or five days; that they have exhausted their nervous energy so that they are not capable of working for four or five days, and hence it does not speed up production at all.

Mr. GOOD. I understand that is not a fact.

Mr. ALEXANDER. It is a fact.

Mr. GOOD. Well, it is not a fact and no one having any knowledge of the situation ever claimed it was so. I understand that these men who work in the Ordnance Department who have a productive capacity that excels the capacity of a great many other men do work every day without impairing their health, and I say that now while we are at war, when we are asking every industry in the country to speed up, and every industry is speeding up, and every automobile factory and every ammunition factory controlled by private enterprise is permitted to pay bonuses, we ought not to prohibit it in Government establishments.

Mr. ALEXANDER. I am not opposed to the payment of bonuses, but I am saying that these stunts in the driving of rivets do not increase the efficiency or speeding up of the work in many instances, for the reason I have stated, because they can not do that every day.

Mr. LINTHICUM. Will the gentleman yield?

Mr. GOOD. Yes.

Mr. LINTHICUM. I want to say that this man, Charles Knight, made the record in shipbuilding in driving 4,800 rivets, went to work the next day, and broke the hour record by driving 1,200.

Mr. GOOD. Has he quit work since?

Mr. LINTHICUM. No; he is working every day.

Mr. GOOD. I hope the gentleman will submit his proof to the gentleman from Missouri [Mr. ALEXANDER]. Now, gentlemen, I have here a letter from a gentleman now living in my town, who originally came from Baltimore, who has already received news that one of his brothers has been killed on the other side, and it is from such fellows as that and the boys we are sending on the other side that I want to hear from whether or not we should speed up. Here is what he says:

The statement is also made that the Tavenner bill is part of the propaganda of Germany to defeat the output of United States ships to carry the war to a successful conclusion.

The statement is also made that in some navy yards, as a result of bonus or reward offers, over 4,800 rivets have been driven by a single man, while the result of the passage of this bill will mean a reduction in the number of rivets driven per man to less than one-fourth.

This letter concludes with a strong demand that Congress should not enact legislation that will prevent our speeding up.

Certainly it must be a part of a German propaganda; anything that will stop production is in the interest of Germany and not in the interest of the United States. Every man must do his part, not only in the shipbuilding yards but in everything. At Hog Island and in the arsenals, wherever we put the man, he must do a man's part, and that is all he can do to win the war. All I am asking here is that we adopt the Senate amendment that permits the business policy adopted by every business establishment throughout the United States, a policy, as explained by the gentleman from Pennsylvania [Mr. GARLAND], a man who holds a union card, a union man, that there can be no objection

to it from any patriotic union man in the United States. [Applause.] It gives to labor its reward. It gives to a man an incentive to do more than he did the day before; and if we are going to win the war, if we are going to win it in a reasonable length of time, not only the labor must speed up, but Congress must be willing to pay that labor for everything it produces, and that is all that the amendment that I have offered will accomplish. Let us by our vote answer the last call of Joseph H. Choate—"Hurry up, hurry up; for God's sake, hurry up!" [Applause.] Mr. Speaker, I reserve the balance of my time.

Mr. PADGETT. Mr. Speaker, I want to make a personal statement, and in doing so I want to read into the RECORD for the information of the House a couple of telegrams. I want to say that I have always been very friendly to labor. I have endeavored at all times to promote by legitimate legislation its interest and its welfare, but I have received two telegrams that did not stimulate my kindly feelings. I want to read them so that the House may have the benefit of them:

PORTSMOUTH, VA., May 25.

Congressman PADGETT,
Washington, D. C.:

Just received advice that Senate amends House naval appropriation bill making possible bonus and Taylor system in navy yards. This measure, if it becomes effective, will undoubtedly cause walkout all manufacturing departments Government, as was done in similar instance over three years ago. Urge upon you to effect its defeat in House Monday.

W. B. WYATT.

NORFOLK, VA., May 25, 1918.

Hon. LEMUEL P. PADGETT,
Washington, D. C.:

G. H. T. U. 14824, of Portsmouth, Va., urge you to defeat in House Monday Senate amendment to Navy appropriation bill. If accepted by House, thereby making effective bonus and Taylor system in navy yards, will undoubtedly cause walkout of all Government yards, as was done similar occasions three years ago.

D. S. THOMAS, Secretary.

I am reading these at this time to let the House know that I received them. While I have been always the friend of labor I must confess that when I received these telegrams, instead of arousing within me a feeling of sympathy, I felt the devil in me as big as a bullfrog. [Laughter and applause.] I do not believe that it is the right spirit. It is not the right spirit in which to approach the House of Representatives in considering an amendment to legislation upon a great policy. I want to make that statement so that the House could debate it in the beginning and not at the end.

Mr. CANNON. Will the gentleman yield?

Mr. PADGETT. Yes.

Mr. CANNON. Is the gentleman aware that at the end of the Chamberlain bill, which became a law a few days ago, there is a provision written into the law giving the President the power to draft into the military service of the United States, without regard to residence, experts in industry and agriculture?

Mr. PADGETT. That is legislation subsequent to this.

Mr. CANNON. I know, but that is the law. I have wondered, that being the law, if the threat contained in the two telegrams might not result in action, and whether or not, if these gentlemen were informed that that is the law, they would care to enter the military service at \$30 a month.

Mr. PADGETT. That is a question for everyone to answer for himself.

Mr. CANNON. I do not know whether these men know it or not, but it seems to me that if they do know it, if they do know that that is the law, and it ought to be the law—I do not suppose there is any disposition to use it on the part of the administration unless it becomes necessary—it would discourage telegrams of that kind. I think we all receive similar telegrams from all over the country.

Mr. GOOD. Will the gentleman yield?

Mr. PADGETT. Yes.

Mr. GOOD. In order that we may confine the debate to the exact issue, the gentleman from Tennessee will agree with me that the Taylor system is not involved in this amendment; the only thing involved here is the payment of bonuses.

Mr. PADGETT. And premiums.

Mr. KEATING. If the gentleman from Tennessee will yield, I think it is only fair to state that the bonus and premium is a part of the Taylor system, and the gentleman's statement is not quite correct. The bonus and the premium are all a part of the Taylor system, and you can not have one without the other.

Mr. PADGETT. Mr. Speaker, I yield 10 minutes to the gentleman from California [Mr. NOLAN].

Mr. NOLAN. Mr. Speaker and gentlemen of the House, I have no defense to make of men, whether they be officers of an organization or not, who send such telegrams as have been read by the chairman of the Committee on Naval Affairs. I believe

in conciliation and mediation. I believe that no organization and no set of men are justified during this great emergency, whether they be workmen employed by the Government of the United States or whether they be employed by contractors, to threaten a strike because of proposed legislation. I am not in sympathy with the spirit that prompted the telegrams, neither do I think they ought to affect the judgment of the House on this important question.

The people that are in favor of stop-watch methods of efficiency and the bonus and premium systems of payment that follow this system have been guilty of carrying on a campaign of misrepresentation in connection with this section of the naval bill, and the retired naval officer that the gentleman from Iowa speaks of—Capt. Stayton, who represents the Navy League—is largely responsible for the feeling engendered in the Middle West by his misstatements, as I will presently show from an extension of remarks of the gentleman from Nebraska in the CONGRESSIONAL RECORD under date of June 13.

Every effort is being made by the wage-adjustment board of the Emergency Fleet Corporation, the Shipping Board, and the National War Labor Board to adjust not alone labor troubles in war industries, but in every other industry in the country during the period of the war, and I trust that out of the efforts some permanent good may come regarding the adjudication of industrial disputes in this country. On the other hand, there has been carried on from Washington a propaganda that has disturbed the men working in all of the Government establishments of the country regarding this sort of legislation. The gentleman from Iowa [Mr. GOOD] does not understand the situation in the shipbuilding industries of this country nor in the Government establishments, nor does he understand the principle involved or he would not make the statement that the bonus and premium payments are not part of the Taylor system. They go hand in hand with the stop-watch and time-measuring devices, and for that reason this second section has always been considered a vital part of this legislation and has been attached to all appropriation bills and was only stricken from this bill in the Senate on motion of a Senator who advocated and voted for the use of the stop watch.

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

Mr. NOLAN. Yes.

Mr. GOULD. Do they use the stop-watch method in foundries where bonuses might be paid?

Mr. NOLAN. Only where the Taylor system is involved, and these establishments are few and far between. No concern in this country that has any interest in the welfare of their employees uses any part of the Taylor system. Here is the situation in the navy yards of this country: There is no restriction whatever on piecework nor the amount of money that the men might earn. There is no restriction whatever on daywork, and absolutely no restriction of output, and the Secretary of the Navy has taken the position that he has means at his command and at the command of his subordinates to determine when a man is doing a fair day's work and whether the Navy Department is receiving adequate return for the money paid.

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

Mr. NOLAN. Yes.

Mr. BANKHEAD. I presume this is a confession of ignorance on my part, but I would like to know, and I imagine some others would like to know who have not heard this question discussed, how the Taylor system operates and what the effect of it is.

Mr. NOLAN. I could not give the gentleman even an idea of it in 10 minutes. First of all, it is primarily based on the stop-watch method of time study, basing the production obtained and the time unit obtained under the stop-watch method in determining the output of each individual mechanic, generally taking the most highly efficient mechanic and basing the standard of all of the workers in the plant on this man's output when working at abnormal speed under ideal conditions, and making payment for the task set plus the bonus and premium payments, which the House has frequently decided was not fair and should not be established in Government plants.

The gentleman from Iowa [Mr. GOOD] referred to Capt. Stayton. I want to call attention to this gentleman's activities in the Middle West, and I call attention to an extension of remarks in the Appendix to the CONGRESSIONAL RECORD by the gentleman from Nebraska, Mr. DAN V. STEPHENS, in which Mr. STEPHENS says:

I have a stenographic report of Capt. Stayton's speech at Norfolk, Nebr., in which he states:

"They have passed through both Houses a bill which says it shall be held lawful to say how many rivets they may drive, and Nebraska's Members of Congress all voted for it."

What do you think of a retired naval officer that will go around the country making misleading statements of this kind, that only

tends to arouse class feeling and hatred during the war? An active pro-German propagandist that would make these statements would be imprisoned. This man represents the Navy League, that has been discredited on account of similar misleading statements by its officers concerning the efficiency of the Navy since we entered the war.

Mr. STEPHENS has a stenographic report of this gentleman's speech in Nebraska. He has been going throughout the Middle West creating dissension among the farmers with such statements as that. The gentleman from Nebraska has made an extended address. In fact, he has exposed this man in a letter written to the Chamber of Commerce of Omaha, Nebr., concerning the actions of Capt. Stayton and his whole line of argument, which has been a campaign of misrepresentation, and in some places has made false statements for the deliberate purpose of stirring up the people of this country with the idea that the men employed in the industrial establishments are slackers and are not doing their bit.

I want to call attention to the facts in connection with the Wage Adjustment Board and production in the shipyards. The Wage Adjustment Board met first in the city of Washington to adjust the wage question in the Pacific Northwest, the Puget Sound district. They were here for some time. Trouble arose in San Francisco, and they went there to settle that wage question on the Pacific coast. They settled wage rates for the basic trades all over the Pacific coast, and also the piecework rates. They came East and then settled the wage questions all over this country. They took the rates put into effect on the Pacific coast for the basic trades, and for piecework, and they have established them in every industrial section of the country where we are building ships—in the South Atlantic, the Gulf States, the Atlantic coast, the north Atlantic, the Delaware River, the Great Lakes, and the Pacific coast districts. Every shipyard in the country to-day building ships for the Government of the United States, whether they be for the Navy or for the Shipping Board, is working under the rates set by the Wage Adjustment Board, connected with the Emergency Fleet Corporation. Here is the position these men have taken regarding bonus and premium payments: They found a condition in this country where the shipyards or industrial establishments that would come under the provisions of their award would be competing against another shipyard or another industrial establishment to get the better class of mechanics, offering additional inducements in the way of cash payments. It does not make any difference whether these cash payments are called bonus or premium or an addition to the hourly rate or the daily rate. They found this created a disorganized condition. They found one establishment getting the cream of the men, because it was willing to pay more, and then asking the Shipping Board, through the Wage Adjustment Board, to make allowances for the increases granted. Every wage and every piece rate has been passed on before it was put into effect. The employers would come to the Wage Adjustment Board and say they would put into effect this rate, a higher rate than the Wage Adjustment Board had set, asked the Government to make allowance for the increases they granted to the men, but the Wage Adjustment Board and the Fleet Corporation would not allow it, and they took this position in the Delaware River award, and I am going to quote it to you out of their hearings, held in Philadelphia upon the Delaware River wage rate.

Here is the Wage Adjustment Board's findings on the bonus and premium system of payment:

In addition to the straight day wage and the piece-wage systems we have found in operation in different yards numerous bonus, premium, and contract systems of wage payment. The minimum-wage scale and the piece-rate scales which we prescribe are designed to introduce a greater degree of uniformity in connection with wage payments. We, therefore, direct that no bonus or premium in addition to the rates of wages prescribed in this award shall in future be paid, except with the express permission of this board. This is not intended, however, to prohibit shipyards from paying piece rates to employees in other occupations than those covered by the appended piece-rate scales.

The board that rendered this decision is made up as follows: Mr. V. Everitt Macy, president of the National Civic Federation, appointed by the President, representing the people; Mr. Louis A. Coolidge, of the United States Shoe Machinery Co., representing the employees; and Mr. A. J. Berres, secretary of the Metal Trades Department of the American Federation of Labor, representing labor. Mr. Coolidge was selected by the employers and Mr. Berres was selected by Mr. Gompers to represent the workers. I think this will be conceded to be a representative and impartial tribunal. This action was taken to stabilize the production in the shipyards of the country and to stop disorganization, to stop men going from one yard to another because they were offered greater inducements. Here is the position. I happen to know this of my own knowledge. I have

taken the matter up with the Wage Adjustment Board and I find they have taken this position: Whether the employer asks for permission to put in effect a raise in pay or increase in piece prices and is willing to pay it out of his own pocket, or whether he asks the Government to make an allowance for it, the position of the Wage Adjustment Board is that the shipyards can not pay above the rates they set, you can not pay any cash award, and the reason for it is to stabilize labor in the great shipyards, and after a year's investigation and a year of experience, they have found that the best thing that we can do is to stop the bonus and premium systems, which do not prevent piece-work rates in every line of business, and they are getting better results.

Mr. JOHNSON of Washington. Will the gentleman yield for a question?

Mr. NOLAN. I will.

Mr. JOHNSON of Washington. And contracts for the building of ships are let based on the scale of wages made in that report?

Mr. NOLAN. Absolutely; prices are fixed.

Mr. BROWNING. Would the gentleman yield?

Mr. NOLAN. I will for a question.

Mr. BROWNING. Does the gentleman think that the department is getting the maximum amount of labor at the present time?

Mr. NOLAN. Every yard in this country that has had any experience, that has had a chance to build up an organization, is producing results. Let me quote you here some information I gave to the gentleman from Nebraska. I insert a newspaper clipping from the San Francisco Bulletin of June 3, 1918, to prove that the shipyard workers and the employees around San Francisco Bay are doing everything within their power to stimulate production by offering prizes for the best records made by the workers, and there has not been one word of protest from the men or their organizations. It is high time that organizations, individuals, or any agency that circulate false and slanderous statements about the workers of this country should be called to account and if they can not make good they should be jailed as enemies of this country. The Bulletin article is as follows:

R. S. BROWN SCHAW-BATCHER WINNER—OTHERS IN DOUBT.

R. S. Brown has been returned the winner of the Bulletin's riveting contest for the Schaw-Batcher plant for the week ending Saturday, and will be awarded the Bulletin's prize of \$25 offered to the man making the best riveting record for the week. Brown led on four out of five working-days of the week. Brown set a terrific pace during the entire week, most of his work being on a shell under difficult conditions. He drove common-head rivets, which require calking, and all of his riveting was water-tight work. On the first day of the contest he broke a world's record. While there are no definite standards of comparison, owing to the widely varying conditions of shipbuilding work, officials at the plant said Brown's performance was undoubtedly among the world's best showings for a single week's work.

The Union Works leaders were so closely bunched that no decision could be announced to-day. The counting department of the works is reviewing the records, and a decision probably will be announced tomorrow. Young, Stewart, and Fetisoff, all star riveters, came under the tape so close together that this special survey of the week's work was made necessary. At both plants the men were highly commended for the week's showing, and although Memorial Day being a holiday cut into the week's total the returns for the five days were among the best for any similar period in the history of the two plants.

The big Oakland contest, with three plants, the Bulletin offering a \$25 prize for the leader in each plant, started this morning. Next week the Vallejo shipbuilders, competing for the same prize, will show what they can do in the way of knocking out destroyers.

TYNAN ACCEPTS ARMES'S \$10,000 RIVETING WAGER.

Coincident with the beginning of the Oakland week of the Bulletin's riveting contest, J. J. Tynan, general manager of the Union Iron Works, has accepted the offer of a \$10,000 wager by George Armes, president of the Moore Shipbuilding Co., that a gang of Moore riveters can beat any gang in the world. Tynan read of Armes's challenge while on his way West after a business trip to New York and Washington. From Julesburg, Colo., he sent the following telegram to San Francisco:

"I accept George Armes's challenge of \$10,000 to be posted as a wager that a team from any department of the Moore Shipbuilding Co. can defeat any similar team from any other yard in the United States."

"J. J. TYNAN."

Armes, in issuing his challenge last week, criticized many claims to riveting prowess made throughout the East and in England, saying that investigation would show that the spectacular records were for "snap" riveting on inside water-tight work, and that competition with the countersunk, water-tight rivets, where it is necessary to calk the rivet with a flush die, would tell a different story. He believes he has some world-beating gangs. On the arrival of Tynan plans for the big sporting event probably will be concluded. It will be necessary to standardize the competition to insure a contest under as nearly as possible even conditions.

Tynan already has a personal wager of \$5,000 with Vice President Powell, of the Bethlehem Steel Co., pitting the Union Iron Works against the company's Fore River plant in this year's output of destroyers.

Mr. BROWNING. We have information here from Admiral Parks, I do not know whether the gentleman has seen it or not, in which he says:

All the information I have indicates that less useful work is secured for the \$4.40 than was formerly secured for \$1.60, and some have placed it as low as 65 per cent. The other thing is the increase in the cost of material.

Mr. NOLAN. The answer that I make to this statement is that Admiral Parks shows about as much knowledge of the true conditions obtaining in the mechanical establishments of the Navy as the average naval officer does and that is nothing at all. This will continue until Admiral Parks and others like him are sent to sea to do the things they were educated at Annapolis to do and leave the running of the navy yards to practical mechanics who have devoted their lives to shipbuilding and other mechanical operations.

Mr. BROWNING. If the gentleman will permit—

Mr. NOLAN. The gentleman can get some time, I want to get through. I want to call attention to this fact. We on the Pacific coast, instead of the labor organization and men objecting to speeding up, there is a series of contests going on for a week at a time—it is not for a day—to see what a man could do, but it is for a week, and that is a fair test. I want to tell you the prize they are getting. The prize offered by the newspapers at San Francisco Bay is \$25 for the greatest production in each individual shipyard for a week and that is based upon the man's earnings, the amount of money that he gets in his pay envelope on Saturday night. Mr. Armes, the general manager of Moore & Scott Shipbuilding Co., at San Francisco, issues a \$10,000 challenge to the world in a riveting contest, to the world in a riveting contest where the contest will be fair and conditions of the driving of rivets similar, and they are waiting for someone outside of San Francisco to take up this wager. The general manager of the Union Iron Works at San Francisco has accepted the challenge on behalf of his men and the contest will soon be on. This latter yard led all the shipyards of the country for the month of May with an average of 64,000 rivets per day for the month. That is the situation out there where the yards are highly organized, almost 100 per cent, absolutely no attempt on the part of the organization or the employees to restrict production.

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

Mr. NOLAN. Can I have two minutes more?

Mr. PADGETT. How much time have I remaining?

The SPEAKER pro tempore. The gentleman has 14 minutes remaining.

Mr. PADGETT. That is a mistake somehow. However, I will yield two minutes to the gentleman from California.

Mr. NOLAN. I want to say to the House that every attempt on the part of Congress to interfere with the policy of the Navy Department or the War Department or the Shipping Board regarding labor has caused a great deal of unrest and dissatisfaction. I believe it is the cause of these telegrams. It gets the men worked up and when you find men like Capt. Stayton going around the country representing the Navy League and making the sort of statement he made in the State of Nebraska you can expect some sort of a reaction on the part of the other side. I am going to ask permission to extend my remarks by including a resolution passed by the annual convention of the American Federation of Labor. This resolution was passed June 14 at St. Paul, Minn., and particularly protests against the Senate amendment which the gentleman from Iowa [Mr. Goop] would have us agree to.

ST. PAUL, MINN., June 14, 1918.

The American Federation of Labor convention unanimously adopts the following resolution which urges Congress to restore the language in the naval appropriation bill which was eliminated by the Senate and to incorporate the same anti-Taylor system proviso in appropriation bills which have carried it heretofore:

"Whereas the American Federation of Labor has repeatedly gone on record against the introduction in the arsenals and navy yards of the United States of the Taylor system and similar systems of shop management; and

"Whereas a drive appears to have recently been made by associations of manufacturers and chambers of commerce against the reenactment of legislation which for several years has been incorporated in appropriation bills passed by Congress, followed by the Senate of the United States on May 22, 1918, eliminating from the naval appropriation bill the portion of this legislation which prohibits premium and bonus systems of payment, while leaving the portion which prohibits the use of stop-watch time study; and

"Whereas a very high degree of efficiency, which has been demonstrated is attainable without the use of such drastic systems of shop management; and

"Whereas the President of the United States and the Council of National Defense have urged legislatures not to lower the standards of labor or withdraw any of the safeguards which have been thrown around it during the period of the war: Therefore be it

"Resolved, That the thirty-eighth annual convention of the American Federation of Labor reiterate its former position against the introduction of these systems of so-called scientific management, and urge Congress to restore the language above referred to which was eliminated from the naval appropriation bill in the Senate and to incorporate the same anti-Taylor system proviso in the appropriation bills which have carried it heretofore; and be it further

"Resolved, That the Speaker of the House and President of the Senate be advised of this action."

