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

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

The Senator from Connecticut [Mr. BRANDEGEE] with the Senator from Tennessee [Mr. SHIELDS];

The Senator from West Virginia [Mr. GOFF] with the Senator from Oklahoma [Mr. OWEN];

The Senator from New York [Mr. WADSWORTH] with the Senator from New Hampshire [Mr. HOLLIS]; and

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

The result was announced—yeas 35, nays 17, as follows:

YEAS—35.

Beckham	Johnson, S. Dak.	Pollock	Smith, Ga.
Colt	Jones, N. Mex.	Pomerene	Smith, S. C.
Curtis	McCumber	Ransdell	Smoot
Dillingham	McKellar	Reed	Spencer
Fletcher	Martin, Va.	Shafroth	Swanson
Gay	Moses	Sheppard	Thomas
Hardwick	Mulkey	Sherman	Warren
Henderson	Overman	Simmons	Wolcott
Hitchcock	Penrose	Smith, Ariz.	

NAYS—17.

Borah	Kenyon	Nelson	Sterling
Frelinghuysen	King	Norris	Vardaman
Gronna	Kirby	Nugent	
Harding	La Follette	Poindexter	
Jones, Wash.	Lenroot	Robinson	

NOT VOTING—44.

Ashurst	Gerry	McLean	Smith, Mich.
Baird	Goff	Martin, Ky.	Sutherland
Bankhead	Gore	Myers	Thompson
Brandegee	Hale	New	Townsend
Calder	Hollis	Owen	Trammell
Chamberlain	Johnson, Cal.	Page	Underwood
Culberson	Kellogg	Phelan	Wadsworth
Cummins	Kendrick	Pittman	Walsh
Fall	Knox	Saulsbury	Watson
Fernald	Lewis	Shields	Weeks
France	Lodge	Smith, Md.	Williams

So the amendment of the committee was agreed to.

RECESS.

Mr. SIMMONS. I move that the Senate take a recess until 12 o'clock to-morrow.

The motion was agreed to; and (at 5 o'clock and 7 minutes p. m.) the Senate took a recess until to-morrow, Tuesday, December 17, 1918, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

MONDAY, *December 16, 1918.*

The House met at 12 o'clock noon.

The Rev. Earle Wilfley, of the Vermont Avenue Christian Church, Washington, D. C., offered the following prayer:

O God, our Heavenly Father, we thank Thee this morning for the honors that have come to our country in these wonderful days at home and abroad; but we pray Thee, Heavenly Father, that these honors may be borne humbly and becomingly, and that greater honors may come to our great land, to its flag, and its Government because of the humanitarian principles for which we stand and the righteousness that exalteth a nation. So wilt Thou be pleased to-day to be with the sessions of this Congress, with all the deeds of those in high authority, and with all who have a part in the ongoing of our country and its cause. We ask for Thy name's sake. Amen.

The Journal of the proceedings of Saturday, December 14, 1918, and the Journal of the proceedings of Sunday, December 15, 1918, were read and approved.

HON. CARTER GLASS.

The SPEAKER. The Chair desires to state that he has a private letter from the Hon. CARTER GLASS, which, it seems to him, is really addressed to the House, and if there be no objection the Chair will have it read and put into the RECORD. [After a pause.] The Chair