Gentlemen, I trust the House will defeat the motion of the gentleman from Iowa and adopt the motion of the chairman of the Committee on Naval Affairs. Both of these propositions go hand in hand. You can not have the Taylor system unless you have the bonus and premium system, and you can not have them unless you have the stop watch. You are only putting into this bill a law to disturb conditions in the mechanical establishments conducted by the Navy and against the advice of Secretary Daniels. It does not extend to the shipyards. The Wage Adjustment Board, for the purpose of stabilizing production, for the purpose of increasing production throughout the country and obtaining the best results, have thought it best to put into effect an order to prohibit the bonus and premium system—

Mr. COOPER of Wisconsin. Will the gentleman yield?

Mr. NOLAN. I will.

Mr. COOPER of Wisconsin. Who appointed the board which made the decision to which the gentleman has referred?

Mr. NOLAN. The President of the United States appoints one man, the United States Shipping Board another, and the American Federation of Labor the third.

Mr. COOPER of Wisconsin. And that board specifically and officially reported against the bonus system?

Mr. NOLAN. Without any solicitation on the part of labor or the employees, they came to the conclusion that the bonus and premium system of payment in the shipyards tended to curtail rather than increase production.

Mr. STEPHENS of Nebraska. I wanted the gentleman to bring that out.

Mr. NOLAN. It is through their own experience and without any opposition from anybody.

Mr. ROSE. Will the gentleman yield?

Mr. NOLAN. I will.

Mr. ROSE. Is it the policy of the Government now to refuse private corporations the right to pay bonuses to any of their employees, and then let that bonus enter into the question of cost?

Mr. NOLAN. They will not permit it to be paid in any part of the country, because they feel it will disorganize shops and disorganize the shipyards. [Applause.]

Mr. WALSH. Will the gentleman state what the resolution to which he referred is about?

Mr. NOLAN. It is a resolution adopted by the American Federation of Labor protesting against the Senate amendment, which would permit of the Taylor system of bonus and premium payments. This resolution is dated June 14, 1918, and was adopted by the annual convention now in session at St. Paul, Minn.

Mr. PADGETT. Mr. Speaker, I yield five minutes to the gentleman from Texas [Mr. BLACK].

Mr. BLACK. Mr. Speaker, as has been said by both gentlemen who have just debated this amendment, the amendment we now have under consideration concerns only the payment of premiums and bonuses to Government employees as a reward for extra labor performed. When we passed this amendment in the House it contained, first, a limitation providing that the stop watch or any other kind of measuring device should not be used to make a time study of the length of time necessary to do a given piece of work, and the second provision provided against the payment of any premiums or bonuses. Now, the Senate has retained the prohibition against the stop watch or any other time-measuring device, but has refused to write into the bill the prohibition against the Government paying a bonus or premium to a man who is willing and able to speed up his efforts in this hour of his Government's great need.

I am in favor of the motion to concur in the Senate amendment.

The present is certainly no time for the Government of the United States, through congressional action, to give recognition to the contention that the slowest man in the factory or on the job should set the pace for all the rest of the workers who are engaged in that particular enterprise.

If there is any worker who is willing to speed up, and can do so without injury or hurt to himself, he should be allowed to do so, and the Government should be permitted to pay him a reasonable bonus or premium as a reward for his industry. No sound argument can be urged against it.

Now, the gentleman from California [Mr. NOLAN], who so persuasively argues for his side of the contention, says that Congress ought not to undertake to interfere with the labor policy of the War Department or the Navy Department. Well, I call your attention to this fact, and I especially direct the attention of the gentleman from California to it, that Congress originally enacted this so-called Tavenner amendment over the express protest of the Secretary of War, Newton D. Baker, and the Chief of Ordnance, Gen. William Crozier, and in the face

of their explicit statements that "to prohibit the system of which the record shows undoubted advantages, both to the Government and the employees, because of a charge unsupported by evidence seems to be most unwise."

Mr. STEPHENS of Nebraska. Will the gentleman yield?

Mr. BLACK. Yes.

Mr. STEPHENS of Nebraska. The gentleman is certainly mistaken in the statement that that was passed over the protest of the Secretary of War.

Mr. BLACK. I am not mistaken.

Mr. STEPHENS of Nebraska. I will read from a statement by the Secretary of the Navy.

Mr. BLACK. I said the Secretary of War.

Mr. STEPHENS of Nebraska. I beg your pardon. I thought you said the Secretary of the Navy.

Mr. BLACK. I said the Secretary of War, and the letter to which I have referred was written to the Speaker of the House when the Tavenner amendment was before Congress in 1916. Now, the proposition, gentlemen, is this: In the present time of great stress and need is the Congress of the United States going to deny the man who is willing to speed up on the output of his labor the opportunity to do so and deny him any incentive for extra effort? We have called upon the farmers of the Nation to produce larger crops than ever before, and what is their answer? Notwithstanding that thousands of our most experienced young men have left the farms and have gone into the Army and no one has been found to take their places, except the women and children, the farmers have answered the call of the Nation with one of the largest wheat crops that has even been produced in this country, and the farmers of the South are now cultivating and have the prospect of harvesting a very large cotton crop, and besides that, are producing large amounts of diversified feed crops. To dig a living out of the ground requires endurance, courage, and association with the sun and the soil, and certainly the inspiring lesson of what the farmers are doing to meet the increased needs of the Nation should not be lost on the rest of the country, and more especially upon the Congress of the United States.

Mr. Speaker, it seems to me that the placing of restrictions on production at a time like this merely to satisfy the exactions of some of those who claim to speak for union labor has the effect to place the interests of a class above those of the common good. I do not believe that union labor would desire it if the rank and file were consulted. It is a blind man who can not see that the United States is facing the most stupendous task that it has even undertaken to accomplish, and I am not going to place myself in the attitude where our soldiers at the front can say "that you voted to draft me to stem the tide of onrushing German savagery and to bare my bosom to the whirling bullets and the bayonet's thrust in defense of American liberty and the asperations and ideals of a free Government, but that when a proposition came up to limit and retard the production of the things which are so vitally needed to successfully prosecute the war you gave it your support."

It is my desire as a Member of Congress to treat all alike. To assume that every man wants to do his duty in the hour of his country's peril and to give him ample opportunity to do so. I shall therefore vote to concur in the Senate amendment.

Mr. PADGETT. I yield five minutes to the gentleman from Colorado [Mr. KEATING].

Mr. KEATING. Mr. Speaker, we have discussed the Taylor system so often that it would appear to be unnecessary to go into the matter again. The proposition before the House is to adopt a Senate amendment to the naval appropriation bill.

I think we will all agree that the man best qualified to pass upon the desirability of this amendment is the Secretary of the Navy, the head of the Navy Department. I do not question either the intelligence or the patriotism of my good friend from Iowa [Mr. GOOD], or my equally good friend from Texas [Mr. BLACK], but I submit to the common sense of this House, what do they know about the operations of the Navy Department? If you gentlemen were seeking information concerning that department, if you wanted to learn how to make that department efficient, where would you go? You would go to the Secretary of the Navy. Now, what does the Secretary of the Navy say about this proposed amendment? He appeared before the conferees appointed by this House and stated his position so clearly that no one can possibly misunderstand him, and, instead of submitting my own views to the House, I want to submit the views of the Secretary.

Secretary Daniels, responding to a question propounded by the distinguished gentleman from New York [Mr. RIORDAN], a member of the Naval Affairs Committee, said:

I wish the Senate amendment stricken out and to pass it as the House passed it. I think we ought to insist upon the bill as it passed the House.

Proceeding, he says:

We have discussed this matter often. If you put that in it will produce dissatisfaction among the men who are building ships and repairing ships, and they are doing excellent work, in the main. They have done better work than they have ever done.

Gentlemen on the floor of this House who probably have never seen a shipyard dare arise here and indict the great body of American workers. Why, gentlemen, do you not realize that if labor is not loyal in this crisis, we can not win the war, and the reason we can win the war and will win the war is because labor is loyal and because labor is doing its full part. The telegrams read by the chairman do not represent the attitude of the workers. Every responsible labor leader is opposed to strikes at this time.

I want to very earnestly resent and deny the charge made by the gentleman from Iowa [Mr. GOOD] that labor is "lying down" during this great crisis when our country is leading a world war; and I submit as the best witness on that point the Secretary of the Navy, who is in charge of operations. Proceeding with his testimony before the House conferees, Mr. Daniels said:

They—

The workers in Government establishments—

have done better work than they have ever done, and in spite of the coldest winter we have ever seen these men have measured up, most of them, well, and they are now very enthusiastic and earnest, not only in the work they are doing but in the spirit they have toward the war. I think that in most of the yards more than 90 per cent of the men took bonds and subscribed to the Red Cross fund. Everything is coming along finely and they are showing a spirit toward the war that is splendid. I do not know anything that has heartened me so much as the feeling that the men building and repairing ships really feel they are in the Navy in every way. You put this thing in and immediately they say you are going to put the Taylor system back, and it is going to reopen an old controversy that will not do us any good.

That is the plea I make to the Members of this House to-day. The President of the United States and his Secretary of the Navy have determined upon a well-defined labor policy, a policy which is producing results, a policy which is making records in this country, and I appeal to the Members of this House not to permit anyone to toss a monkey wrench into the machinery. I ask the Members of this House to indorse the judgment of the Secretary of the Navy.

Mr. GOOD. Mr. Speaker, I yield four minutes to the gentleman from Illinois [Mr. MADDEN].

The SPEAKER pro tempore (Mr. RUBEY). The gentleman from Illinois is recognized for four minutes.

Mr. MADDEN. Mr. Speaker, of course labor is loyal and will continue to be loyal to everything that the country needs in this great crisis. But no harm can come to labor by authorizing the Secretary of the Navy to give them a bonus for speeding up. If there is anything in the world we need it is speeding up. We are demanding that the President of the United States shall speed up in the manufacture of guns and ammunition, in the raising of food supplies. We are demanding that he shall speed up by raising a greater Army, by building more ships, by furnishing the facilities to send our men abroad, so that they will be on the battle line. And why should we not authorize the Secretary of the Navy to speed up in the preparation of the facilities to do these things that the President, as the Commander in Chief of the American Army and Navy, may require to be done?

The Congress of the United States and the people of the United States demand a vigorous prosecution of the war, and they demand that every man, great and small, laborer and capitalist, influential and noninfluential, organized or unorganized, shall do everything within the power of the Nation to win the war.

There is only one question at issue. That question is the honor of America, and no man and no set of men should have the power to take an attitude that will prevent the constituted authorities from exercising every power within the Government to speed up.

We are not asking anybody by this provision of the bill to do anything more than to accept a bonus for speeding up. In God's name, shall we say that the Government shall not have the power to speed up? Shall there be hours fixed during the war within which men shall work? Can you win a war by putting men on the battle line and saying, "You will only be compelled to fight between 6 o'clock in the morning and 12 o'clock at noon?" The men who go to the front are required to fight night and day, without hours. Without cessation, they must submit themselves to the bullets of the enemy, and there are no hours there.

So I say that we, who are not in the battle line, owe a duty to those who are, and it should be our duty and our pleasure to protect and fortify them in every way, so that they may bring back the flag of the Union untarnished, filled with the glory of victory. This amendment offered by the gentleman from Iowa [Mr. GOOD] is but an attempt on the part of the Representatives of the people to give evidence to our men at the battle line that we are in

harmony with what they are attempting to do, and that all, everyone, labor and capital, shall be employed to the fullest possible extent to win victory for American arms. [Applause.]

Mr. PADGETT. Mr. Speaker, I yield three minutes to the gentleman from Nebraska [Mr. STEPHENS].

The SPEAKER pro tempore. The gentleman from Nebraska is recognized for three minutes.

Mr. STEPHENS of Nebraska. Mr. Speaker, the gentleman from Iowa and the gentleman from Maryland made reference to the number of rivets that are being driven under certain contest conditions, and I desire in connection with that statement to read a telegram from the gentleman appointed by the Labor Department to investigate the progress of the shipbuilding program on the Pacific coast. He says:

[Telegram.]

SEATTLE, WASH., May 9, 1918.

SECRETARY OF LABOR,
Washington, D. C.:

Actual scientific survey for planning division of Shipping Board, under direction of Dr. Henry Suzzallo, president University of Washington, submitted to Shipping Board March 4, and covering the eight steel shipyards in Washington and Oregon, shows average, including pick-up and all classes of most difficult rivets, of 258 rivets per gang driven in eight-hour shifts, and an average of 347 on approximately straight-away work. These averages based upon approximately 900 rivet gangs and 5,000,000 rivets. Most competent opinion, checked by records, establishes a good standard for riveter driving all classes at 300 per eight-hour day. This vitally depends on sufficient quantity of air at proper pressure, efficient planning of work, and maintenance of tools. Unions placing no restriction on number of rivets driven. No material changes of significant proportions in yard conditions since report submitted. In some types of difficult work 60 rivets is a good day's work. Statement that the general average per day is 60 rivets is absurd.

HUGHES.

I also quote from San Francisco Bulletin of recent date news items giving records of contests in rivet driving, which completely discredits the charge that every effort is not being put forth by labor in this crisis.

TYNAN ACCEPTS ARMES'S \$10,000 RIVETING WAGER.

Coincident with the beginning of the Oakland week of the Bulletin's riveting contest J. J. Tynan, general manager of the Union Iron Works, has accepted the offer of a \$10,000 wager by George Armes, president of the Moore Shipbuilding Co., that a gang of Moore riveters can beat any gang in the world. Tynan read of Armes's challenge while on his way West after a business trip to New York and Washington. From Julesburg, Colo., he sent the following telegram to San Francisco:

"I accept George Armes's challenge of \$10,000 to be posted as a wager that a team from any department of the Moore Shipbuilding Co. can defeat any similar team from any other yard in the United States."

"J. J. TYNAN."

Armes, in issuing his challenge last week, criticized many claims to riveting prowess made throughout the East and in England, saying that investigation would show that the spectacular records were for "snap" riveting on inside water-tight work, and that competition with the countersunk, water-tight rivets, where it is necessary to talk the rivet with a flush die, would tell a different story. He believes he has some world-beating gangs. On the arrival of Tynan plans for the big sporting event probably will be concluded. It will be necessary to standardize the competition to insure a contest under as nearly as possible even conditions.

Chairman Hurley, of the Shipping Board, says—

Contests which cause men to overwork themselves for the sake of establishing new records, with the result that they are incapacitated for several days afterwards and the general system of the yard is demoralized, are to be discontinued. What we are trying to do is to encourage a spirit of sportsmanship that will stimulate all the men to do their best at all times.

I also quote from the San Francisco Bulletin the following figures as to the driving of rivets in a recent contest:

SATURDAY'S RECORD.

Schaw-Batcher: Brown, driving four hundred and thirty 7/8-inch common head rivets in a shell in four hours; Kesler, second; Ventura, third. Union Iron Works: Young, first, driving three hundred and twenty 7/8-inch rivets in a keel in four hours; Beggs, second; Stewart, third.

I think it is important that all these facts should be made distinctly clear to this House. The charge has been made time and again that the unions have restricted the number of rivets to be driven to approximately 75 a day. These facts dispute it.

Mr. LOBECK. The gentleman, in the telegram that he read, spoke about gangs. Will he explain what a gang is?

Mr. STEPHENS of Nebraska. The gang consists of several men. There is only one man who drives the rivets, and he has several assistants.

Mr. LOBECK. If he drives 5,000 in a day, can he do that all alone?

Mr. STEPHENS of Nebraska. Oh, no.

Mr. LOBECK. I thought he could, from the expressions I heard here.

Mr. NOLAN. Will the gentleman from Nebraska enlighten the House as to the action of Capt. Stayton in his district?

Mr. STEPHENS of Nebraska. I had only three minutes, and I want to read some further testimony on this contest work, because the claims that have been made by the gentleman from

Iowa [Mr. Goob] are not based upon the facts; therefore his contention that his motion should prevail is not sound.

The SPEAKER. The time of the gentleman has expired. The gentleman from Tennessee [Mr. PADGETT] has four minutes remaining and the gentleman from Iowa [Mr. Goob] four minutes.

Mr. PADGETT. Mr. Speaker, I move that the House further insist upon its disagreement. I do so because of the recommendation of the Secretary of the Navy. He makes no objection to this. He says things are going along very satisfactorily, and to inject this question now might produce disturbances and cause friction when things are moving along pleasantly. Personally, I want to say that I see no objection to allowing labor to receive compensation for what it does. It seems to me men who accomplish much should receive more pay than men who accomplish little. That is my idea, personally.

Mr. NOLAN. Will the gentleman yield?

Mr. PADGETT. Yes.

Mr. NOLAN. Is the chairman of the Committee on Naval Affairs aware of the fact that the wage rates established by the Wage-Adjustment Board have been put into effect in every navy yard in the country?

Mr. PADGETT. Yes.

Mr. NOLAN. And that if you have a different condition in the shipyards than you have in the navy yards it is going to disturb the working conditions?

Mr. PADGETT. I know that the Shipping Board have been raising wages so fast that we could hardly keep up with them. I will just give you an illustration.

Mr. NOLAN. Is it not a fact that the wage rates established by the shipyards have been put into effect in the navy yards?

Mr. PADGETT. Yes; and I reported that in the conference report, and we had this illustration of it: When we had the bill before the House the committee reported a number of wage increases of the statutory men, because the per diem men doing the same kind of work had been raised by the Wage Board higher than the statutory men doing the same class of work and superior to them in rank. Before the bill got out of the Senate the Shipping Board raised the rate again, and the Senate raised it again, and the House agreed to it yesterday. That makes two raises of wages that have taken place on this present bill.

Mr. STEPHENS of Nebraska. Will the gentleman yield?

Mr. PADGETT. No; I have not time now. Mr. Speaker, I want to say further that in moving to still further insist I am not influenced to do that by these telegrams. These telegrams were the hardest things I have had to get over to make this motion. They did not influence me to do it, and my interest in the matter was very much dampened by the fact that any such telegrams had been sent to Congress by any organization under conditions like those of the present. But under all the circumstances, in view of the recommendations of the Secretary of the Navy, I would be very glad if we can just allow existing law to continue and go along as we are moving along, very satisfactorily.

Mr. LINTHICUM. The gentleman does not think that telegram represents that organization, does he? Does he not think it is more the wording of the secretary than of the organization? The gentleman does not imagine that was ever submitted to the organization, does he?

Mr. PADGETT. I do not know. I read the telegrams just as they came to me.

Mr. STEPHENS of Nebraska. Has not the chairman of the committee received letters from employers of labor which were just about as vindictive as that telegram?

Mr. PADGETT. No; I have not.

Mr. STEPHENS of Nebraska. Well, I have received a good many of them.

Mr. PADGETT. I think in this emergency, when Congress is confronted with the problems which are before us, the sending of a telegram to Congress threatening a strike if Congress sees fit to do a certain thing, is without justification. Notwithstanding that, in view of existing conditions and upon the recommendation of the Secretary of the Navy, and his statement that conditions are moving along pleasantly and nicely, and as this has been the existing law since 1915, I hope the House will still further insist upon its disagreement to the Senate amendment.

The SPEAKER. The gentleman from Iowa [Mr. Goob] has four minutes remaining.

Mr. GOOD. Mr. Speaker, I will ask not to be interrupted. It will be observed that if this amendment is adopted the question is left entirely in the hands of the Secretary of the Navy. He can pay a bonus if he thinks it necessary to win the war, or he can refuse to pay a bonus. This only gives him the opportunity of doing what practically every manufacturer in the

United States does to-day, in paying bonuses to the labor of America to speed up production. In Great Britain the laboring men's unions have waived all restrictions, and finally Great Britain has enacted into law a provision that will permit speeding up. I quote from the index only because my time is so limited:

A. In general, all trade-unions shall submit to changes necessary for accelerating the output of war munitions or equipment.

B. In particular, they shall permit—

1. Unrestricted individual production.
2. Dilution of skilled labor by the introduction of female semi-skilled or unskilled labor.

The same legislative program went through in France. This is how labor of England and France view the situation. They will give up their union to win the war. Some people would reverse the situation in America.

Mr. Speaker, we have increased the price of wheat to \$2.20 per bushel. We have increased the price of copper to 23½ cents a pound. We have increased the price of coal from 50 to 100 per cent. Was that done because the coal miner, the copper miner, and the farmer were not patriotic? No. It was on the theory that it was necessary in order to speed up, and to-day in order to speed up in the navy yards of the United States it is necessary that every laborer therein should do his best and that he should receive all he can earn. It is true that the Secretary of the Navy has made a statement in disapproval of this speeding-up plan. He says it is not necessary; but where does he get his information? Mr. Speaker, I say without fear of contradiction that there is not a man on the floor of this House but what would rather take the statement of the Chief of Ordnance in the Navy and the Chief of the Bureau of Yards and Docks as to production than that of the Secretary of the Navy, because it is their business to know what it is costing them to produce and how best to get production. The chairman of the committee, the gentleman from Tennessee, asked Admiral Earle, Chief of Ordnance:

That labor at \$2 produced as much labor result as \$4.40 now produces—that is, 8 hours' labor at \$2 a day then produced as much product or result as a 10-hour day now produces at \$4.40 a day?

Admiral EARLE. Yes.

Admiral PARKS. In many cases it produced more than the 10-hour day now produces. The efficiency is low.

The CHAIRMAN. That is certainly a sad comment.

Admiral PARKS. It is a terrible business, Mr. Chairman. It is the most serious thing in this country. It is the most serious thing in the war or anything else.

Admiral PARKS, Chief of the Bureau of Yards and Docks, gave similar testimony before the committee as late as May 29, 1918, as follows:

The CHAIRMAN. On the question of labor, how does the product as the result of the 10 hours of labor which costs you \$4.40 compare with the 8 hours of labor for which you paid \$1.60 before the war?

Admiral PARKS. All the information I have indicates that less useful work is secured for the \$4.40 than was formerly secured for \$1.60, and some have placed it as low as 65 per cent. The other thing is the increase in the cost of material. Power plants, of course, are operated out of this appropriation.

The CHAIRMAN. How much of the increase in the cost of labor and material has developed since the hearing in January? The hearing in January was on the basis of \$7,000,000. The increase in labor, and so forth, has not taken place since January, has it?

Admiral PARKS. Yes, sir; twice; I should say 20 per cent since January, on the average.

Mr. Speaker, to put this provision into the law at this time is to say to the managers of every manufacturing plant in America who are paying a bonus that they are not patriotic to labor. By refusing to adopt the amendment you say to the Secretary of the Navy "You shall not speed up, you shall not pay labor anything extra for the extra labor that they can perform and are willing to perform in order to win the war."

Mr. Speaker, we should write this amendment prohibiting the payment of bonuses into the law. I know that union labor has been for it. I undertake to say that if a vote was had to-day by union labor, labor which is honest and patriotic would support the amendment I have offered. Union labor wants to win this war, and the only way to win it is to do all we can do, not only in the trenches in France but in the factories and in the navy yards and arsenals of the United States. We must have one policy for the Navy and Army, and that is to get the maximum of production. [Applause.]

The SPEAKER. The question is on the motion of the gentleman from Iowa to recede and concur in amendment 170.

The question was taken; and on a division (demanded by Mr. KEATING and Mr. NOLAN) there were 50 ayes and 37 noes.

Mr. NOLAN. Mr. Speaker, I make the point that no quorum is present.

The SPEAKER. The gentleman from California makes the point of order that no quorum is present. Evidently there is not, and the Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The question was taken, and there were—yeas 87, nays 205, answered "present" 1, not voting 137, as follows:

YEAS—87.

Bacharach	French	McLaughlin, Mich.	Sanford
Black	Garner	McLaughlin, Pa.	Saunders, Va.
Borland	Garrett, Tenn.	Madden	Scott, Iowa
Britten	Gillett	Magee	Sells
Brown	Glynn	Meeker	Sherley
Browning	Good	Mondell	Sisson
Buchanan	Gordon	Moore, Pa.	Slemph
Burroughs	Gould	Mott	Sloan
Cannon	Green, Iowa	Osborne	Small
Clark, Pa.	Hamilton, Mich.	Paige	Snyder
Connally, Tex.	Harrison, Va.	Parker, N. J.	Stafford
Cooper, W. Va.	Haugen	Parker, N. Y.	Sterling, Ill.
Cox	Hayes	Peters	Stevenson
Cramton	Hutchinson	Platt	Strong
Dale, Vt.	Ireland	Polk	Timberlake
Darrow	Kearns	Ramsey	Towner
Dempsey	Lobeck	Reed	Volstead
Doolittle	Longworth	Robbins	Walsh
Drane	Lufkin	Rogers	Wason
Dupré	McArthur	Rose	Watson, Pa.
Edmonds	McFadden	Rowe	Woodard
Freeman	McKenzie	Sanders, Ind.	

NAYS—205.

Alexander	Eagle	Lazaro	Shouse
Almon	Ellsworth	Lea, Cal.	Siegel
Anderson	Elston	Linthicum	Sims
Ashbrook	Esch	Little	Sinnot
Aswell	Evans	Littlepage	Slayden
Ayres	Fairchild, B. L.	London	Smith, Idaho
Bankhead	Farr	Loneragan	Smith, Mich.
Barkley	Fisher	Lunn	Smith, C. B.
Barnhart	Flood	McAndrews	Snook
Beakes	Focht	McClintic	Steagall
Bell	Foster	McKeown	Stedman
Blackmon	Frear	McKinley	Steele
Bland	Gallagher	Mansfield	Steenerson
Blanton	Gandy	Mapes	Stephens, Miss.
Bowers	Garrett, Tex.	Martin	Stephens, Nebr.
Brand	Graham, Ill.	Mays	Summers
Brodbeck	Gray, Ala.	Montague	Sweet
Brumbaugh	Greene, Mass.	Moon	Swift
Burnett	Hadley	Morgan	Talbott
Butler	Hamili	Morin	Taylor, Ark.
Byrnes, S. C.	Hardy	Neely	Taylor, Colo.
Caldwell	Harrison, Miss.	Nicholls, S. C.	Thomas
Campbell, Pa.	Haskell	Nichols, Mich.	Thompson
Candler, Miss.	Hastings	Nolan	Tillman
Carter, Okla.	Hawley	Oldfield	Van Dyke
Cary	Hayden	Oliver, Ala.	Venable
Chandler, N. Y.	Heflin	Overmyer	Vinson
Church	Helm	Overstreet	Volgt
Clark, Fla.	Helvering	Padgett	Waldow
Claason	Hensley	Park	Walker
Claypool	Hersey	Phelan	Walton
Cleary	Holland	Pratt	Watkins
Coady	Huddleston	Price	Weaver
Collier	Hull, Iowa	Quin	Webb
Connolly, Kans.	Hull, Tenn.	Rainey, J. W.	Wellington
Cooper, Wis.	Humphreys	Raker	Welty
Crisp	Igoe	Ramseyer	Whaley
Crosser	Jacoway	Randall	Wheeler
Decker	Johnson, Ky.	Rankin	White, Me.
Delaney	Johnson, Wash.	Rayburn	White, Ohio
Denison	Jones	Reavis	Williams
Denton	Keating	Riordan	Wilson, La.
Dewalt	Kelly, Pa.	Roberts	Wilson, Tex.
Dickinson	Kettner	Rodenberg	Wingo
Dill	Kincheloe	Romjue	Wise
Dillon	King	Rouse	Wright
Dixon	Kinkaid	Rubey	Young, N. Dak.
Dominick	Knutson	Sabath	Young, Tex.
Doremus	Kraus	Sanders, La.	Zihlman
Doughton	La Follette	Sanders, N. Y.	
Dowell	Langley	Scott, Mich.	
Eagan	Larsen	Shallenberger	

ANSWERED "PRESENT"—1.

Chandler, Okla.

NOT VOTING—137.

Anthony	Dunn	Griest	Lehlbach
Austin	Dyer	Griffin	Leshar
Baer	Elliot	Hamilton, N. Y.	Lever
Beshlin	Emerson	Hamlin	Lundeen
Boehrer	Estopinal	Heaton	McCormick
Byrns, Tenn.	Fairchild, G. W.	Heintz	McCulloch
Campbell, Kans.	Fairfield	Hicks	McElmore
Cantrill	Ferris	Hilliard	Maher
Caraway	Fess	Hollingsworth	Mann
Carew	Fields	Hood	Mason
Carlin	Flynn	Houston	Merritt
Carter, Mass.	Fordney	Howard	Miller, Minn.
Cooper, Ohio	Foss	Husted	Miller, Wash.
Copley	Francis	James	Moore, Ind.
Costello	Fuller, Ill.	Johnson, S. Dak.	Mudd
Crago	Fuller, Mass.	Juhl	Nelson
Currie, Mich.	Gallivan	Kahn	Norton
Curry, Cal.	Gard	Kehe	Oliver, N. Y.
Dale, N. Y.	Garland	Kelley, Mich.	Olney
Dallinger	Glass	Kennedy, Iowa	O'Shaunessy
Davidson	Godwin, N. C.	Kennedy, R. I.	Porter
Davis	Goodall	Key, Ohio	Pon
Dent	Goodwin, Ark.	Kless, Pa.	Powers
Dies	Graham, Pa.	Kitchin	Purnell
Donovan	Gray, N. J.	Kreider	Ragsdale
Dooling	Greene, Vt.	LaGuardia	Rainey, H. T.
Drukker	Gregg	Lee, Ga.	Robinson

Rowland	Sherwood	Temple	Watson, Va.
Rucker	Smith, T. F.	Templeton	Wilson, Ill.
Russell	Snell	Tilson	Winslow
Schall	Sterling, Pa.	Tinkham	Wood, Ind.
Scott, I. a.	Stiness	Treadway	Woods, Iowa
Scully	Sullivan	Vare	
Sears	Switzer	Vestal	
Shackleford	Tague	Ward	

So the motion to recede and concur was rejected.
The Clerk announced the following pairs:

Until further notice:

Mr. BOOHER with Mr. TREADWAY.
Mr. OLNEY with Mr. HICKS.
Mr. FERRIS with Mr. CHANDLER of Oklahoma.
Mr. SCULLY with Mr. FESS.
Mr. SHERWOOD with Mr. DUNN.
Mr. DIES with Mr. FAIRFIELD.
Mr. GREGG with Mr. WARD.
Mr. ESTOPINAL with Mr. HUSTED.
Mr. HOOD with Mr. FOSS.
Mr. KITCHIN with Mr. MANN.
Mr. CARAWAY with Mr. CARTER of Massachusetts.
Mr. CANTRILL with Mr. COOPER of Ohio.
Mr. BESHLIN with Mr. ANTHONY.
Mr. DALE of New York with Mr. COPLEY.
Mr. BYRNS of Tennessee with Mr. CAMPBELL of Kansas.
Mr. DOOLING with Mr. AUSTIN.
Mr. CAREW with Mr. COSTELLO.
Mr. FIELDS with Mr. CURRY of California.
Mr. CARLIN with Mr. CRAIG.
Mr. DENT with Mr. KAHN.
Mr. FLYNN with Mr. DAVIS.
Mr. GALLIVAN with Mr. DAVIDSON.
Mr. GARD with Mr. DYER.
Mr. GLASS with Mr. GARLAND.
Mr. GODWIN of North Carolina with Mr. EMERSON.
Mr. GRIFFIN with Mr. FORDNEY.
Mr. HAMLIN with Mr. DALLINGER.
Mr. HILLIARD with Mr. FULLER of Illinois.
Mr. GOODWIN of Arkansas with Mr. ELLIOTT.
Mr. HUSTON with Mr. GOODALL.
Mr. HOWARD with Mr. GRIEST.
Mr. KEY of Ohio with Mr. GRAHAM of Pennsylvania.
Mr. LEE of Georgia with Mr. KENNEDY of Iowa.
Mr. LESHER with Mr. GRAY of New Jersey.
Mr. LEVER with Mr. KISS of Pennsylvania.
Mr. MAHER with Mr. GREENE of Vermont.
Mr. OLIVER of New York with Mr. KENNEDY of Rhode Island.
Mr. O'SHAUNESSY with Mr. KREIDER.
Mr. POU with Mr. LEHLBACH.
Mr. RAGSDALE with Mr. LUNDEEN.
Mr. HENRY T. RAINEY with Mr. MUDD.
Mr. RUCKER with Mr. McCULLOCH.
Mr. RUSSELL with Mr. MILLER of Minnesota.
Mr. SEARS with Mr. MERRITT.
Mr. SHACKLEFORD with Mr. PURNELL.
Mr. THOMAS F. SMITH with Mr. FULLER of Massachusetts.
Mr. SCHALL with Mr. STINESS.
Mr. STERLING of Pennsylvania with Mr. SNELL.
Mr. SULLIVAN with Mr. SWITZER.
Mr. TAGUE with Mr. TEMPLE.
Mr. ROBINSON with Mr. TILSON.
Mr. DONOVAN with Mr. TINKHAM.
Mr. WATSON of Virginia with Mr. WOOD of Indiana.

On the vote:

Mr. KEHOE (against) with Mr. GEORGE W. FAIRCHILD (for).
The result of the vote was announced as above recorded.

By unanimous consent, leave was granted to the following Members to extend their remarks in the RECORD upon amendment No. 170: Mr. GOOD, Mr. COX, Mr. CARY, Mr. SIEGEL, Mr. NOLAN, Mr. LANGLEY, Mr. KINKAID, Mr. GREEN of Iowa, and Mr. HULL of Iowa.

Mr. PADGETT. Mr. Speaker, I move that the House still further insist upon its disagreement to the remaining amendments not heretofore acted upon. There are some immaterial and pro forma amendments not acted upon.

The SPEAKER. The gentleman from Tennessee moves that the House still further insist upon its disagreement to the rest of these amendments.

Mr. ROBBINS. Mr. Speaker, what are they?

Mr. PADGETT. They do not involve anything; they depend upon these that we have already acted upon.

Mr. ROBBINS. To make the bill in harmony?

Mr. PADGETT. Yes.

Mr. NOLAN. Mr. Speaker, is it necessary to put the motion to disagree to amendment No. 170?

The SPEAKER. No; the defeat of the motion to recede and concur is equivalent to a motion to still further insist on disagreement. The question is on the motion of the gentleman from Tennessee that the House further insist upon its disagreement to the remaining amendments.

The motion was agreed to.

Mr. PADGETT. Mr. Speaker, I ask unanimous consent that the House ask for a further conference with the Senate upon the disagreements.

The SPEAKER. The gentleman asks unanimous consent that the House ask for a further conference. Is there objection?

There was no objection.

The Chair announced the following conferees: Mr. PADGETT, Mr. TALBOTT, Mr. RIORDAN, Mr. BUTLER, and Mr. BROWNING.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. WATSON of Virginia indefinitely, on account of illness.

UNITED STATES SHIPPING BOARD.

Mr. ALEXANDER. Mr. Speaker, I call up for consideration the bill (H. R. 12100) to amend the act approved September 7, 1916, entitled "An act to establish a United States Shipping Board for the purpose of encouraging, developing, and creating a naval auxiliary and naval reserve and a merchant marine to meet the requirements of the commerce of the United States with its Territories and possessions and with foreign countries; to regulate carriers by water in the foreign and interstate commerce of the United States; and for other purposes." This bill is on the Union Calendar, and I ask unanimous consent that it be considered in the House as in Committee of the Whole.

Mr. HELM. Mr. Speaker, reserving the right to object, I desire to submit a request to call up the bill H. R. 11984, authorizing the fourteenth decennial census, and I ask unanimous consent to proceed for two minutes.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to address the House for two minutes. Is there objection?

There was no objection.

Mr. HELM. Mr. Speaker, the Committee on the Census has reported a bill to take the fourteenth decennial census. It is quite obvious that in the immediate future a recess will be taken. This bill is a very important bill and must be passed at this session of Congress.

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

Mr. HELM. Yes.

Mr. GILLET. Why must it be passed at this session of Congress?

Mr. HELM. Because if this session of Congress expires without the passage of this bill it will have to go over until the next session, the short session, when, deducting about two weeks for a holiday, with all of the war legislation that will then be pressing and the annual appropriation bills it will be impossible to get the bill up for consideration.

Mr. GILLET. Has it not generally been passed at that session?

Mr. HELM. No, sir. The next Congress convenes in December, 1919. Under this bill, and under any bill authorizing a decennial census, the work must begin six months ahead in order to permit the bureau to organize for taking the census. That is to say, the work of the census should begin not later than July 1, 1919. Now, if this legislation is postponed until the next Congress—the first session of the Sixty-sixth Congress convenes in December, 1919—there would be only about two weeks, deducting holidays, before the decennial year begins, and it is of pressing and vital importance that the bill be passed without delay. I want to be agreeable; I do not want to obstruct anybody or be in anybody's way. I would be perfectly contented and satisfied if the House would agree that this bill should follow immediately after the consideration of the two bills which the gentleman from Missouri [Mr. ALEXANDER] is going to present for consideration. I recognize the fact that this bill under the Constitution is, I believe if I were so disposed to press it, entitled to consideration over any other bill. It is a privileged bill and entitled to consideration, but I do not want to be in a position of obstructing other men who are interested in other bills.

Mr. WALSH. Will the gentleman yield?

Mr. HELM. I will.

Mr. WALSH. Of course, I do not agree with the gentleman that this bill should be made a privileged bill at this session of Congress; but if no action is taken at the present session of Congress, the President has authority to convene the next Congress in special session.

Mr. HELM. Call a special session for the purpose of passing a census bill? Absolutely preposterous.

Mr. WALSH. Then the bill can not be of the importance which the gentleman claims it to be at this session.

Mr. HELM. Do I understand the gentleman from Massachusetts to say that he would have a special session of Congress convene for the purpose of passing a census bill that could be passed without any inconvenience to anybody at this session of Congress?

Mr. WALSH. I mean to say this, that if this measure is of the importance which the gentleman says it is under the Constitution, it certainly is of sufficient importance for a special session, and special sessions have been called upon many matters of less importance.

Mr. HELM. Supposing, making a violent assumption, that the gentleman were President of the United States—

Mr. WALSH. I want to say to the gentleman he should not make such an extremely violent assumption and turn a serious matter into a joke.

Mr. HELM. (continuing). Would the gentleman convene a special session of Congress for the purpose of considering it?

Mr. CANNON. Will the gentleman yield?

Mr. HELM. Certainly.

Mr. CANNON. The gentleman is quite right. I think there is no doubt on earth this is a question of the highest privilege under the Constitution.

Mr. HELM. There is not a particle of question about it, but I want to be reasonable—

Mr. CANNON. The gentleman, I suppose, could on the question of consideration, if the House was with him, take it up; but I think the gentleman's request is entirely reasonable, after the two bills from the Merchant Marine and Fisheries Committee are disposed of, in asking the House to make this the next order.

Mr. HELM. I ask unanimous consent, without waiving any rights or privilege status of the bill, but insisting on them, that after the consideration of the bills now proposed by the gentleman from Missouri, not to interfere with conference reports or appropriation bills, that this bill be taken up for consideration.

The SPEAKER. The gentleman from Kentucky [Mr. HELM] asks unanimous consent that at the conclusion of the consideration of the two bills that the gentleman from Missouri [Mr. ALEXANDER] has had made privileged that this census bill shall be taken up, not to interfere with conference reports or appropriation bills. Is there objection?

Mr. NOLAN. Mr. Speaker, reserving the right to object, some more of us here have measures which we consider of importance, but we have been told they are not war measures, and if we expect action we had better go to the Rules Committee. Some of us took that advice as far back as last February, especially the committees that are interested in those measures. I take it the Committee on the Census ought to do the same thing, so I object.

The SPEAKER. The gentleman from California objects, and that is the end of it.

Mr. HELM. Mr. Speaker, I desire to give notice that at the conclusion of the consideration of the bills offered by the gentleman from Missouri that I propose to move to take up the census bill.

The SPEAKER. The gentleman gives notice that as soon as the two bills are out of the way he will attempt to get up the census bill. [Laughter.]

Mr. HELM. Well, I am going to raise the question of privilege, and I am going to pass it up to the Chair.

The SPEAKER. The Chair will pass on it when he comes to it, but he is not going to pass on it now.

Mr. HELM. Well, I did not ask the Chair to pass on it now. [Laughter.]

The SPEAKER. The gentleman from Missouri asks that the bill H. R. 12100 be considered in the House as in Committee of the Whole House on the state of the Union. Is there objection?

Mr. STAFFORD. Mr. Speaker, this is a very important bill, and I do not think it should be considered in the Committee of the Whole House on the state of the Union, and therefore I object.

Mr. ALEXANDER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 12100, and, pending that motion, I ask unanimous consent that general debate on this bill be limited to one hour, one half to be controlled by myself and the other half by the gentleman from Massachusetts [Mr. GREENE]. I will say in this connection that when we get into consideration of the bill section by section it is not our purpose to insist on limitation of reasonable discussion of the sections as they come up for consideration.

The SPEAKER. The gentleman from Missouri asks unanimous consent, pending his motion, that general debate on this bill be limited to one hour—

Mr. ALEXANDER. And confined to the subject matter of the bill.

The SPEAKER. And confined to the subject matter of the bill, the time to be controlled half by the gentleman from Missouri and half by the gentleman from Massachusetts [Mr. GREENE]. Is there objection? [After a pause.] The Chair hears none.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 12100, with the gentleman from Nebraska [Mr. SHALLENBERGER] in the chair.

The CHAIRMAN. The House is in the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 12100, which the Clerk will report by title.

The Clerk read as follows:

A bill (H. R. 12100) to amend the act approved September 7, 1916, entitled "An act to establish a United States Shipping Board for the purpose of encouraging, developing, and creating a naval auxiliary and naval reserve and a merchant marine to meet the requirements of the commerce of the United States with its Territories and possessions and with foreign countries; to regulate carriers by water in the foreign and interstate commerce of the United States; and for other purposes."

Mr. ALEXANDER. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

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

Mr. ALEXANDER. Mr. Chairman, it is not my purpose at this time to go into a detailed explanation of the provisions of this bill. They will be explained in detail when we take it up under the five-minute rule section by section. That the two bills, H. R. 12100, the one now under consideration, and 12099, are of the utmost importance, is emphasized by the fact that they are essentially war measures. The bills were reported out of the committee on the 15th day of May. They are very different from the original bills which I introduced at the instance of the Shipping Board, and were entirely rewritten in the committee after the most thorough investigation and consideration. The report of the committee is unanimous, so that there is no difference of opinion in the committee about the policy of this legislation or as regards the necessity for it at this time.

On May 23 I received this letter from the President, which shows that he regards this proposed legislation of the utmost importance:

THE WHITE HOUSE,
Washington, May 23, 1918.

HON. J. W. ALEXANDER,
House of Representatives.

MY DEAR JUDGE:

I am writing these lines chiefly to express my interest in the passage of H. R. 12100, increasing the powers of the United States Shipping Board, and H. R. 12099, empowering the President to regulate ocean-freight rates and to requisition vessels. I feel confident that the Congress will realize the capital importance of both these measures, but I am writing notwithstanding, in order that you may know my own constant interest in them.

Cordially and sincerely, yours,

(Signed) WOODROW WILSON.

Mr. Hurley, chairman of the Shipping Board and president of the United States Shipping Board Emergency Fleet Corporation, writes me under the date of June 6 as follows:

UNITED STATES SHIPPING BOARD,
Washington, 6 June, 1918.

HON. J. W. ALEXANDER,
Chairman Committee on Merchant Marine and Fisheries,
House of Representatives, Washington, D. C.

MY DEAR JUDGE ALEXANDER: Your committee has recently reported two bills—H. R. 12099 and H. R. 12100—confering on the President and the Shipping Board additional powers over shipping, which we consider vital to our work of supplying ships for the prosecution of the war and of preserving the American merchant marine from foreign control.

We are in urgent need of this legislation and consider it of the greatest importance that the new powers contained in the bills be granted at the earliest possible moment.

For lack of adequate powers to control freight rates, shipowners are extorting freight charges which impose an unjust burden on American industry and on the Government of the United States and of the allies.

For lack of adequate power to control terminal facilities, charges for wharfage and dockage and storage have reached unconscionable heights, resulting in open and undisguised profiteering.

I am sure that your committee appreciates the importance of the legislation and feel that we can rely upon you to urge upon Congress the desirability of enacting it as soon as possible.

Cordially, yours,

EDWARD N. HURLEY, Chairman.

Under the date of June 11 Mr. Hurley also writes me, as follows; and I will say by way of explanation that when these

bills were considered in the committee the provision of H. R. 12099 to which he refers was stricken out by the committee. It was done at the suggestion of Mr. P. A. S. Franklin, who is one of the committee in control of shipping. His suggestion did not have my approval and did not have the approval of all the members of the committee, but we deferred to his judgment in the matter. After reconsideration by the committee, we unanimously decided to restore the provision to the bill, and at the proper time I will offer an amendment restoring the provision to H. R. 12099. I am presenting this letter at this time that you may get the attitude of Mr. Hurley toward this legislation. These bills, H. R. 12100 and H. R. 12099 are regarded by the committee of great importance as war measures, and we have asked that the consideration of one shall follow the consideration of the other. He says:

UNITED STATES SHIPPING BOARD,
WASHINGTON, June 11, 1918.

HON. J. W. ALEXANDER,
Chairman Committee on Merchant Marine and Fisheries,
House of Representatives, Washington, D. C.

DEAR JUDGE ALEXANDER: I wonder if it would be possible for your committee to put back in the rate-regulation bill, which you have recently reported, the section authorizing the President to regulate rates and charges for wharfage, dockage, stevedoring, etc.?

This section was eliminated, I am informed, because it was feared that the practical difficulties of regulating charges of this character would be too serious to overcome. Recent investigation, however, has impressed us so strongly with the seriousness of the problem of high charges of this character that we feel that it is our duty to try to regulate them if Congress will give us the power. Wharfage rates have increased in some cases more than fivefold.

I hope that it will be possible, without delaying the bill, to restore this section.

Yours, very truly,

EDWARD N. HURLEY,
Chairman.

Now, if I had the time I would explain just in what respects we amend the shipping act under the provisions of H. R. 12100. Section 2 of the shipping act is amended by adding at the end of the first paragraph a provision the purpose of which is to further safeguard our Government and insure the control of ships being built in American shipyards, to prevent foreign interests, under any sort of device or contract or trust agreement, to get control of our shipping. The same is true as regards our shipyards. The committee were impressed with the importance of so hedging these great interests with legislation that all the resources of this country might be utilized and made effective in the building of ships and retaining to ourselves the control of all our great shipbuilding interests. In other words, during this crisis, when one of the great problems confronting us is to build ships quickly and in large numbers and make them available to transport our troops and supplies and munitions to Europe, provide food and munitions of war for our allies, it should be placed beyond the power of any foreign government to hamper us or get control in any way of our ships or of our shipbuilding industries.

I assume that our allies, with whom we are in entire accord and are cooperating, would not undertake to do this. But we do know there are influences, inspired by alien enemies, that would hamper us and, if possible, get control of our shipping and of our shipbuilding industries not only to cripple us now but with a view of restoring their losses of shipping after the war is over. It is the opinion of the committee, as it is the opinion of the Shipping Board, that any possible action of that kind should be prevented, and this bill is framed with that end in view.

Now, section 9 of the shipping act of September 16, 1916—

Mr. CANNON. Will the gentleman yield?

Mr. ALEXANDER. I will.

Mr. CANNON. Is this a war measure?

Mr. ALEXANDER. Yes, sir; and most of the provisions are limited to the period of the war.

Mr. CANNON. I think it is important that the House should know what portions are going to be permanent law.

Mr. ALEXANDER. If I get the time, when we come to the consideration of the bill under the five-minute rule, I will undertake to make that very clear.

Mr. HARDY. I suggest to the gentleman that he look on page 5, section 37.

Mr. ALEXANDER. I will do no more now than refer to the provision to which my attention has been called. If you turn to section 4, page 5, you will note this provision:

That said act is hereby amended by adding at the end thereof eight sections, as follows:

"Sec. 37. That, when the United States is at war or during any national emergency, the existence of which is declared by proclamation of the President, it shall be unlawful, without first obtaining the approval of the board—"

To do any of the things that are specifically enumerated and prohibited. I will not take the time now to point out just what

those are, as I do not wish to consume any more time just now. I reserve the balance of my time and hope later to explain any question that may be asked.

At this point I will incorporate as part of my remarks my report on the bill, which explains the bill very fully and makes clear the necessity for this legislation:

Mr. ALEXANDER, from the Committee on the Merchant Marine and Fisheries, submitted the following report:

The Committee on the Merchant Marine and Fisheries, to whom was referred the bill (H. R. 12100) to amend the act approved September 7, 1916, entitled "An act to establish a United States Shipping Board for the purpose of encouraging, developing, and creating a naval auxiliary and naval reserve and a merchant marine to meet the requirements of the commerce of the United States with its Territories and possessions and with foreign countries; to regulate carriers by water in the foreign and interstate commerce of the United States; and for other purposes," having considered the same, report it to the House with the recommendation that it do pass.

Section 9 of the shipping act of September 7, 1916, makes it unlawful, during a period of war or emergency, without the approval of the Shipping Board, to sell to a foreigner or transfer to a foreign flag any vessel registered or licensed and enrolled under the laws of the United States. The present bill is designed to perfect and extend this provision, by amendment and by the addition of further sections, to supply defects and to meet practical difficulties of administration which over a year's experience under the shipping act has revealed. The new legislation is rendered necessary by the dearth of tonnage created by the unrestricted submarine warfare of the Imperial German Government. As a consequence of this shortage, there has been during the past two years a systematic, determined, and resourceful effort on the part of foreign financial interests to buy up and take from under the American flag the vessels of the American merchant marine. Prices have been tendered which before the war would have seemed beyond the dreams of avarice. Every type of vessel, from schooner to ocean liner, has been coveted. Most American shipowners, to their great credit, have resisted these tempting offers. Others have found their efforts frustrated by the Shipping Board. A small minority of shipowners, however, have attempted by every device which legal ingenuity could suggest to evade the provisions of the President's proclamation. It is to meet the efforts of this small minority that the present bill has been drafted. It is also designed to give to the Shipping Board a more complete control over construction of vessels for foreign account and purchase of American shipyards by foreigners.

The bill is a war measure and, excepting a few provisions which will be specially referred to in this report, its effect is restricted to periods of war or emergency.

Section 1 of the bill adds to section 1 of the shipping act, containing definitions of terms, two additional definitions. The term "vessel" is defined as at present in the Revised Statutes (Title 1, ch. 1), except that it is specifically made to include hulls in course of construction, thus extending the prohibition against foreign sales to ships building in American yards. In the absence of such a provision, a hull in course of construction does not become a "vessel" until launched. (Tucker v. Alexandroff, 183 U. S., 424.) The term "documented under the laws of the United States" is defined to mean "registered, enrolled, or licensed under the laws of the United States." The effect of this definition is to bring under the act vessels licensed but not enrolled (i. e., vessels under 20 tons). In view of the military value of even small vessels, this change is considered important.

Section 2 of the bill amends section 2 of the shipping act by setting forth more in detail under what circumstances a corporation is deemed to be a citizen of the United States within the meaning of the act. Under the present law a corporation, partnership, or association is not a "citizen" unless "the controlling interest therein is owned by citizens of the United States." This phrase has been elaborated to include every possible device by which foreign interests could obtain control in law or fact over corporations formed under American law.

Section 3 amends section 9 of the shipping act as follows: To the first paragraph of the section, which provides that vessels sold, leased, or chartered to a citizen of the United States under the shipping act may engage in coastwise trade, there are added the words "while owned, leased, or chartered by such a person." The effect of this is to make certain that vessels sold, leased, or chartered from the board shall be entitled to the coastwise privilege only as long as the person owning, leasing, or chartering them remains a citizen of the United States. This is permanent legislation and is designed to express more clearly the intent of the original shipping act and guard against possible misconstruction.

The second paragraph is retained without alteration. In the third paragraph, the first sentence, prohibiting transfers or sales to foreigners in time of war or emergency without the Shipping Board's consent, is taken out, since the substance of it, in greatly extended form, appears in later sections. In the second clause (which is operative at all times, in war or peace), forbidding sales or transfers of vessels of American ownership or flag without a prior tender to the Shipping Board, the words "documented under the laws of the United States" are used, in conformity with the new definition in section 1, and the paragraph is made applicable not only to vessels owned by citizens of the United States, but to vessels owned by corporations organized under American laws, but which, by virtue of the definition in section 2, are not citizens of the United States.

The next paragraph, containing penalties, is amended to include vessels "placed under" foreign registry, as well as those "transferred" to foreign registry, to cover vessels of American ownership, but which had not yet received American documentation.

Section 4 of the new bill adds to the shipping act eight new sections, numbered from 37 to 44, inclusive, which will take the place of the clause in paragraph 3, section 9, of the shipping act, eliminated by the present amendment. As was the case with the clause which they replace, the new sections, except as hereafter indicated, are operative only in times of war or emergency.

Section 37 extends existing prohibitions in time of war or emergency in the following respects:

The words "transfer to" foreign registry are supplemented by the words "placed under" foreign registry, for the reasons above set forth with respect to section 9. Vessels owned by corporations not American citizens are included in the prohibition for reasons already indicated.

Not only sales and charters to foreigners, but mortgages to foreigners, without the consent of the Shipping Board, are made unlawful. This is because a mortgage has proved to be a common device by which foreign capital has sought to obtain control of American vessels.

Besides vessels, the section is made applicable to "any shipyard, dry dock, shipbuilding or ship-repairing plant or facilities, or any interest therein." Under present war conditions shipbuilding has become of such vital national concern that foreign control is as much to be avoided as is foreign control of American shipping.

Agreements or understandings transferring to foreigners stock control of corporations owning American ships, dry docks, and shipyards are made unlawful, to prevent evasion of the act by formation of dummy corporations.

Finally, it is declared to be unlawful to make any contract to build a ship for foreign account, except with the consent of the Shipping Board, or to procure any vessel built in the United States to depart from the United States except under American documentation. This paragraph enacts the principle that in war time the output of American shipyards, embodying American labor and resources, must serve the world's commerce and the needs of the war under the American flag.

Appropriate penal provisions are contained in this section, and any sale, mortgage, lease, transfer, documentation, or agreement in violation of the section is declared to be void. It is expressly provided that consideration paid under such a void transaction shall be recoverable. This will be a strong deterrent to shipowners who might otherwise hope that they could throw the burden of forfeiture proceedings on the purchaser, while themselves retaining the proceeds of the sale.

Section 38 prescribes the method of prosecuting forfeitures, bringing it into uniformity with the practice under the customs laws and the navigation laws. This section is applicable to all forfeitures under the act, in normal times as well as in times of war or emergency.

Section 39 provides that conviction in a criminal prosecution under the act shall be prima facie evidence in a proceeding for forfeiture. This will facilitate enforcement of the act, while preserving to the parties concerned their full constitutional rights.

Section 40 further facilitates the practical enforcement of the new provisions by requiring a declaration to be filed with all bills of sale, mortgages, hypothecations, or conveyances recorded with collectors of customs, setting forth the facts relating to the citizenship of the vendee, mortgagee, or transferee; and a heavy penalty is provided for any person who knowingly makes a material false statement in such a declaration. This section will call to the attention of shipowners and their brokers and attorneys the prohibitions of the law, and will make it easier to nip in the bud any attempted violation. In its phraseology the section follows the language of the present Federal recording act (R. S., 4192), except that until the statement is filed the transaction is declared to be invalid against any person whatsoever. Under existing law, unrecorded instruments of this character are invalid against "any person other than the grantor or mortgagor, his heirs and devisees, and persons having actual notice thereof." This modification is necessary to effectuate the purpose of absolutely preventing sales, mortgages, or conveyances to persons whose citizenship is not certified to.

Section 41 makes it possible to grant approval to sales, transfers, or other transactions on condition. It often happens that the sale of a vessel, perhaps specially appropriate to a particular foreign service essential to the war, is deemed advisable, provided the purchaser makes certain undertakings regarding the use of the vessel and the control of its movements. As the law now stands it is not certain that a violation of such an undertaking is punishable. There is some danger that the purchaser may obtain the Shipping Board's consent by agreeing to conditions and after he has secured the vessel repudiate the conditions. The section, in effect, provides that violation of such a condition shall nullify the approval and render the transaction punishable as though no approval had been granted.

The second paragraph to this section makes it unlawful to knowingly make a false statement of a material fact to secure the approval of a transaction required to be approved by the act. This is permanent legislation which will have a wholesome effect on the conduct of business before the Shipping Board.

Section 42 provides that a vessel registered, enrolled, or licensed under the laws of the United States shall be deemed to continue to be documented under the laws of the United States within the meaning of section 37 until surrender of its documentation has been approved by the Shipping Board. This is to make certain that the owner of a vessel can not evade the law by procuring a cancellation of his register or enrollment, thus under a possible construction of the present shipping act freeing himself from some of its restraints.

Section 43 requires a proclamation of the President to indicate that the period of war or emergency has ended.

Section 44 gives a short title, for convenient reference, to the shipping act of September 6, 1916. Section 5 of the amending act gives a short title to the present bill.

The bill reported herewith is considered an essential measure for the preservation of an American merchant marine. It has the unanimous support of the committee.

The CHAIRMAN. The gentleman from Massachusetts [Mr. GREENE] is recognized.

Mr. GREENE of Massachusetts. Mr. Chairman, I have no desire to occupy any time at present on this bill. The purpose of the bill has been explained by the chairman, and there was no disagreement in the committee as to the necessity of the legislation. The committee carefully considered the bill item by item, and they believe that they present a bill which fully protect the rights of American shipbuilders and American shipowners and amply protect the rights of the Government. During the hearings testimony was presented showing that attempts had been made to interfere with the work of upbuilding an American merchant marine and it was forcibly intimated to the committee that there was danger that some of the representatives of foreign governments that are engaged against us in war would not hesitate to make some attempt to control our shipbuilding interests, and also, by purchase or other acts, obtain stock in the various vessels that the Shipping Board and private enterprise might construct, such alien enemies might control the management of the vessels or in the event of corporations being formed they might become controlling factors in such corporations. The committee have given these features careful consideration and have endeavored in this bill to amply

protect every interest against the machinations of all our enemies, foreign and domestic.

The report upon the bill is very explicit and gives full information of the reasons for the legislation.

The experiences which have clearly demonstrated the need of the proposed legislation since the declaration of war fully justify the action of the committee in presenting this bill.

As there is but a limited time allotted for general debate, I will conclude my remarks and yield 10 minutes to the gentleman from Washington [Mr. HADLEY], a member of the committee.

Mr. HADLEY. Mr. Chairman, I believe with the chairman of the committee that the bill will be better followed if the detailed explanations so frequently made of a bill are made in the course of consideration under the five-minute rule. However, there are some of the primary features of the bill to which I wish to call attention by way of explaining the purpose and effect of the measure as proposed. My statement will be directed to those purposes only, leaving the other amendments to consideration in the course of the procedure under the five-minute rule.

Like all ordinary general legislation in days of peace the act creating the Shipping Board was made permanent law, and in the main was adapted to normal conditions. While it anticipated the possibility of war or national emergency, and contained certain provisions applicable thereto, in the very nature of things it could not reasonably be expected that all emergency conditions would have been adequately provided for in that act. In the light of its experience under the operation of the law, the Shipping Board has asked for amendatory legislation embodying substantially the provisions of this bill. It has been modified and rewritten so as to express the composite judgment of the committee.

I support it because it will conserve American tonnage to America. In this hour, when with all the allied nations we wait with anxiety for the actual addition to our merchant marine of the tonnage now building, it would be the part of utmost folly, it would be suicidal, in fact, to permit the possibility of alienation of any portion of it during the war to those not citizens of the United States, without the approval of the Shipping Board. Under existing law some of the avenues of transfer are securely barred, but not all. It is with a view to barring every unapproved means of transfer and every objectionable avenue of escape, that a portion of section 37 is now proposed as an addition to the original act, it being a part of section 4 of the pending bill. With the prohibition against transfers of vessels there is also coupled a like prohibition against the sale or transfer of "any shipyard, dry dock, shipbuilding, or ship-repairing plant or facilities, or any interest therein."

Will anyone say that while the country is at war it is entirely safe to leave all these, or any of them, open to the negotiation, acquisition, or control of aliens without any outstanding power to approve or prevent it? In the absence of this amendment I know of no express provision of law whereby anyone may lawfully interfere to restrain the consummation of transactions of such doubtful business policy and potential menace.

During the period of the war the control of transfers is no more vital than the control of contracts.

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

Mr. HADLEY. I would like to make this statement, and then I will be glad to yield to the gentleman if I have the time.

No one will question for a moment that the right to contract for the construction of a vessel within the United States to be delivered to an alien during the war, without the approval of the board, ought to be absolutely prohibited. Some may contend that the right to so contract during the war for such construction and delivery after the war ought to be permitted. Speaking for myself, I am not willing to contribute in any manner or in any degree to the possibility of the control of American shipyards for foreign account after the war, at the very moment when through the exigencies of war their full capacity may be of imminent necessity for the rehabilitation and expansion of the American merchant marine. If by good fortune it shall develop at the close of the war that our tonnage is such that some portion of our facilities might have been safely and remuneratively employed in the construction of vessels for aliens immediately following the war, it will be far better to sustain any possible temporary disadvantage or loss from that source, as the penalty of reasonable prudence now, than through reckless improvidence to expose the country to possible contingencies which can not now be foreseen, but which may be freighted with consequences far more untoward and hazardous. Upon this theory of good policy the bill carries the provision:

That when the United States is at war or during any national emergency, the existence of which is declared by proclamation of the President, it shall be unlawful, without first obtaining the approval of the

board, * * * to enter into any contract, agreement, or understanding to construct a vessel within the United States for or to be delivered to any person not a citizen of the United States.

This is a limitation upon the right of contract which the law does not now contain, but one which I shall cheerfully support as a wise precaution during the period of war, and a limitation the exercise of which we may well rest in the jurisdiction and control and in the sound discretion of the Shipping Board.

It is also proposed to amend the shipping act in a further material and essential particular as follows:

Section 2 of that act provides that—

No corporation, partnership, or association shall be deemed a citizen of the United States unless the controlling interest therein is owned by citizens of the United States, and, in the case of a corporation, unless its president and managing directors are citizens of the United States and the corporation itself is organized under the laws of the United States or of a State, Territory, District, or possession thereof.

Under the operation of the law it is thought that that language may not be sufficiently restrictive to defeat all possibility of control of American corporations by foreign interests. In order to effect that result the language of section 2 of the bill is employed as an addition or supplement to that portion of section 2 of the existing law just cited.

The following is the amendatory provision:

The controlling interest in a corporation shall not be deemed to be owned by citizens of the United States (a) if the title to a majority of the stock thereof is not vested in such citizens free from any trust or fiduciary obligation in favor of any person not a citizen of the United States; or (b) if the majority of the voting power in such corporation is not vested in citizens of the United States; or (c) if through any contract or understanding it is so arranged that the majority of the voting power may be exercised, directly or indirectly, in behalf of any person who is not a citizen of the United States; or (d) if by any other means whatsoever control of the corporation is conferred upon or permitted to be exercised by any person who is not a citizen of the United States.

That is proposed as permanent law.

In addition to this, the bill contains a temporary provision in subdivision (d) of the new section 37, which is limited to the duration of the war, conditioned that it shall be unlawful without first obtaining the approval of the board—

(d) To make any agreement or effect any understanding whereby there is vested in or for the benefit of any person not a citizen of the United States the controlling interest or a majority of the voting power in a corporation which is organized under the laws of the United States, or of any State, Territory, District, or possession thereof, and which owns any vessel, shipyard, dry dock, or shipbuilding or ship-repairing plant or facilities.

There are a number of other important amendments, but it is not my purpose to discuss them in general debate. I have only said this much with respect to the points touched upon to emphasize the fact that this is legislation of an emergency character which ought to be speedily enacted in the interest of our merchant marine, in the interest of the successful prosecution of the war, and in the interest of our gallant soldiers and sailors to whom we owe not only unlimited support but every protection which prudence and foresight can provide. [Applause.]

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

Mr. HADLEY. Yes.

Mr. WALSH. I am very much interested in the statement that the gentleman has made, which so fully sets forth the purposes of this bill and in such a clear manner. But I wanted to ask the gentleman what other public emergencies did the committee have in mind in framing this amendment whereby they provide that in case of war "or during any national emergency" certain things shall be unlawful. What sort of emergencies did the committee have in mind outside of war?

Mr. HADLEY. The gentleman refers to section 37, "that when the United States is at war or during any national emergency, * * * it shall be unlawful," and so forth?

Mr. WALSH. Yes.

Mr. HADLEY. That is language contained in the existing law.

Mr. WALSH. Was not that carried earlier in the measure, that same language?

Mr. HADLEY. I think not.

Mr. ALEXANDER. That is the language of section 9 of the shipping act. It has been transferred to section 37.

Mr. WALSH. That is just reincorporated in section 37?

Mr. ALEXANDER. Yes.

Mr. WALSH. What kind of emergencies would that cover?

Mr. ALEXANDER rose.

Mr. HADLEY. I will yield to the gentleman from Missouri to answer; I will be glad to.

Mr. ALEXANDER. It might include an acute situation in which we were short of shipping in our foreign commerce. It

might be when foreign nations were at war, and it could be like that situation which ensued after August 1, 1914.

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

Mr. GREENE of Massachusetts. Mr. Chairman, I yield to the gentleman two minutes more.

Mr. HADLEY. That language was contained in the existing law, an act passed in time of peace, without reference to the existing war, but contemplating at that time the possibility of emergencies which I shall not now discuss, because we are not now discussing conditions that existed at the time the shipping act was passed. But it is now part of the new section, and is carried on as existing law on which this act is based.

Mr. WALSH. And is it true that this act as amended will apply during the present war, and that when peace comes certain of its provisions will terminate and not become effective again until there is war or a national emergency?

Mr. HADLEY. That is true; and in fact all the principal provisions to which I have referred will so terminate, except where the language in the permanent law is now amended with respect to the controlling interest of foreign corporations. That is permanent law. Others are not so material as that which I have explained.

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

Mr. HADLEY. Yes.

Mr. LONDON. I wanted to ask the gentleman from Washington if the prohibition contained in subdivision (a) of section 2 does not amount in effect to a prohibition of the holding of stock by any alien? The only way of securing that a majority of the stock should be vested in citizens of the United States would be to destroy the negotiability of the individual share of stock.

Mr. HADLEY. The language to which the gentleman refers—

Mr. LONDON. That is on page 2, line 20 and following.

Mr. HADLEY. "If the title to a majority of the stock thereof is not vested in such citizens free from any trust or fiduciary obligation in favor of any person not a citizen of the United States," in that event the controlling interest would not be contemplated to be owned by a citizen of the United States unless the condition exists.

Mr. LONDON. It seems to me the section accomplishes this, that the entire stock will have to be owned and controlled, because the individual purchaser of stock will not be in a position to know whether his share, along with other shares, will not constitute a majority in the nature of foreign holdings. Is not that the effect of it?

Mr. HADLEY. That is a question of fact that will be determined in the transfers of stock. The point we seek to make is that the controlling interest shall not pass out of the hands of our citizens.

Mr. LONDON. I am not opposed to it, but it practically destroys the negotiability of the individual stock.

Mr. HADLEY. I think when the transactions are frank and open there will be no hesitation on the part of those in control of the corporate books to indicate the situation as to existing transfers, so that a purchaser may understand it as it may exist.

The CHAIRMAN. The time of the gentleman from Washington has again expired.

Mr. ALEXANDER. Mr. Chairman, I do not believe anyone on this side cares to take time. I will yield to the gentleman from Washington [Mr. HADLEY] five minutes more if he wants it.

Mr. ROBBINS. I want to ask the gentleman from Washington a question.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. HUMPHREYS having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Tulley, one of its clerks, announced that the Senate had passed without amendment joint resolution and bill of the following titles:

H. J. Res. 255. Joint resolution authorizing the readmission to the United States of certain aliens who have been conscripted or have volunteered for service with the military forces of the United States or cobelligerent forces; and

H. R. 8563. An act to amend the homestead law in its application to Alaska, and for other purposes.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 4482) to amend an act entitled "An act to authorize the establishment of a Bureau of War-Risk Insurance in the Treasury Department," approved September 2, 1914, as amended.

UNITED STATES SHIPPING BOARD.

The committee resumed its session.

Mr. ALEXANDER. I will yield five minutes to the gentleman from Pennsylvania.

Mr. ROBBINS. What I conceive to be a very important feature of this bill, Mr. Chairman, is that provision by which they seek to prevent the control of a shipping company, or a ship even, under section 2 from passing into foreign hands. As I understand this section and the explanation that the gentleman gave of it, it relates only to the majority interest of the stock of the company. The minority may be held by foreigners. This inhibition only works against the majority control of the stock which controls the company. If this company owns ships how are you going to enforce that provision? There is no provision in this bill that works a forfeiture of the charter. There is no provision here that renders null and void the transfer of the stock.

For instance, take the American Merchant Marine, that is an American corporation. Suppose it has 100,000 shares of stock and 49,900 shares are held abroad. That would still leave the control in the United States, in citizens of this country. How are you going to prevent the small amount of stock to pass control from being transferred into another corporation?

Mr. HADLEY. I think the gentleman will find, when we come to read the bill under the five-minute rule, that there are provisions of forfeiture carried in it that will probably answer the question with sufficient definiteness. Sections 38 and 39 deal with the subject of forfeitures, and section 39 reads:

That in any action or proceeding under the provisions of this act to enforce the forfeiture of any vessel or interest therein or of any stocks, bonds, or any other securities, the conviction in a court of criminal jurisdiction of any person for a violation thereof with respect to such vessel or to such stocks, bonds, or other securities, shall constitute prima facie evidence of such violation against the person so convicted.

Mr. ROBBINS. I noticed that, and it does not strike me as going to the extent to which this provision ought to go. Of course, there is a penal provision on page 6, under clause (e), which provides for a fine or imprisonment, but that does not meet the proposition. You must have some remedy here for the forfeiture of the stock clearly provided. Otherwise your statute will be nugatory and impossible of enforcement, and if you are going to preserve these ships in American registry, then you must have some method in this act of stopping this transfer. Otherwise your act will not be enforceable.

Mr. EDMONDS. If the gentleman will yield, I should like to call his attention to the fact that the only time when this controlling interest would be of vital importance would be that referred to in section 37, which prevents the transfer during the time of war of the controlling interest in a company, either in the stock or in the ships to a foreign party. Now, such being the case, in that section 37 there is carried a forfeiture of stock and in some cases of ships.

Mr. SAUNDERS of Virginia. Will the gentleman yield?

Mr. HADLEY. I yield to the gentleman from Virginia.

Mr. SAUNDERS of Virginia. I think the difficulties suggested by the gentleman from Pennsylvania [Mr. ROBBINS] will resolve themselves if he will look to that section of the original act to which this particular section of our bill is an amendment.

Mr. ROBBINS. I have that act before me.

Mr. SAUNDERS of Virginia. If the gentleman will look at section 2, he will see—

That within the meaning of this act no corporation, partnership, or association shall be deemed a citizen of the United States unless the controlling interest therein is owned by citizens of the United States and the corporation itself is organized under the laws of the United States or of a State, Territory, District, or possession thereof.

In that act certain rights are afforded to citizens of the United States, and this amendment further defines the circumstances under which a corporation, partnership, or association shall not be deemed to be a citizen of the United States, and if they are not citizens, then they will not be within the benefits of the act. The amendment intends to make it impossible for any arrangement to be effected by which such a corporation, partnership, or association shall be a citizen of the United States, when the real control of same is in the hands of aliens. We have sought to make the language used so sweeping and comprehensive that no lawyer, however ingenious, would be able to work out any device under this section to keep the letter, while breaking the spirit of the law.

Mr. ROBBINS. Of course, it operates on the majority holders.

Mr. SAUNDERS of Virginia. Yes. As far as the minority holders are concerned, we do not concern ourselves about them. The majority control must be in the hands of citizens of the United States. We do not care about the minority members.

Mr. ROBBINS. And it renders the majority holdings non-negotiable.

Mr. SAUNDERS of Virginia. That may be true.

Mr. GREENE of Massachusetts. I yield 10 minutes to the gentleman from New Hampshire [Mr. BURROUGHS].

Mr. BURROUGHS. Mr. Chairman, I heartily favor the bill under consideration. As the chairman of the committee stated a moment ago, there is no difference of opinion among its members as to the expediency or the necessity of this legislation at this time. The prime purpose of this bill is to make it impossible, at least during the war, to transfer ships that we are now constructing at great expense to a foreign flag. We wish to safeguard and secure under American control these ships that we are now building to meet this emergency. We should not permit by any means, directly or indirectly, any of this tonnage or any interest in it to pass out of our control, at least until the war is over. I regard its passage as vitally important at this particular time.

Mr. STAFFORD. Will the gentleman yield in that particular?

Mr. BURROUGHS. Yes; for a question.

Mr. STAFFORD. I assume that in the consideration of this bill concrete instances were furnished to the committee showing the necessity of some such legislation. Will the gentleman kindly communicate some of these cases?

Mr. BURROUGHS. I do not have particular cases in mind, but if the gentleman will read the hearings he will get all the testimony that was presented to the committee. The hearings have been printed for distribution.

Mr. STAFFORD. I know the gentleman has attended the hearings before the committee.

Mr. BURROUGHS. I did attend them, but I do not happen to have a copy of the hearings before me.

Mr. STAFFORD. I do not care to embarrass the gentleman.

Mr. BURROUGHS. I am not sure that concrete instances were cited in the testimony, but it certainly was stated upon the authority of the witnesses who appeared before the committee that there had been an effort to circumvent the evident purpose of the shipping act and transfer ships or hulls of ships in various stages of completion from American to foreign ownership. Representatives of the Shipping Board made these statements, as I recollect, and cited the fact that particular inducements had been offered in some instances in order to get control of our shipping interests.

The necessity of this legislation is grounded in the fact that there is to-day in the world a shortage of tonnage due to the great losses from the submarine.

At present there seems to be a widespread feeling, based in part on encouraging statements by our naval authorities, that the submarine peril is passing, if in fact it has not already passed. I sincerely and earnestly hope it is passing; but I am disposed to look the facts, very ugly though they may be, squarely in the face. What are the facts?

The submarine has been, if indeed it is not yet, the deadliest weapon of the war. All the artillery, all the infantry, all the battleships, all the millions of tons of explosives and projectiles the Germans have shot into the air have not inflicted the damage nor cost the allies so dear as a few hundred of these under-sea boats. They have destroyed or crippled or kept in harbor more than one-half the ocean-going tonnage of the whole world. By forcing a convoy system, devious routes, and no lights, they have cut down the effectiveness of what remains nearly one-half more. They have destroyed more tonnage than all the allies, including the United States, can probably rebuild in the next two years. They have prevented and still prevent effective aid to Russia. They are still sinking more ocean-going tonnage than all the yards of the world were building before the war.

As bearing out what I have stated, according to monthly statements of the British Admiralty, the submarine losses in 1917 amounted to approximately 6,620,000 gross tons, the equivalent of more than 10,000,000 tons dead-weight. For the quarter ending March 31, 1918, according to the same authority, the loss was 1,123,510 gross tons, or 1,685,265 tons dead-weight. This refers to British and allied losses. French Admiralty figures for April, 1918, show losses of 381,631 tons gross, making a total for one-third of 1918 of 1,505,141 tons gross, equivalent to 2,257,711 tons dead-weight.

At this rate, submarine losses in 1918 will be close to 7,000,000 tons dead-weight. While these figures would show a reduction in the total losses from sinkings for the year of 3,000,000 tons over losses in 1917, they are still, in my opinion, sufficiently large to cause concern. While it is possible and perhaps likely that these losses may be reduced, we must not blink the fact that it is also possible that they may be at any time greatly increased.

I append the following table compiled from monthly statements of the British Admiralty:

Losses by submarine.

Quarter ending—	British.	Allied nations.
March, 1917.....	911,840	1,619,373
January, 1917.....	1,361,370	2,236,934
September, 1917.....	952,938	1,494,473
December, 1917.....	782,880	1,272,843
Total.....	4,009,028	6,623,623
March, 1918.....	687,576	1,123,510

It should be borne in mind that these figures represent gross tonnage according to the British method of measurements. In order to get their equivalent in dead-weight tonnage, which is the usual standard in which American tonnage is expressed, these amounts should be multiplied by 1.6.

Now, in view of this peril, which, as it would seem from the figures above quoted, is by no means at an end, but, on the contrary, still constitutes a very real menace to the success of the allied cause, it must be apparent to all that every possible precaution should be taken to safeguard our tonnage against the shortage occasioned by the submarine. The problem as it presents itself to us has been well stated by Mr. Arthur H. Pollen, England's distinguished naval critic. In September last, in an article published in the New York Tribune, Mr. Pollen used the following language:

If the United States of America is to maintain an army of 1,000,000 men on French soil, it is a conservative estimate to suppose that each man will need at a minimum 4 tons of shipping and may need 5. I don't know what tonnage will be called for to take over 25,000 aircraft, the proposed contribution of raw material, and the extra food which the people of America are to deny themselves for the sake of their fellow fighters in Europe. But clearly if the position in Europe is to be improved by a larger number of men, increased supplies of munitions, a greater reserve of food, and a more numerous force for fighting in the air, it is by shipping and by no other means that these benefits are to accrue to us.

American intervention, then, calls for more shipping, and at the time of writing it is vanishing at a net rate of at least 500,000 tons a month. By February, 1918, the total stock of shipping will be between thirty-three and thirty-four millions tons; a year later it will be twenty-eight or twenty-nine millions tons.

Allowing only 5,000,000 tons for the purely military requirements of the United States, there will be available for the general purposes of the allies, therefore, 29,000,000 tons at the beginning of 1918 and 24,000,000 a year later.

Can the allies carry on the war when their over-sea supplies are limited to this extent? This depends, of course, to a great extent on the amount of food that can be raised by the abnormal efforts of Great Britain and France during this and next year. It depends, too, upon improved methods of unloading and loading ships so that each vessel may do more journeys in a given time.

Finally, it depends upon the extent to which the allied peoples in Europe can limit their consumption of food, either voluntarily or by the enforced order of the State. There are too many unknown factors for it to be possible to say exactly what is the minimum shipping that will see us through.

But it is quite obvious that there must be a certain level that may be called the vanishing point.

It is the object of the whole German submarine campaign to bring the world's shipping to this point at the earliest possible moment. It represents the only hope the German high command can entertain for avoiding a final military defeat.

At the present moment, Mr. Chairman, the loss of tonnage due to submarine depredations has not been replaced. Indeed, in spite of all the efforts of all the allied nations combined, the total net loss has largely increased since Mr. Pollen wrote the words I have quoted. To offset the 1917 losses the total new construction in all yards of the United Kingdom amounted approximately to 1,800,000 dead-weight tons, while America was able to place in service in the same year less than 700,000 tons, making a total of about 2,500,000 tons placed in commission in 1917 as against a loss of upwards of 10,000,000 tons in that year. Thus rapidly, Mr. Chairman, we were approaching what Mr. Pollen terms the "vanishing point" at the beginning of the present year.

Since January 1, 1918, the records of the United States Bureau of Navigation and official returns in the United Kingdom show new tonnage completed, as follows:

Tonnage completed.

Month.	United States.	United Kingdom.
1918.	Tons.	Tons.
January.....	91,541	87,852
February.....	123,100	150,075
March.....	166,700	252,511
April.....	240,000	169,000
May.....	260,000
Totals.....	881,341	659,438

From the foregoing figures it will be seen that in the first three months of this year the total construction in this country and in the United Kingdom amounted to 871,779 dead-weight tons to offset a loss during this first quarter of the year amounting to 1,685,265 tons.

This brings me to a discussion of what we may reasonably expect in the way of new construction in 1918. If Great Britain maintains the same rate of progress for the balance of this year as in the first four months, she will construct and place in service during 1918 about 2,000,000 dead-weight tons. If she does this, she will have attained as high a mark in ship construction as she has ever reached in all her history. Indeed, it is more than likely that she will fall short of this total production for the year, particularly as she is short of labor, is understood to be delayed for steel plates, and is depending upon the United States for portions of her steel plate, which we are now with difficulty delivering in sufficient quantity to our own shipyards.

How about America? Evidence before the Commerce Committee of the Senate in its recent investigation would seem to indicate that the maximum output of steel and wooden shipping in the United States for this critical year of 1918 will not greatly exceed 3,000,000 tons. Mr. J. W. Powell, vice president, in charge of shipbuilding for the Bethlehem Corporation, comprising several large shipbuilding plants and understood to hold contracts for nearly one-third of our ship program, in testifying before the Senate committee said:

I am sure that in 1918, with the various handicaps we are going up against, if the country turns out 3,000,000 tons it will be a very wonderful performance.

Such, in substance, was also the testimony of Mr. Homer L. Ferguson, president of the Newport News Co., and one of our best and most experienced shipping authorities. Mr. Ferguson thought it would be the end of 1919 before we would be able to expand our shipping construction to a rate of 5,000,000 tons a year. Mr. Hurley, chairman of the Shipping Board, a few days ago stated what was his opinion and also that of Mr. Schwab, Director General of the Emergency Fleet Corporation, that the expert estimate of 3,000,000 tons for this year can be exceeded; but he gave no estimate of his own or any figures further than to say that before this year closes we shall be turning out a half million tons each month. The figures for May, which I have already quoted, are but little more than half this amount.

When we consider, as we should in this connection, our present inadequate railroad facilities, our difficulties in maintaining deliveries of steel, engines, boilers, turbines, and other necessary equipment for only 2,000,000 tons of steel ships per annum, not to mention the practical obstacles of lack of timber, lack of skilled shipping labor, and lack of steel and wooden ship building management, we may, indeed, think ourselves very fortunate if we succeed in adding a total of 3,000,000 tons to the world's shipping in 1918. Submarine losses since April 1 last are not definitely known, since the figures are not yet available. It is believed, however, that when issued they will show a considerable decrease over those last published. If they amount to anything like 7,000,000 tons for the year 1918, as the figures I have already given would seem to indicate, is it not apparent that with Great Britain building only 2,000,000 tons and America 3,000,000 tons in 1918 the peril of the submarine is still with us? We must not forget either that last year the British comptroller of shipping, Sir Joseph Maclay, announced that the United States must be depended upon for 6,000,000 tons of new shipping each year to offset the ravages of the submarine, and Sir Joseph was talking of "gross weight"; if he had used our term of "dead-weight" tons, his figures would have been over 9,000,000 instead of 6,000,000.

Mr. Hurley has recently stated that by the end of 1920 the Shipping Board will have given us 25,000,000 tons.

Mr. WATSON of Pennsylvania. Will the gentleman yield?

Mr. BURROUGHS. Yes; I yield.

Mr. WATSON of Pennsylvania. Did I understand the gentleman to say that the program of the United States was to build 28,000,000 tons of shipping?

Mr. BURROUGHS. What I said was that I understood the chairman of the Shipping Board had recently stated that by 1920 he expected to have 25,000,000 tons of shipping.

Mr. WATSON of Pennsylvania. I read some time ago that there are only 45,000,000 tons in the whole world. Do I understand the gentleman to say that our program is to build more than half the tonnage of the world?

Mr. BURROUGHS. I have given you the statement of the chairman of the Shipping Board, which, I think, was made in an address at South Bend, Ind., on the 10th day of this month. So far as I am concerned, I sincerely hope that his prediction may be fulfilled, because I believe that we shall need every one of those ships. Certainly we shall need them if we are to have and

maintain an Army in France of anywhere near 5,000,000 men. That would allow only 5 tons of shipping for the transportation and maintenance of each soldier, and I understand the best expert opinion places the amount necessary at an even higher figure than that.

What I am afraid of is that we will not get the 25,000,000 tons by 1920. I am afraid all the factors of the problem have not been taken into account. There is all the difference in the world between a paper program based upon imaginary and ideal conditions and a carefully thought-out proposition that takes into consideration every obstacle that may be reasonably anticipated. Theory has to be corrected by facts in order to be of much practical value. Mr. Hurley talks about an average of three ships a year on each of 751 ways, and says that in 1919 "the average tonnage of steel, wood, and concrete ships continuously building on each way should be about 6,000 tons." On this basis he figures that we should be able to produce in one year 13,518,000 tons, which, he says, is more than has been turned out by Great Britain in any five years of her history.

As against this prediction, which I sincerely trust may be fulfilled, but which I must say seems to me somewhat visionary, let us consider a few facts. We know that in the last 10 months we have actually built 1,000,000 tons. We know that there is now a threatened shortage of coal and an actual shortage of freight cars upon which the great fabricating yards are so vitally dependent for their supplies. We know what happened last winter, and already we are being warned that like conditions may again force shutdowns and embargoes. We know that "steel is the sinew of war," and steel, we are told, depends first of all on coal. We face a famine in coal because the railroads can not remove it from the mines fast enough to keep up production. Both at Hog Island and Bristol, where I visited the yards less than a month ago, I was told by the managers that there was no doubt in their minds about being able to build the ships provided only they could be furnished with the necessary material. We know that we have had many shortages of steel because of the inability of the railroads to get the coal to the steel mills to produce the steel. Now, if that is true on a program of 2,000,000 or 3,000,000 tons a year, what may we reasonably expect when this program is multiplied many times?

Frankly, I see no way in which it can be done, unless we greatly extend our program in the production of concrete ships. And why should we not do this? We are told that the present program provides for about 40 concrete ships, with a total capacity of about 300,000 tons. Why may it not be a million or 2,000,000 tons instead of 300,000 tons? My understanding is that such a program could be carried out without any substantial interference with the present program of steel and wood construction. Is it objected that the concrete ship is still an experiment? If so, my answer is that the fabricated steel ship is also very much of an experiment. Some of our best authorities in steel construction look with a great deal of misgiving at the fabricated ships. They are certainly quite different from any ships heretofore built in that in many instances a great part of them is, so it is stated, designed and worked out by engineers who never saw a ship drawing before. Both Mr. Ferguson and Mr. Powell speak with considerable misgiving concerning the whole scheme of the fabrication of ships. Mr. Ferguson says, "No one knows whether these ships are going to give trouble," and Mr. Powell says, "I do not think very much of the scheme. I think those gentlemen are going to learn a good deal more as they live a little longer."

Personally, from such investigation as I have been able to make, I believe in the fabricated ships; and I believe also in the concrete ships. The *Faith*, the 5,000-ton concrete ship launched at San Francisco early in May, seems to have fully justified its name. I understand that Mr. Hurley was the original advocate or at least one of the original advocates of the concrete ship. The *Faith*, which was the first of her kind to be constructed in this country, performed without any sign of vibration, meeting every test, and in some respects exceeding expectations. The cost of construction is much less than that of either the wooden or steel ship. The estimated cost of the concrete ship is said to be between \$100 and \$110 a ton complete, while the wooden ship costs around \$165 a ton complete, and the steel ship is now costing close to \$200 a ton complete. This is probably four times as much as it would have cost us to construct steel ships 8 or 10 years ago. In those days governmental aid of \$5,000,000 a year would have given a very respectable merchant marine, but everybody "saw red" when the word "subsidy" was mentioned, and the consequence was that we came into the war without any merchant marine whatever that was worthy of the name so far as over-sea trade was concerned. To quote Mr. Hurley's language:

The vast supplies which we were sending abroad were shipped under terms and conditions laid down by other nations because the great bulk of our exports was carried in ships flying foreign flags. There were American tourists everywhere; there were also American products ready to go everywhere; but American ships nowhere.

Much has been accomplished in spite of almost insuperable difficulties. The Shipping Board has added a million tons of new construction to American shipping in the last 10 months. We have taken over German and Austrian vessels with a total dead-weight tonnage of 730,176. We have requisitioned from the Dutch under the order of the President 86 vessels more with a total tonnage of 526,532. In addition, we have chartered from neutral countries 215 vessels with an aggregate dead-weight tonnage of 953,661. "To-day," Mr. Hurley says, "we have more than 1,400 ships with an approximate total dead-weight tonnage of 7,000,000 tons under the control of the Shipping Board." In the month of May we produced 53,000 tons more shipping than were produced in the entire year of 1915. In the first five months of this year we delivered almost twice as much as was built in all American shipyards in the years 1915 and 1916. The May output, according to Mr. Schwab, is the largest amount of shipping ever placed in commission in any one month in the history of the world.

When we consider the great, the almost insuperable, obstacles under which this vast increase of production has been made possible, we may well congratulate and commend all those who have been in any manner responsible for it. But while all this is true and ought to give us much hope and courage for the future, it is also equally true, so far as human foresight can forecast the future, that for many months to come the whole allied world will probably be unable to produce ships faster than the deadly submarine will destroy them. It is for this reason that it is especially and vitally important that we take every precaution by the passage of legislation like that now under consideration to safeguard and secure to the American flag every one of the ships that we are now building, as well as every one of the ships already built and every one of the ships that we propose to build.

I have the utmost confidence, Mr. Chairman, that we are going to win this great war. We may not do it this year, and we may not do it next year. It may take an Army of 3,000,000 men; it may take an Army of 5,000,000 men; it may even conceivably take an Army of 10,000,000 men. It will most certainly involve enormous expenditures and infinite sacrifice. A good part of this is due to the fact that we were not ready for it, and did not prepare for it when we ought to have seen it coming. For a long time the "world was on fire" and our house was protected by others while we were asleep. While "sparks were falling all around us" we did not even take the precaution to see that the fire department was in good working order. But, at last, thank God, we are awake, or at any rate are fast waking up. We now have an Army of very respectable size on the fighting front, and nobody has the slightest doubt but that that Army is going to give a good account of itself wherever and whenever it is called upon. Indeed, it is already doing so. Our Navy operating in foreign waters has already won the plaudits of the world. All branches of our fighting forces are maintaining the honorable traditions of the American name.

We did not seek the war. We did everything in honor possible to avoid it. For us it is a war of self-defense; for our enemies it is a war to subdue and subjugate the world. For them it was never anything else, from the moment that Germany, in defiance of all law, threw her mighty armies across the Belgian frontier. The fate of the whole war rests to-day upon the adequacy of America's war plans and the effectiveness of her war operations.

Since I became a Member of this House, about a year ago, I have voted for every war measure that has come before us for consideration. Many of these measures have not in all their details commended themselves to me. Many of them on principle I would not for a moment support in time of peace, but I have felt that they were necessary now in order to make our fighting machinery effective. So far as I am concerned, no plans can be too ample, no weapon too massive, no energy too great, to execute the true will and purpose of our people in this war, which is, as I interpret it, to impose a just, complete, and lasting peace upon a foe who must be made forever incapable of again assaulting the world. As the President, our Commander in Chief, has so well said: "Let it be force to the utmost—force without stint or limit." That is apparently the only language our enemy is capable of understanding. Very well, then, we will talk to him in that language, and by that sign, Mr. Chairman, we will surely conquer.

Mr. ALEXANDER. Mr. Chairman, there is no further desire for time on this side.

Mr. GREENE of Massachusetts. And no further time required on this side.

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That the first section of the act approved September 7, 1916, entitled "An act to establish a United States Shipping Board for the purpose of encouraging, developing, and creating a naval auxiliary and naval reserve and a merchant marine to meet the requirements of the commerce of the United States with its Territories and possessions and with foreign countries; to regulate carriers by water in the foreign and interstate commerce of the United States, and for other purposes," is hereby amended by adding at the end thereof two paragraphs, as follows:

"The term 'vessel' includes all water craft and other artificial contrivances of whatever description and at whatever stage of construction, whether on the stocks or launched, which are used or are capable of being or are intended to be used as a means of transportation on water.

"The term 'documented under the laws of the United States' means 'registered, enrolled, or licensed under the laws of the United States.'"

Mr. ALEXANDER. Mr. Chairman, the language at the beginning of line 8, page 2, and ending in line 15, page 2, is new matter, and is an amendment of section 1 of the shipping act. It says:

The term "vessel" includes all water craft and other artificial contrivances of whatever description and at whatever stage of construction, whether on the stocks or launched, which are used or are capable of being or are intended to be used as a means of transportation on water.

The Revised Statutes define the word "vessel" to include every description of water craft or other artificial contrivance capable of being used for transportation by water.

The definition in the bill amplifies the definition in the Revised Statutes to include not only water craft or other artificial contrivance of whatever description capable of being used or intended for use in transportation by water, but to vessels at whatever stage of construction, whether on the stocks or not.

When the Shipping Board under existing law undertook to commandeer vessels under construction in the several shipyards of the United States, vessels which had been contracted for by foreign powers, they were confronted with the fact that a vessel in the course of construction is not a vessel within the meaning of the law. Our Supreme Court in the One hundred and eighty-third United States, page 424, had held that "in the absence of such a provision a hull in the course of construction does not become a vessel until launched." Hence this amendment of the existing law is proposed in order to give the Government control over vessels from the time the keel is laid. The last paragraph is as follows:

The term "documented under the laws of the United States" means "registered, enrolled, or licensed under the laws of the United States."

That definition is added to the existing law because later on in the bill we make the bill apply to all vessels documented under the laws of the United States—that is, all vessels documented, registered, enrolled, or licensed, which would place under control of the Shipping Board vessels of 20 tons or more.

Mr. STAFFORD. Will the gentleman explain the difference between registry and enrollment?

Mr. ALEXANDER. Under the navigation laws, if a vessel wishes to engage in foreign trade it must be registered. If it engages in coastwise trade it may be enrolled, but under the enrollment it can not engage in foreign trade. Hence a registered vessel is one that can engage in foreign trade, while an enrolled vessel is one that is confined to the coastwise trade.

Mr. WATSON of Pennsylvania. Did I understand the gentleman to say that the provision of this section includes all vessels over 20 tons?

Mr. ALEXANDER. Yes; the provisions of the bill applying to enrolled vessels would give the Government control during the period of the war of all vessels over 20 tons.

Mr. WATSON of Pennsylvania. But not under 20 tons.

Mr. ALEXANDER. No.

Mr. WATSON of Pennsylvania. When I have been to the Shipping Board they always informed me that they did not include vessels under 1,500 tons.

Mr. ALEXANDER. For certain war purposes it may be desirable for us to control vessels of small tonnage during the period of the war.

The Clerk read as follows:

Sec. 2. That section 2 of said act is hereby amended by adding at the end of the first paragraph thereof a paragraph, as follows:

"The controlling interest in a corporation shall not be deemed to be owned by citizens of the United States (a) if the title to a majority of the stock thereof is not vested in such citizens free from any trust or fiduciary obligation in favor of any person not a citizen of the United States; or (b) if the majority of the voting power in such corporation is not vested in citizens of the United States; or (c) if through any contract or understanding it is so arranged that the majority of the voting power may be exercised, directly or indirectly, in behalf of any person who is not a citizen of the United States; or (d) if by any other means whatsoever control of the corporation is conferred upon or permitted to be exercised by any person who is not a citizen of the United States."

Mr. SAUNDERS of Virginia. Mr. Chairman, in addition to what I said a moment ago in this connection I desire to say that the meat of this whole matter may be found in the concluding sentence of this amendment, to wit that "if by any other means whatsoever control of the corporation is conferred upon or permitted to be exercised by any person who is not a citizen of the United States," the controlling interest in a corporation shall not be deemed to be owned by citizens of the United States.

In other words, by the wording of this amendment such a situation is intended to be brought to pass that by no possible legal legerdemain can any arrangement be made by which the controlling interest may be in the hands of some other person or persons than citizens of the United States, and at the same time the corporation continue to be a citizen of the United States. I rather think the original act accomplished this result, but there were certain subtle suggested possibilities under the existing law that caused the committee to report the amendment under consideration, as a corrective for these possibilities.

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

Mr. SAUNDERS of Virginia. Yes.

Mr. EDMONDS. I would like to call attention to the fact that in the testimony of the attorney for the Shipping Board he called attention to the fact that some law firms in New York City who represented people abroad would buy a ship and all the stockholders would be the members of this law firm, the stock being held in trust for foreign clients. As I understand it, this is to get around that arrangement.

Mr. SAUNDERS of Virginia. It seemed to the committee that the plan referred to by the gentleman from Pennsylvania might circumvent the purpose of the original act. Hence the amendment to afford a remedy for a possible weakness in that act.

Mr. ROBBINS. What is there in this section you are attempting to amend that would make it impossible or to prevent foreign owners from electing a dummy board of directors who are citizens of the United States and thereby through them control absolutely a shipping corporation, the vessels of which were built and owned by people or interests not of the United States, which ought to be controlled by bona fide citizens of the United States? Would not that give control to foreigners?

Mr. SAUNDERS of Virginia. How?

Mr. ROBBINS. By electing a board of dummy directors who are citizens of the United States while the actual owners would be foreigners. Why ought not this provision to go further? I am heartily in favor of this bill, and what I am suggesting is in good faith to endeavor to strengthen it if it is weak. The bill came in here without much chance on my part to investigate it, but I have before me the shipping act of September 7, 1916, which it is proposed to amend. I think this provision ought to go even further than it does and prevent the acting upon a board of directors of any person who is not a citizen of the United States.

Mr. SAUNDERS of Virginia. I will ask the gentleman to look to the original language of section 2. As I have stated, this act confers certain rights and privileges upon citizens of the United States. Anyone not a citizen of the United States is denied these rights and privileges.

Mr. WHITE of Maine. Mr. Chairman, will the gentleman yield?

Mr. SAUNDERS of Virginia. Yes.

Mr. WHITE of Maine. I was going to suggest, in answer to the gentleman from Pennsylvania [Mr. ROBBINS], that you could not have dummy directors except through an arrangement between the dummies and the real parties in interest. Subdivision C of section 2 is so drawn as to prevent an arrangement of that sort, it seems to me.

Mr. SAUNDERS of Virginia. Yes, that is true.

Mr. ROBBINS. That, of course, applies only to the majority stock.

Mr. SAUNDERS of Virginia. The amendment provides that under the circumstances recited the controlling interest in a corporation shall not be deemed to be owned by citizens of the United States.

If such a scheme as the gentleman from Pennsylvania suggests, was sought to be worked out, it would not only be in fraud of the law, but would be inoperative, since it would be an arrangement by a contract, or understanding for the majority of the voting power to be exercised in behalf of some one not a citizen of the United States. Under the terms of the amendment, should such a scheme be perfected, the controlling interest in the corporation would be held not to be owned by citizens of the United States. The scheme would instantly fail of its purpose, if sought to be effected on the line indicated in the suggestion of the gentleman from Pennsylvania.

Mr. ROBBINS. I want to be sure about it.

Mr. SAUNDERS of Virginia. The committee invites constructive criticism of the pending bill. It is not wedded to the language reported, and desires to make the bill as strong and as comprehensive as it may be made.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last two words. Shortly after the beginning of the European war certain ships under the register of a neutral government were transferred under a trust arrangement to American citizens so that those ships could have the protection of the neutral flag of our Government. The original shipping bill was designed to give the benefit of American registry to ships owned bona fide by citizens of the United States and not under color by foreign owners. As has been pointed out by the gentleman from Virginia [Mr. SAUNDERS], section 2, as originally framed, did not reach the case where there was mere colorable title of ownership. The legal title of a majority interest might be owned by American citizens, and yet there might be trust arrangements whereby the real title would be in foreigners, and the profits accruing from the operation of the ships would go to foreigners.

The Shipping Board has called attention to the evasion of the real purpose of the law so as to allow Americans to have foreign-built ships come within the benefits of American registry and have suggested the amendment that is incorporated here in section 2. This will correct abuses that have been called to the attention of the department and only allow the protection of American registry to those cases where there has been bona fide transfer of ownership to American citizens of the majority interests of the company in the control of these foreign-built ships.

The Clerk read as follows:

Sec. 3. That section 9 of said act is hereby amended to read as follows:

"Sec. 9. That any vessel purchased, chartered, or leased from the board may be registered or enrolled and licensed, or both registered and enrolled and licensed, as a vessel of the United States and entitled to the benefits and privileges appertaining thereto: *Provided*, That foreign-built vessels admitted to American registry or enrollment and license under this act, and vessels owned, chartered, or leased by any corporation in which the United States is a stockholder, and vessels sold, leased, or chartered to any person a citizen of the United States, as provided in this act, may engage in the coastwise trade of the United States while owned, leased, or chartered by such a person.

"Every vessel purchased, chartered, or leased from the board shall, unless otherwise authorized by the board, be operated only under such registry or enrollment and license. Such vessels while employed solely as merchant vessels shall be subject to all laws, regulations, and liabilities governing merchant vessels, whether the United States be interested therein as owner, in whole or in part, or hold any mortgage, lien, or other interest therein. No such vessel, without the approval of the board, shall be transferred to a foreign registry or flag, or sold; nor, except under regulations prescribed by the board, be chartered or leased.

"No vessel documented under the laws of the United States or owned by any person a citizen of the United States or by a corporation organized under the laws of the United States or of any State, Territory, District, or possession thereof, except one which the board is prohibited from purchasing, shall be sold to any person not a citizen of the United States or transferred to or placed under a foreign registry or flag, unless such vessel is first tendered to the board at the price in good faith offered by others, or, if no such offer, at a fair price to be determined in the manner provided in section 10.

"Any vessel sold, chartered, leased, transferred to or placed under a foreign registry or flag, or operated in violation of any provision of this section shall be forfeited to the United States, and whoever violates any provision of this section shall be guilty of a misdemeanor and subject to a fine of not more than \$5,000 or to imprisonment for not more than five years, or both."

Mr. ALEXANDER. Mr. Chairman, I think I can in a very few words explain wherein section 3 of the pending bill amends section 9 of the shipping act. The first paragraph of section 3, amending section 9 of the shipping act is in the language of the first paragraph of section 9, except, beginning in lines 20 and 21, these words are added at the end of the paragraph, "while owned, leased, or chartered by such a person." We simply make it clear that vessels mentioned sold, leased, or chartered from the board shall be entitled to engage in the coastwise trade of the United States while owned, leased, or chartered by a citizen of the United States. While that was the intent of the original act, yet it was not made entirely clear.

The provisions of section 3, beginning with the second paragraph, in line 22 down to line 8, page 4, is in the language of the second paragraph of section 9 of existing law.

The third paragraph of section 3, beginning in line 9, page 4, and ending with line 19, page 4, is in the language of the third paragraph, existing law, except we have taken the first sentence out of the paragraph and transferred it to section 4, which adds section 37 as a new section to the shipping act, and provides that "when the United States is at war, or during any national emergency, the existence of which is declared by proclamation of the President, no vessel registered or enrolled and licensed under the laws of the United States shall, without the approval of the board, be sold, leased, or chartered to any person not a citizen of the United States, or transferred to a foreign registry or flag." In framing the bill and amending section 9 of the ship-

ping act, we thought that the language should more properly be incorporated in section 37. Now, in line 9, page 4, we insert "documented" instead of the words "registered or enrolled and licensed," as provided in section 9 of the shipping act. And in lines 11 and 12 and 13 we add, "or by a corporation organized under the laws of the United States, or of any State, Territory, District, or possession thereof," and in lines 20 and 21, page 4, the new matter is as follows:

To or placed under a foreign registry or flag.

These are the only amendments of section 9 of the shipping act.

The existing law provides that the vessels may not be transferred to a foreign flag.

It is the opinion of counsel for the Shipping Board that the language is susceptible of this construction, that in order to forbid the transfer of a vessel to a foreign flag it would presuppose that the vessel should have been registered or enrolled or licensed under the laws of the United States, and it would only be in the event that the vessel had been so registered, enrolled, or licensed the transfer to a foreign flag would be unlawful; hence the language "to or placed," so that "any vessel sold, chartered, leased, transferred to or placed under a foreign registry or flag" is forbidden; hence if a vessel should be built in an American shipyard and should not apply for a registry or enrollment or license it may not be transferred to a foreign flag without the consent of the Shipping Board. It is simply to amplify the law and to throw every safeguard around our shipping that is possible.

Mr. ROBBINS. Will the gentleman yield?

Mr. ALEXANDER. I do.

Mr. ROBBINS. Will the gentleman explain why in this bill, line 12, page 4, the term is used "district, or possession thereof"?

The CHAIRMAN. The time of the gentleman has expired.

Mr. ROBBINS. I can understand the word "district" probably relates to the District of Columbia.

Mr. ALEXANDER. I ask that I may have five minutes more.

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

Mr. ROBBINS. Is there any authority in the possessions of the United States for incorporating shipbuilding companies? Is that to extend an unknown authority that has not existed and is that extended out beyond the power of supervision of the United States? It seems to me we might by this law.

Mr. ALEXANDER. It is very difficult to define just what our relations are in the Philippine Islands. The islands of Guam and Tutuila and the Panama Canal Zone are possessions of the United States.

Mr. ROBBINS. Does the gentleman say there is any authority of law in those places to incorporate ship companies—

Mr. ALEXANDER. None that I know of.

Mr. ROBBINS. I am asking, Is there any authority in those possessions which the gentleman has enumerated and others, such as the island of Hawaii and the Virgin Islands, which we have recently taken over, to incorporate ship companies?

Mr. SAUNDERS of Virginia. Certainly there must be in the Philippine Islands which is an organized body.

Mr. ALEXANDER. They have a government of their own. We have framed a constitution of the Philippine Islands, and in large measure they have local self-government and it is not our intention to interfere with them, but in framing this bill we want to be sure in amending existing law to make the law broad enough to protect our own Government in the exercise of any rightful authority it may be called upon to exercise.

Mr. ROBBINS. Is it intended to apply any authority that may be used to incorporate ship companies there?

Mr. ALEXANDER. Well, I do not think it necessary to decide that question, but it is very clear that we are not conferring power to incorporate companies there, but we do not want to surrender any control we may have over vessels documented under the laws of the United States, or owned by citizens of the United States or by a corporation organized under the laws of the United States, or of any State, Territory, District, or possession thereof.

Mr. STAFFORD. Will the gentleman yield?

Mr. HARDY. As I understand, we want to make this cover any corporation that is now organized or might be organized under any present law or in any law that might authorize a corporation to organize under the authority of the United States.

Mr. STAFFORD. Will the gentleman yield?

Mr. ALEXANDER. I will yield.

Mr. STAFFORD. I wish to inquire whether this section is limited merely to the war period or whether it has its effect after the war terminates?

Mr. ALEXANDER. This provision is general in its nature, and is not limited to the period of the war.

Mr. STAFFORD. Then, as I understand the purpose of the amendment, it is that even after the war is ended there can be no transfer of any ship built in American shipyards to any private interest that is foreign in its citizenship without the approval of the Shipping Board?

Mr. ALEXANDER. In other words, if the vessel is documented under the laws of the United States, or owned by a citizen of the United States, and so forth, it must be tendered to the Shipping Board first, and the Shipping Board shall have the privilege to purchase before it is sold on foreign account. That is all.

Mr. STAFFORD. Of course I thought that when the war is ended—

Mr. ALEXANDER. That is a provision of the existing law.

Mr. STAFFORD. That is a provision of the existing law so far as the shipping act is concerned.

Mr. ALEXANDER. Yes.

Mr. STAFFORD. Which was passed only recently.

Mr. ALEXANDER. It was passed on September 16, 1916.

Mr. SAUNDERS of Virginia. We are not changing existing law in that respect at all.

Mr. STAFFORD. I am quite well aware of that, but I am seeking to ascertain the real purpose of the committee in limiting transfers in a regular way of vessels in American shipyards. Then, I take it, that under this provision it would virtually discourage foreign shipping interests or foreign investors from coming into this country to have their ships built, no matter whether our shipyards would be lying idle or not.

Mr. SAUNDERS of Virginia. What I meant to say was that the committee had no intention in connection with the pending bill to do anything on the line which the gentleman is discussing. He is discussing matters provided for by existing law.

Mr. STAFFORD. That is existing law—

Mr. SAUNDERS of Virginia. Laws now on the statute books.

Mr. STAFFORD (continuing). So far as it was embodied in the shipping act passed in 1916. We are amending that act, and it is possible for us now to change it.

Mr. SAUNDERS of Virginia. Oh, yes. But we did not undertake to amend the law in the respect referred to by the gentleman. That substantive matter was fully considered before these amendatory sections were reported by the committee. There was no suggestion from any quarter that it was necessary to change established existing law other than we have undertaken to do.

Mr. STAFFORD. It was existing law before we passed the shipping act, and I understand it is the policy recommended by the administration and supported by the committee.

Mr. SAUNDERS of Virginia. Yes.

Mr. STAFFORD. No matter how long after the war terminates, foreign investors desiring ships can not come here to have their ships built in American shipyards without having them offered first to the Shipping Board.

Mr. SAUNDERS of Virginia. That was the policy established by this House some time ago, and we did not think it was well to undertake to change it.

Mr. STAFFORD. Does not the gentleman think that that will rather discourage the building of ships for foreign countries?

Mr. SAUNDERS of Virginia. That is the policy of foreign nations, and we do in substance do more than to say to ship-owners: "If you want to sell, at least give your own country an opportunity to buy." If when the opportunity is given, the United States does not care to buy, it is not likely the Shipping Board would interfere with the sale to other parties.

Mr. STAFFORD. Of course, before the outbreak of the war, Great Britain and France and others of the allied countries had orders with American shipbuilding concerns for ships, and yet I can see when we return to a peace basis, with this condition existing, it would discourage foreign investors from placing orders for ships in American shipyards if they were subject to the condition that the ship when completed would first have to be offered to the Shipping Board before it could be sold.

Mr. SAUNDERS of Virginia. That is not the effect of this section. It says:

No vessel owned by any person or citizen of the United States or by a corporation organized under the laws of the United States—

And so on. There is another provision of the law that relates to foreigners seeking to have vessels constructed in the yards of the United States. We will come to that later.

Mr. STAFFORD. That is, it will discourage, as I said before, foreign interests from having ships built in American shipyards.

Mr. HARDY. If the gentleman will permit me, I want to say that the shipping act in that respect was passed because we

ascertained the fact that nearly every big nation since this war began has passed laws forbidding the transfer of ships under their flags to foreign governments.

Mr. STAFFORD. That is for during the war. It was a war exigency.

Mr. HARDY. I do not know whether it is or not. But England has done it, France has done it, and Germany has done it.

Mr. STAFFORD. I justify that position, but they did not have the policy before the war. They were in war before we passed the shipping act.

Mr. HARDY. We provide further by forbidding the owners of vessels under the American flag from transferring them to other flags.

The Clerk read as follows:

SEC. 4. That said act is hereby amended by adding at the end thereof eight sections, as follows:

"SEC. 37. That when the United States is at war or during any national emergency, the existence of which is declared by proclamation of the President, it shall be unlawful, without first obtaining the approval of the board:

"(a) To transfer to or place under any foreign registry or flag any vessel owned in whole or in part by any person a citizen of the United States or by a corporation organized under the laws of the United States, or of any State, Territory, District, or possession thereof; or

"(b) To sell, mortgage, lease, charter, deliver, or in any manner transfer, or agree to sell, mortgage, lease, charter, deliver, or in any manner transfer, to any person not a citizen of the United States, (1) any such vessel or any interest therein, or (2) any vessel documented under the laws of the United States, or any interest therein, or (3) any shipyard, dry dock, shipbuilding or ship repairing plant or facilities, or any interest therein; or

"(c) To enter into any contract, agreement, or understanding to construct a vessel within the United States for or to be delivered to any person not a citizen of the United States; or

"(d) To make any agreement or effect any understanding whereby there is vested in or for the benefit of any person not a citizen of the United States, the controlling interest or a majority of the voting power in a corporation which is organized under the laws of the United States, or of any State, Territory, District, or possession thereof, and which owns any vessels, shipyard, dry dock, or shipbuilding or ship repairing plant or facilities; or

"(e) To cause or procure any vessel constructed in whole or in part within the United States, which has never cleared for any foreign port, to depart from a port of the United States before it has been documented under the laws of the United States.

"Whoever violates, or attempts or conspires to violate, any of the provisions of this section shall be guilty of a misdemeanor, punishable by a fine of not more than \$5,000 or by imprisonment for not more than five years, or both.

"Any vessel, shipyard, dry dock, shipbuilding, or ship repairing plant or facilities, or interest therein, sold, mortgaged, leased, chartered, delivered, transferred, or documented, or agreed to be sold, mortgaged, leased, chartered, delivered, transferred, or documented, in violation of any of the provisions of this section, and any stocks, bonds, or other securities sold or transferred, or agreed to be sold or transferred, in violation of any of such provisions, or any vessel departing in violation of the provisions of subdivision (e), shall be forfeited to the United States.

"Any such sale, mortgage, lease, charter, delivery, transfer, documentation, or agreement therefor shall be void, whether made within or without the United States, and any consideration paid therefor or deposited in connection therewith shall be recoverable at the suit of the person who has paid or deposited the same, or of his successors or assigns, after the tender of such vessel, shipyard, dry dock, shipbuilding, or ship repairing plant or facilities, or interest therein, or of such stocks, bonds, or other securities, to the person entitled thereto, or after forfeiture thereof to the United States.

Mr. CANNON. Mr. Chairman, I move to strike out the last word. This is subject to amendment, as I understand it.

Mr. ALEXANDER. Yes.

Mr. CANNON. I frankly confess that I am not familiar with the act which this act seeks to amend, and I am not very familiar with this act. I asked the gentleman from Missouri [Mr. ALEXANDER] while he occupied the floor in general debate, if this was a war measure, and he replied that it was. But, as I understand, subsequently, although I was called out for the last 20 or 30 minutes, it was stated that this is permanent law in large part, without regard to the war emergency.

Mr. ALEXANDER. I think the gentleman has not correctly quoted my statement. I said in large part the provisions of this bill are war provisions, and that is true. The provisions of this section 3, adding section 27 to the shipping act, are war emergency provisions and do not apply except in the event of war or a national emergency.

Mr. CANNON. What I want to know—and I do not suppose I can know without great investigation and far greater knowledge than I have—is when this Shipping Board is going to go out of existence.

Mr. ALEXANDER. The law creating the Shipping Board is permanent law.

Mr. CANNON. This is permanent law? We are to have it with us always unless the law is amended?

Mr. ALEXANDER. I hope we will always have some governmental agency that will have to do with our American merchant marine, whether it is the Shipping Board or some other agency.

Mr. CANNON. We never had the Shipping Board before?

Mr. ALEXANDER. No; but I think it is quite necessary that we should have it now and in the future.

Mr. CANNON. I understand that we are at liberty to buy ships built in foreign countries. In other words, our law that prohibited a foreign-built ship from flying the American flag and engaging in our coastwise trade has been repealed, has it not?

Mr. ALEXANDER. No; it has not been repealed. We have a law which provides that foreign-built ships owned by American citizens may be admitted to American registry, to engage in the foreign trade. That is a provision, section 5, of the Panama Canal act.

Mr. CANNON. Yes. I understood it was in some act.

Mr. ALEXANDER. And in this Congress the Committee on the Merchant Marine and Fisheries reported out a bill providing that ships foreign owned might be admitted to American registry under certain limitations during the period of the war, and it passed this House and the Senate without any question. I refer to the act of October 6, 1917.

Mr. CANNON. They can not, then, after the war engage in our coastwise trade?

Mr. ALEXANDER. Oh, no.

Mr. CANNON. After the war is over, when peace comes, do we have to get anybody's authority, with our great number of shipyards that we are going to have, before we can build a ship and sell it to anybody in the world?

Mr. ALEXANDER. No; not after the end of the war.

Mr. CANNON. Not after the end of the war?

Mr. ALEXANDER. I will say six months after the end of the war, to be accurate.

Mr. CANNON. So that we will be in the same condition that the balance of the world is supposed to be in as regards us—that we will have an industry in the United States that can build ships and sell them to anybody?

Mr. ALEXANDER. I think so, and I hope that will be the result.

Mr. CANNON. Without anybody's leave?

Mr. ALEXANDER. Yes. I hope that we may be able to build ships for the world. I would not want to put any limitation on that privilege on the part of the American shipyards.

Mr. HARDY. If the gentleman will permit, I will read section 37, of which this clause is a part. It begins with the statement that "When the United States is at war, or during any national emergency, the existence of which is declared by the proclamation of the President, it shall be unlawful" to do all these things, ending with that clause just before paragraph 38, so that this part of this bill is limited specifically to during the war or a national emergency.

Mr. CANNON. I am very glad indeed to have the assurance of the gentleman, who I have no doubt is familiar with the legislation heretofore enacted and the proposed legislation, that when the war closes, or six months thereafter, we will have as much right to sell a ship built in our own yard to anybody in the world as we have to sell a bushel of wheat.

Mr. ALEXANDER. I share the gentleman's wish, and I would regret to put any limitation on that right.

Mr. CANNON. I may be pardoned, perhaps, for my ignorance in asking these questions, because it is impossible for a man of my limited capacity to keep track of all the legislation that has been enacted since the declaration of war.

Mr. ALEXANDER. The gentleman would be a marvel if he could.

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

Mr. ALEXANDER. Yes.

Mr. STAFFORD. This section, which applies to vessels built in the United States during the period of the war or during a national emergency, the existence of which is declared by proclamation of the President, would permit the President to determine without review the finality of the question of what that emergency is?

Mr. ALEXANDER. Yes.

Mr. STAFFORD. So that if the President saw fit, even for economic reasons, to determine that it was for the best interests that these vessels, built in this country, should not be sold abroad, and he would declare that by proclamation, the prohibition of this section would apply?

Mr. HUMPHREYS. He would have to say that it was a national emergency.

Mr. ALEXANDER. The existing law is to this effect:

When the United States is at war, or during any national emergency, the existence of which is declared by proclamation of the President, no vessel registered or enrolled or licensed under the laws of the United States shall, without the approval of the board, be sold, leased, or chartered to any person not a citizen of the United States or transferred to a foreign registry or flag.

That is the existing law.

Mr. STAFFORD. So that the mere conclusion of peace will not restore our shipping conditions back to the conditions that prevailed before the war, because the conditions following the war will be abnormal, undoubtedly, and might cause the President, because of the exigency, to declare that an emergency arises whereby this law should still continue.

Mr. ALEXANDER. For instance, after the war began in Europe on August 1, 1914, we had this condition, that there was no existing law to prevent vessels under American registry from being transferred to a foreign flag; but under the shipping act of September 16, 1916, the President would have had the power to prevent transfers. We had a great dearth of shipping. Because we did not have bottoms in which to transport our commodities to Europe, the price of cotton fell to 6 cents a pound and ocean freight rates increased a thousand per cent; and following the present war a condition might ensue that might compel the President, in the national interest, to declare a national emergency to exist and prevent those transfers as long as the emergency continued.

For instance, we will have millions of men in Europe; we will have vast supplies and munitions there; and it is going to take a long time to get our soldiers home and restore normal peace conditions; and other nations will be reaching out to get tonnage in order to meet their demands, which of course have become acute and will become more acute on account of the war; and hence it gives the President the power to protect us in that event.

Mr. ROBBINS. Mr. Chairman, I move to strike out the last word. The gentleman from Illinois [Mr. CANNON] has raised a question that I do not think has been cleared up, not to my mind, at least. It does not bear exactly on this section, however. This is a dual bill. The first three sections of it are permanent law. They are amendments to the act of September 7, 1916. The last eight sections, designated as under section 37, are new law and are only emergency legislation, in force "during the war or during a national emergency." I do not know what that would cover, but the President's proclamation would, of course, define such emergency and give effect to it.

This temporary provision here, during the war, contradicts the permanent section, I think. For instance, under subdivision (b) the transfer of any vessel or of "any interest therein" is prohibited. The permanent law applies only to the majority interests in a vessel or corporation owning vessels. That is clearly a contradiction. I do not know whether this is the committee's intention or not, that during the war, or during an emergency, there could not be any transfer even of shares of stock in any corporation owning ships of a minority holding of the shares of stock; but that is what is accomplished by this legislation.

Mr. ALEXANDER. What line is the gentleman referring to?

Mr. ROBBINS. Lines 17 and 18, on page 5. Unless you get the approval of the Shipping Board, it prohibits absolutely the transfer of any interest whatever in any documented ship or stock in a company or any interest in any dry dock. Those provisions of the temporary law apply to any interest whatever. Now, the first sections, the permanent law, apply only to the controlling interest. If it is the intention to make it that way, then you have done that, but I do not think that ought to be the intention.

Mr. ALEXANDER. That is the intention of the act.

Mr. ROBBINS. Then it is contradictory.

Mr. ALEXANDER. I beg the gentleman's pardon.

Mr. SAUNDERS of Virginia. Why is it contradictory?

Mr. HADLEY. Is not the effect of the two provisions to which the gentleman refers to lay down a proviso to the permanent law, putting a limitation on the act in time of war or emergency? We are doing that every day in all of our legislation, passing provisions which are not applicable in time of peace, and drawing a definite distinction between the permanent law for times of peace and the temporary law for time of war or emergency. As the chairman of the committee states, the intention is to prevent the transfer of any interest in shipping during the period of the war.

Mr. ROBBINS. That is to say that a corporation organized to own shipping can operate during a time of peace if a majority of the stock is owned by American citizens, but as soon as the war comes on all the stock must be transferred to American citizens or forfeited to the United States. That is what is done by this legislation.

Mr. SAUNDERS of Virginia. Why does the gentleman make that statement?

Mr. ROBBINS. Because that is exactly what this act does.

Mr. SAUNDERS of Virginia. Where does the gentleman find the support of his statement in the law?

Mr. ROBBINS. You do that by section 37. You enumerate six or eight things that can not occur during war or national emergency.

Mr. SAUNDERS of Virginia. But there is no affirmative requirement that existing interests shall be transferred. If it is held in the United States, you can not dispose of it; but I understood the gentleman just now to say that when war came on some one who was not a citizen of the United States who held an interest in such a corporation would be required to transfer that interest to some citizen of the United States.

Mr. ROBBINS. Certainly.

Mr. SAUNDERS of Virginia. There is nothing in the law to that effect.

Mr. ROBBINS. I am assuming that this law is in effect during this war.

Mr. SAUNDERS of Virginia. That is correct.

Mr. ROBBINS. Suppose a company is organized to operate between the United States and South America. That is one of the commercial fields we want to stimulate. Now, suppose a minority of the stock is owned in Brazil and a majority of the stock is owned in the United States. When war comes on, it does not matter between what countries, the Brazilian stockholders will have to divest themselves of their stock.

Mr. SAUNDERS of Virginia. Will the gentleman point out anything in the law imposing that requirement on the Brazilian stockholders?

Mr. ROBBINS. Under section 37 during time of war it is unlawful for any foreigner to hold any interest. You go on to say in this section what can not be done.

Mr. SAUNDERS of Virginia. Will the gentleman read anything which makes it unlawful for a citizen of Brazil to continue to hold his interest during the war?

Mr. ROBBINS. Subdivision (b).

Mr. SAUNDERS of Virginia. If the gentleman will pardon me, I will read subdivision (b). That provides that when the United States is at war or during any national emergency it shall be unlawful, without first obtaining the approval of the board—

(b) To sell, mortgage, lease, charter, deliver, or in any manner transfer, or agree to sell, mortgage, lease, charter, deliver, or in any manner transfer, to any person not a citizen of the United States, (1) any such vessel or any interest therein, or (2) any vessel documented under the laws of the United States, or any interest therein, or (3) any shipyard, dry dock, shipbuilding or ship-repairing plant or facilities, or any interest therein.

This language does not require the Brazilian stockholder to sell his interest to some one in the United States?

Mr. ROBBINS. Because such stockholders can not hold it.

Mr. SAUNDERS of Virginia. Why not?

Mr. ROBBINS. Because such stock will be forfeited under this act.

Mr. SAUNDERS of Virginia. There is no provision against his holding it.

Mr. ROBBINS. This act causes a forfeiture of all such stock or interest.

Mr. SAUNDERS of Virginia. Point out the provision imposing such a forfeiture.

Mr. ROBBINS. He can not hold any interest in any vessel or dock. That is what the law says.

Mr. SAUNDERS of Virginia. Will the gentleman point to any provision in the law supporting the assertion which he has just made?

Mr. ROBBINS. The things are enumerated here that can not be done. These are:

Sec. 37. That when the United States is at war or during any national emergency, the existence of which is declared by proclamation of the President, it shall be unlawful, without first obtaining the approval of the board:

(a) To transfer to or place under any foreign registry or flag any vessel owned in whole or in part by any person a citizen of the United States or by a corporation organized under the laws of the United States, or of any State, Territory, District, or possession thereof; or

(b) To sell, mortgage, lease, charter, deliver, or in any manner transfer, or agree to sell, mortgage, lease, charter, deliver, or in any manner transfer, to any person not a citizen of the United States, (1) any such vessel or any interest therein, or (2) any vessel documented under the laws of the United States, or any interest therein, or (3) any shipyard, dry dock, shipbuilding or ship-repairing plant or facilities, or any interest therein.

Mr. SAUNDERS of Virginia. In other words, there can not be a transfer pending the war.

Mr. ROBBINS. You prohibit any interest in any vessel being held by a foreigner.

Mr. SAUNDERS of Virginia. Oh, no. It simply prevents any interest in a vessel from being transferred. That does not prohibit the holding of any interest.

Mr. ROBBINS. Why not?

Mr. SAUNDERS of Virginia. Because the law does not forbid it.

If the gentleman will pardon me, I will say that the purpose of this section is to preserve the status of property rights in ships, shipyards and so forth during the pendency of war, or during the period of a national emergency declared by the President. It merely preserves the status, and does not require anyone to part with his interest. This status may not be changed by sale, mortgage, lease, or any manner of transfer.

Mr. ROBBINS. If that be true, how could such provision be enforced against a ship company that is owned abroad under American charter and operated as a line of steamships to foreign countries? How could you enforce it against the North German Lloyd Line, for example, owned in Germany and the title held by an American Co.? You do not mean ships built in this country could be taken over by that line? If this could be done, the act will be ineffectual.

Mr. SAUNDERS of Virginia. What has that got to do with it? Section 37 provides that when the United States is at war or during any national emergency, the existence of which is declared by proclamation of the President, it shall be unlawful, without first obtaining the approval of the board, to transfer, sell, mortgage, lease, charter, deliver to any person not a citizen of the United States the property, or interest in property indicated.

No amount of interpretation can make the language plainer than it is. It means what it says, but I repeat that there is nothing in the section requiring an alien or other stockholders to transfer his stock to an American citizen, during war, or an emergency.

Mr. ROBBINS. Does it not discourage the very thing that I am pointing out, namely, our foreign commerce. Both our citizens and our Government after the war is over wish to encourage foreign commerce. One of the ways that we will encourage foreign commerce with other nations is to induce people of other countries that we trade with to become interested in steamship lines that ply between their country and our own.

Mr. SAUNDERS of Virginia. During the war we are interested in maintaining our control over every interest in ships and shipyards owned by American citizens. That is all this section proposes to do.

Mr. ROBBINS. That is true, but I am looking beyond the war. If we make peace terms next year in the present war, and two years later we have a war with Japan, as an illustration only—for I hope we may never have such war or any other war—will not this act be in effect then?

Mr. SAUNDERS of Virginia. Certainly.

Mr. ROBBINS. Will it not have a harmful effect on prospective investors in shipping securities to pass a law that will forfeit such investments when war occurs?

Mr. SAUNDERS of Virginia. Does the gentleman think that this is wise legislation with respect to the existing war, but that it would be unwise legislation with reference to some hypothetical future war? I do not see how he can draw such a conclusion.

Mr. ROBBINS. The gentleman does not seem to want the act criticized.

Mr. SAUNDERS of Virginia. Yes, I do; I invite all the just criticism that may be made.

Mr. ROBBINS. I say that if this act will defeat the extension of the commerce of the United States it ought not to be passed. By holding out a threat to foreign investors who would invest in shipping generally with us, to enact any law that would deter those investors, in case of war their interests would be in jeopardy and they would have to offer such investments for sale.

Mr. SAUNDERS of Virginia. Why does the gentleman make that statement when there is not a word, or a line in the act that will support such a conclusion. The act deals with citizens of the United States and with transfers on their part.

Mr. ROBBINS. The bill, in section 37, provides, by the use of the words continually "or any interest therein," just such result. That means the control of the minority stockholders.

Mr. HARDY. Will the gentleman yield to me, to see if I can make it clear?

Mr. ROBBINS. I yield.

Mr. HARDY. It simply means that while we are at war—this war or any other war just like it—during that war no American citizen owning a ship shall be allowed to sell that ship to a foreigner without the consent of the Shipping Board. That is all it means—that no American citizen during this war may sell any ship that he owns, or any interest in a ship that he owns, to a foreigner without the consent of the Shipping Board. It is as plain as it can be.

Mr. ROBBINS. What about the minority's interest? It surely is forfeited by the provisions of this act in its present form.

Mr. WALSH rose.

Mr. SAUNDERS of Virginia. Mr. Chairman, just a word. This matter I think has been pretty well developed. The gentleman from Pennsylvania first presents a proposition of construction and then one of policy. With respect to the proposition of construction or interpretation I undertake to say, as I have said before, that there is nothing in the law that requires—to use his own illustration—the Brazilian stockholder after war is declared, to transfer his interest in an American ship to an American. So much for the proposition of construction. With reference to the proposition of policy, if it is admitted that the law is a wise one with reference to the existing war, why, as a matter of policy, would it not be a wise one with reference to some future war? Why would it not be as good policy then as now to retain control over American ships and shipyards during the pendency of war?

The gentleman asks a question about the minority interests. We go further in this emergency clause than in the permanent portion of the law with respect to minority interests. In the permanent portion of the law we do not forbid the transfer of minority interests. The provisions of permanent law in this connection relate to the controlling interests; but under the emergency section, having in mind its great purpose, which is to maintain the absolute control of the United States over all interests in shipping and shipyards owned by citizens of the United States, we do provide not only with reference to the controlling interests, but with reference to the minority interests, "that neither shall be mortgaged, sold, or in anywise transferred during the war, or the emergency declared by the President, without the consent of the Shipping Board." Does not the gentleman agree with me that what may be wise and necessary as an emergency proposition, need not be repeated in the permanent law?

Mr. WALSH. Mr. Chairman, the gentleman from Virginia [Mr. SAUNDERS] has expressed very clearly the thoughts which I had in mind as to what this section contains. The gentleman from Pennsylvania [Mr. ROBBINS] is a very close student of legislation here, and usually criticisms which he makes are well founded as to construction to be placed upon legislation. The words which seem to give him difficulty are "any interest therein" referring to vessels or charters. I agree fully with the committee and think their language is phrased here so that there can be no misinterpretation about it, and that the authority which they seek to put into force is that in the case of the existing war, or in case of a future war, with reference to vessels—and we have to depend on ships for our foreign commerce—when war is declared it shall be impossible for American citizens to transfer their interests in these ships to some foreign corporation or citizenship and thereby, to that extent, place beyond our control and jurisdiction these ships engaged in foreign commerce. In other words, we seek to maintain the ownership of those vessels in the same situation that they were immediately before the war was declared, and I submit that that should be so—that it is a poor time in time of war to let the control or ownership of our shipping pass out of the hands of American citizens; that it ought to be kept in the same control and subject to the same jurisdiction that it is in peace times.

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

Mr. WALSH. Yes.

Mr. HARDY. Also just what the gentleman has said in reference to ships is made by section 3 to apply to shipyards.

Mr. WALSH. Yes, of course; and I direct the attention of the gentleman from Pennsylvania to the fact that that applies to shipyards and that in so far as this section is concerned it is surely an emergency section, so to speak, and applies only during the war time, and it would seem to me that this is a good time to announce that policy and to put it into effect and to state that in the future, if we should become involved in any other war, which we all hope and pray we may not, this legislation shall then become effective and that the ownership of ships and vessels and shipyards shall be held, so to speak, in statu quo upon the outbreak of the war, and that these persons shall not be permitted to divest themselves of ownership and thereby put themselves to that extent out of the jurisdiction and control of the United States authorities, which are supposed to exercise jurisdiction over these vessels engaged in foreign commerce. If the gentleman will read the various subsections and section 37 again, in consideration with what the chairman of the committee and the gentleman from Virginia [Mr. SAUNDERS] have said, I think he will see that it is not susceptible to the interpretation which he puts upon it, and that the words "or any interest therein" need not give him the concern which he expressed.

The Clerk read as follows:

SEC. 39. That in any action or proceeding under the provisions of this act to enforce the forfeiture of any vessel or interest therein or of any stocks, bonds, or any other securities, the conviction in a court of criminal jurisdiction of any person for a violation thereof with respect to such vessel or to such stocks, bonds, or other securities, shall constitute prima facie evidence of such violation against the person so convicted.

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

The Clerk read as follows:

Page 7, line 20, after the word "enforce," strike out the word "the" and insert in lieu thereof the word "a," and in line 20, after the word "forfeiture," strike out the words "of any vessel or interest therein or of any stocks, bonds, or any other securities," and in line 23, after the word "respect," strike out the words "such vessel or to such stocks, bonds, or other securities" and insert in lieu thereof the words "the subject matter of the forfeiture."

Mr. ALEXANDER. "The subject of the forfeiture" would be better language. So it would read.

The Clerk read as follows:

That in any action or proceeding under the provisions of this act to enforce a forfeiture the conviction in a court of criminal jurisdiction of any person for a violation thereof in respect to the subject of the forfeiture shall constitute prima facie evidence of such violation against the person so convicted.

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

The Clerk read as follows:

SEC. 40. That whenever any bill of sale, mortgage, hypothecation, or conveyance of any vessel, or part thereof, or interest therein, is presented to any collector of the customs to be recorded, the vendee, mortgagee or transferee shall file therewith a written declaration in such form as the board may by regulation prescribe, setting forth the facts relating to his citizenship, and such other facts as the board requires, showing that the transaction does not involve a violation of any of the provisions of sections 9 or 37. Unless the board, before such presentation, has failed to prescribe such form, no such bill of sale, mortgage, hypothecation, or conveyance shall be valid against any person whatsoever until such declaration has been filed. Any declaration filed by or in behalf of a corporation shall be signed by the president, secretary, or treasurer thereof.

Whoever knowingly makes any false statement of a material fact in any such declaration shall be guilty of a misdemeanor and subject to a fine of not more than \$5,000, or to imprisonment for not more than five years, or both.

Mr. ROBBINS. Mr. Chairman, I move to strike out the last word for the purpose of asking a question with reference to evidence required there as to ownership in a corporation. Why is it not better to provide that such evidence shall also be accompanied by a certified resolution of the board of directors instead of a statement just signed by the president, secretary, and treasurer? There are some jurisdictions in which that is required as evidence of corporate action. It is best evidence of corporate action to require a certified copy of the action of the board of directors under the seal of the corporation. That is really the evidence of corporate action, and the best evidence. I should think in a case of this kind, involving the title to a ship or other property, that such evidence should be produced.

Mr. ALEXANDER. Has the gentleman read section 41?

Mr. ROBBINS. Yes; I have read it through. I am speaking of the evidence of corporate action required here in this section.

Mr. ALEXANDER (reading):

"Section 40 further facilitates the practical enforcement of the new provisions by requiring a declaration to be filed with all bills of sale, mortgages, hypothecations, or conveyances recorded with collectors of customs, setting forth the facts relating to the citizenship of the vendee, mortgagee, or transferee; and a heavy penalty is provided for any person who knowingly makes a material false statement in such declaration. This section will call to the attention of shipowners and their brokers and attorneys the prohibitions of the law and will make it easier to nip in the bud any attempted violation. In its phraseology the section follows the language of the present Federal recording act (R. S., 4192), except that until the statement is filed the transaction is declared to be invalid against any person whatsoever. Under existing law, unrecorded instruments of this character are invalid against 'any person other than the grantor or mortgagor, his heirs and devisees, and persons having actual notice thereof.' This modification is necessary to effectuate the purpose of absolutely preventing sales, mortgages, or conveyances to persons whose citizenship is not certified to."

Mr. ROBBINS. Well, I am only making the suggestion. I am not going to offer an amendment. I am speaking of the corporate action of a corporation and the evidence thereof. Of course, evidence of the action of a corporation would be fully set out by such resolution.

Mr. ALEXANDER. This is a question of proof of the requirements of sections 9 and 37.

Mr. HARDY. I think the gentleman has in mind the action of the corporation selling their interest. That might be required to be of record, but this section is to affect the buyer and to determine the citizenship, and see it is in compliance with the law.

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn.

There was no objection.

The Clerk read as follows:

SEC. 42. That any vessel registered, enrolled, or licensed under the laws of the United States shall be deemed to continue to be documented under the laws of the United States within the meaning of subdivision (b) of section 37, until such registry, enrollment, or license is surrendered with the approval of the board, the provisions of any other act of Congress to the contrary notwithstanding.

Mr. WALSH. Mr. Chairman, I move to strike out the last word in order to ask the chairman of the committee, or some member of it, whether the definition of "vessel" as set out in this act would include the class of craft which we provided for the other day to be documented—usually yachts or small fishing craft. I think it was over 16 feet long—

Mr. ALEXANDER. Under the definition of "documented" vessels, in the first section of this bill, are included vessels registered and enrolled or licensed under the laws of the United States which would not include any vessel of less than 20 tons register.

Mr. WALSH. It would not include those smaller craft, the registration for which we provided the other day?

Mr. ALEXANDER. No; that is, in the bill for numbering the gentleman means.

Mr. WALSH. For numbering.

Mr. ALEXANDER. No; it would not affect them.

Mr. WALSH. So as to fishermen having small craft of 16 to 18 tons and wanting to sell them to some person who is not a citizen it would not apply?

Mr. ALEXANDER. No.

Mr. ROBBINS. Mr. Chairman, I want to ask a question suggested by the question of the gentleman from Massachusetts. This applies to all water craft. Would it apply—

Mr. ALEXANDER. It does not apply to all water craft. It applies to vessels of 20 tons and over.

Mr. ROBBINS. I mean in excess of 20 tons. Does it apply to craft employed on rivers in domestic commerce?

Mr. ALEXANDER. All rivers, lakes, bays, sounds, and the ocean.

Mr. ROBBINS. Would it apply to the Monongahela River craft?

Mr. ALEXANDER. I suppose it would, if there is any craft on the Monongahela River of 20-ton registry or over.

Mr. ROBBINS. There is a great deal of it there. In fact, there are thousands of tons of it. The commerce on the Monongahela is the largest of any inland stream.

Mr. ALEXANDER. I understand. I apprehend the Shipping Board would not place any limitations on any craft of that sort unless it should become necessary as a war measure; but on the seacoasts during the period of the war it may be quite necessary for the Shipping Board to have supervision over all vessels to which the bill applies.

Mr. ROBBINS. I can understand why it should apply to seacoast craft, but why should it apply to inland streams like the Monongahela and Ohio?

Mr. ALEXANDER. We might have put in exceptions of that sort if it had been thought necessary, but we hardly thought it was necessary to do so. We will assume that the Shipping Board is composed of men of average intelligence, that they are thoroughly patriotic, and that they want to facilitate our commerce and not place any obstacles in the way of legitimate enterprise and will administer this law in a reasonable way.

Mr. WALSH. Will the gentleman state what was in contemplation in the definition of "vessel" when they said "all water craft and other artificial contrivances of whatever description"? Is that in the present law?

Mr. ALEXANDER. That is the language of the existing law and had been from time immemorial. The word "vessel" includes every description of water craft and every contrivance capable of being used in transportation by water. That is the definition given of vessel in the Revised Statutes.

Mr. WALSH. I wondered what that included.

Mr. ALEXANDER. It does not say just what it includes.

Mr. WALSH. It does not permit much of anything to escape that will float?

Mr. ALEXANDER. That is the existing law, and has been, as I have said, for a long time.

Mr. ROBBINS. I presume that relates to these hydroplanes that are being built, and to keep them from going into the ownership of foreign countries.

Mr. ALEXANDER. Possibly.

The Clerk read as follows:

SEC. 5. That this act may be cited as "Shipping act amendment, 1918."

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word. I wish to inquire in all seriousness, What is the need of section 5? I question whether heretofore we have adopted any such policy of describing an act that was amendatory of another act that it should be known as an amendment of said act.

Mr. ALEXANDER. It is a matter of convenience. The committee is not wedded to it, but this is a very comprehensive piece of legislation, and in referring to it for the purpose of amendment or in the way of citation in any decision by the court it would be much more convenient to say "shipping-act amendment, 1918." I think that is sufficient reason.

Mr. STAFFORD. As suggested by the gentleman from Massachusetts, it might lead to confusion.

Mr. ALEXANDER. The purpose of it is to prevent confusion.

Mr. STAFFORD. I do not see where it would be serviceable at all in referring to this act. I can see the reason for describing the principal act as "the shipping act of 1916."

Mr. ALEXANDER. Well—

Mr. STAFFORD. Mr. Chairman, I move to strike out section 5.

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

The Clerk read as follows:

Amendment offered by Mr. STAFFORD: Page 10, strike out section 5.

The CHAIRMAN. The question is on the amendment.

Mr. WALSH. Mr. Chairman, I have listened to what the chairman said with reference to this section, and I can see the purpose the committee had, but inasmuch as we are amending the shipping act and provide in the last section of the shipping act as amended that it shall be known as the shipping act, it would seem to me that it would be unnecessary to cite that amendment as the shipping-act amendment.

Mr. ALEXANDER. For that reason I am willing to concede the amendment.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. ALEXANDER. Mr. Chairman, I move that the committee do now rise and report the bill to the House as amended, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. SHALLENBERGER, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the bill H. R. 12100, had directed him to report the same to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The SPEAKER. Is a separate vote demanded on any amendment? [After a pause.] If not, the Chair will put them in gross.

The amendments were agreed to.

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

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

Mr. ALEXANDER. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the Record, and also that all those who have spoken on the bill may be permitted to revise and extend their remarks.

The SPEAKER. The gentleman from Missouri asks unanimous consent that all those who have spoken on the bill may be permitted to revise and extend their remarks. Is there objection?

Mr. WALSH. Reserving the right to object, will the gentleman say "within five days"?

Mr. ALEXANDER. Yes; within five days.

The SPEAKER. Within five legislative days. Is there objection?

There was no objection.

PREScription OF CHARTER RATES AND FREIGHT RATES.

Mr. ALEXANDER. Mr. Speaker, I desire to call up the bill H. R. 12099, and move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of that bill.

The SPEAKER. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 12099) to confer on the President the power to prescribe charter rates and freight rates and to requisition vessels, and for other purposes.

The SPEAKER. The gentleman from Missouri 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. 12099.

ADJOURNMENT.

Mr. ALEXANDER. Pending that motion, Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 5 minutes p. m.) the House adjourned until to-morrow, Thursday, June 20, 1918, 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 Acting Secretary of the Treasury, transmitting communication from the Assistant Attorney General submitting a list of judgments rendered by the Court of Claims in favor of claimants in Indian depredation cases, which require an appropriation for their payment (H. Doc. No. 1178); to the Committee on Appropriations and ordered to be printed.

2. A letter from the Acting Secretary of the Treasury, transmitting a judgment rendered against the Government by the district court of the United States for the district of Maryland, under the provisions of the act of August 9, 1916 (H. Doc. No. 1179); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. MONTAGUE, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 12179) extending the time for the construction of a bridge across the Monongahela River at or near the city of Fairmont, W. Va., reported the same with amendment, accompanied by a report (No. 670), which said bill and report were referred to the House Calendar.

Mr. CRAGO, from the Committee on Military Affairs, to which was referred the bill (S. 3735) to provide for enlistments in the National Guard of the District of Columbia, and for other purposes, reported the same with amendment, accompanied by a report (No. 671), 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. DENT: A bill (H. R. 12509) providing extra compensation for work done for the War Department by certain employees thereof during the time for which leave of absence is granted by law; to the Committee on Military Affairs.

By Mr. Sisson: A bill (H. R. 12510) to tax the manufacture and sale of deadly weapons, and for other purposes; to the Committee on Ways and Means.

By Mr. CAREW (by request): A bill (H. R. 12511) to amend the Federal income-tax law approved September 8, 1916, as amended October 3, 1917, to provide for the encouragement of home building and housing by cooperation; to the Committee on Ways and Means.

By Mr. RUCKER: A bill (H. R. 12512) to amend section 3 of an act entitled "An act to amend an act entitled 'An act to authorize the establishment of a Bureau of War-Risk Insurance in the Treasury Department,' approved September 2, 1914, and for other purposes," approved October 6, 1917; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BYRNS of Tennessee: A bill (H. R. 12513) granting an increase of pension to Henry S. Robert; to the Committee on Invalid Pensions.

By Mr. CAREW: A bill (H. R. 12514) granting a pension to Margaret F. Gallagher; to the Committee on Pensions.

By Mr. COSTELLO: A bill (H. R. 12515) granting a pension to Elizabeth Harmoning; to the Committee on Invalid Pensions.

By Mr. DOREMUS: A bill (H. R. 12516) granting a pension to Pierre L. Carmouche; to the Committee on Pensions.

Also, a bill (H. R. 12517) granting a pension to Sophia Bruder; to the Committee on Pensions.

By Mr. STEPHENS of Mississippi: A bill (H. R. 12518) for the relief of the Davis Construction Co.; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Resolution of the National Society of Sons of the American Revolution, asking that German-language publications be discontinued; to the Committee on the Judiciary.

Also, resolutions of a mass meeting held in the largest church in Piedmont, Mo., and of the delegate convention of the Woman's Christian Temperance Union of Lorain County, Ohio, urging prohibition during the period of the war; to the Committee on the Judiciary.

Also (by request), resolution of the National Society of the Sons of the American Revolution, asking that the teaching of the German language in the public schools be discontinued; to the Committee on Education.

Also (by request), petition of citizens of Centralia, Mo., protesting against the zone system of postage for periodicals and asking for its repeal; to the Committee on Ways and Means.

Also (by request), petition of F. P. Wood, osteopathic physician, St. Louis, Mo., favoring House bill 5407; to the Committee on Military Affairs.

By Mr. BROWNING: Petition of 284 citizens of Collingswood, N. J., urging Nation-wide prohibition during the period of the war; to the Committee on the Judiciary.

By Mr. COOPER of Wisconsin: Petitions of residents of Oconomowoc, Ixonia, La Prairie, and Turtle; members of the Methodist Episcopal Church at Shopiere, Brookfield, Pewaukee, Elkhorn, and Clinton Junction; members of the Congregational Church at Evansville; members of the Baptist Church at Union Grove and Elkhorn; members of Lodge No. 322, Independent Order of Odd Fellows, Milton; members of Women's Study Circle, Orfordville; and members of Student Defense Council of Madison, all in the State of Wisconsin, asking that legislation be enacted by Congress to prohibit the manufacture and sale of intoxicating liquors during the war; to the Committee on the Judiciary.

By Mr. ELSTON: Memorial of the Shipyard Riggers' Union, No. 15678, of Oakland, Cal., favoring repeal of zone-rate postal legislation; to the Committee on Ways and Means.

By Mr. LINTHICUM: Memorial of the Baltimore Federation of Labor, urging the passage of House bill 123; to the Committee on Labor.

Also, petition of Edwin T. Daneker, of Baltimore, Md., urging the immediate passage of House bill 6421; to the Committee on Invalid Pensions.

Also, resolution of the Baltimore clearing house and letters of the American Bank of Baltimore and of the Farmers & Merchants National Bank, protesting against the passage of Senate bill 4426; to the Committee on Banking and Currency.

Also, petition of Dr. Robert R. Keiningham, of Baltimore, urging the passage of House bill 5407; to the Committee on Military Affairs.

Also, petition of George B. Sammons, Baltimore, Md., favoring increased pay for pressmen in the Government Printing Office; to the Committee on Appropriations.

Also, petition of W. P. Summers, of Baltimore, Md., favoring the Jones amendment to the food-emergency bill; to the Committee on Agriculture.

Also, petition of the International Bedding Co. and the Diamond Pillow, Feather & Down Co., both of Baltimore, and Evans Bros., of Elkton, Md., protesting against the repeal of the second-class mail provisions of the war-revenue act; and of H. W. Porter, of Baltimore, Md., asking for the repeal of this legislation; to the Committee on Ways and Means.

Also, petition of Guy K. Mitchell, of Baltimore, urging partial payments of income and excess-profits taxes; to the Committee on Ways and Means.

By Mr. MAGEE: Petition of Mr. Charles T. Brockway, of Syracuse, N. Y., favoring the early passage of a war prohibition measure; to the Committee on the Judiciary.

Also, petition of Rev. A. F. Brown and others, of Pompey, N. Y., favoring the early passage of a war prohibition measure; to the Committee on the Judiciary.

Also, petition of the East Syracuse Woman's Christian Temperance Union, for the passage of a bill to prohibit the use of foodstuffs for the manufacture of intoxicating liquors and to

limit all intoxicating liquors now on hand to nonbeverage purposes; to the Committee on the Judiciary.

By Mr. RAKER: Resolution adopted by the Newhall and Saugus Branch of the Red Cross, asking for war prohibition; to the Committee on the Judiciary.

Also, petition signed by the majority of the representative people of Quincy, Cal., protesting against the zone system; to the Committee on Ways and Means.

By Mr. ROWLAND: Resolution adopted at a public meeting in the city of Bradford, Pa., June 17, 1918, to amend the Federal Constitution in regard to polygamy and polygamous cohabitation; to the Committee on the Judiciary.

By Mr. SNELL: Petition of the Spanish-American War veterans of Clinton County, N. Y., for passage of bill to pension widows and minor children of officers and enlisted men who served in the War with Spain, Philippine insurrection, or in China; to the Committee on Pensions.

Also, petition of First Baptist Church, Malone, N. Y., favoring the prohibition of the beverage liquor traffic during the period of the war as a war measure; to the Committee on the Judiciary.

Also, petition of United Presbyterian Church, Lisbon, N. Y., for the passage of a bill to prohibit effectively the use of any kind of foodstuffs during the war for the manufacture of intoxicating beverages and to limit all intoxicating liquors now on hand to nonbeverage uses; to the Committee on the Judiciary.

SENATE.

THURSDAY, June 20, 1918.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, at this sacred moment dedicated to the thought of God, we bow in Thy presence to lift our hearts to Thee for Thy guidance this day. Thou hast been pleased to call these Thy servants into a place of ever-increasing responsibility, facing problems unsolved and which will yield their secret only to men whose hearts are right toward Thee. Grant us this day Thy guidance and blessing, that we may do all things according to Thy will and advance the interests of Thy kingdom through the work of the day. For Christ's sake. Amen.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. ASHURST and by unanimous consent, the further reading was dispensed with and the Journal was approved.

WOMAN SUFFRAGE.

Mr. HOLLIS. Mr. President, I am instructed by the Committee on Woman Suffrage to give notice that a week from to-day or as soon thereafter as the parliamentary situation will permit some member of the Woman Suffrage Committee will move to proceed to the consideration of the joint resolution (H. J. Res. 200) proposing an amendment to the Constitution of the United States conferring upon women the right of suffrage.

Mr. SMOOT. Will the Senator yield?

Mr. HOLLIS. I yield.

Mr. SMOOT. Would it not be well to have the Senator give notice that the joint resolution will be called up upon a certain day, because if that notice is not given Senators will not know whether it is going to be brought up or not. There is no business before the Senate now which is so pressing that the vote can not be taken upon the day for which the notice will be given. I wish the Senator would give a notice, and that would be a notice to Senators who want to vote for it to be here and to those who want to vote against it to be here, and there will be no excuse for not taking the vote on that day.

Mr. HOLLIS. I gave the instruction of the committee exactly as it was given to me. The matter was thoroughly considered by the committee and it was supposed that there would be nothing in the way so that the joint resolution could be taken up a week from to-day, which will be next Thursday. It is the intention of the committee to have the chairman if he is here, if not to have the vice chairman, move to proceed to the consideration of the joint resolution on Thursday of next week, a week from to-day.

Mr. TOWNSEND. Mr. President—

Mr. HOLLIS. I yield.

Mr. TOWNSEND. I regret exceedingly that the committee has come to the decision which it has reached on this subject. I am interested in the joint resolution and would like very much to be present to vote for it when it comes up, but after to-morrow night it will be impossible for me to be here within

the next two weeks. Arrangements have been made affecting sickness in my family which I must meet. I had not supposed that there was any thought of bringing the matter up at this session of Congress, from what has been said heretofore.

I do not know that I should have made any arrangements if I had been notified in advance, but I repeat, I am exceedingly sorry that in a matter which is evidently going to be discussed it will not be possible for me to be present within that time.

Mr. HOLLIS. The committee very carefully considered the matter of absences, and the reason why they decided to ask for a vote as early as next week, Thursday, is that so many Senators are planning to go away about the 1st of July. The committee wanted the Senate to have fair notice, so that everyone might be present and vote for or against the measure. It seemed wise to us to put it before the 1st of July, and to put it before the end of the week, so that there might be a day or two for discussion in case there is discussion. I notified one who may be considered the leader on the other side yesterday, and he told me he thought we could agree practically not to have much discussion but to vote next week, Thursday. I believe myself that that can be brought about. I think there will be a few speeches, perhaps, on both sides, but no intention to filibuster.

Mr. ASHURST. Mr. President—

Mr. HOLLIS. I yield.

Mr. ASHURST. Just for a moment. There is one Senator who is a very earnest advocate of this proposed amendment to the Constitution who is absent many miles, and is very likely to be away at that time. If we are to vote on Thursday, I wish to telegraph him, he having a long distance to come.

Mr. HOLLIS. If the committee is able to bring about a vote next Thursday, it will do so, and it has every reason to think that it can.

Mr. ASHURST. The only point is whether I can notify him that a vote will be taken on that day.

Mr. HOLLIS. I think both sides have about decided to vote on that day.

Mr. LODGE. Mr. President, I have just come into the Chamber. I understand the Senator from New Hampshire is simply giving a notice. He is not asking an agreement now to vote at any time?

Mr. HOLLIS. I am not.

In this connection, Mr. President, I desire to read a resolution passed by the American Federation of Labor at its annual convention at St. Paul, June 14, 1918:

Resolution passed by the American Federation of Labor at St. Paul, June 14, 1918.

Whereas the American Federation of Labor and its affiliated bodies have repeatedly urged upon the legislators of this country the essential justice and economic need of equal suffrage for women and men; and

Whereas the military needs of the country are drawing millions of men out of industry and women are filling their places; and

Whereas this substitution of voteless women for voting men inflicts upon us, the working people of the Nation, an acute injustice by cutting down our voting strength and our share in the control of our Government: Therefore, be it

Resolved, That the American Federation of Labor in convention assembled considers this injustice no longer tolerable and demands in behalf of the working people of the United States that the United States Senate take immediate action to enfranchise the women of this Nation by passing the Federal women's suffrage amendment now pending in that body.

Though not directly related but somewhat connected with this matter I also wish to put in the RECORD a telegram from St. Paul, dated June 19, 1918:

ST. PAUL, MINN., June 19, 1918.

Hon. HENRY F. HOLLIS,
United States Senate, Washington, D. C.:

American Federation Labor now in convention here unanimously adopted following resolution:

"Whereas 4,000 women operatives employed in the United States Bureau of Engraving and Printing at Washington are paid but \$1.92 to \$2.24 per day; and

"Whereas this scale represents for the majority of these women no increase for 15 years, although the pay of the greater portion of the male forces of the bureau has been increased since the war began and the pay of the women operatives is less than the wage paid to unskilled male labor in the bureau; and

"Whereas the Director of the Bureau of Engraving and Printing and the President of the United States have recommended that Congress appropriate sufficient funds to bring the pay of the women operatives up to the minimum of \$920 per year: Therefore, be it

Resolved, That the thirty-eighth annual convention of the American Federation of Labor hereby urges upon Congress the importance of bringing the wage scale of Government departments into conformity."

Mr. SMITH of Arizona. Mr. President, I make a point of order against the reading of these things into the RECORD. I was not here at the beginning. I do not know what it is, and it is immaterial to the Committee on Printing what it is, but I object to its being printed in the RECORD.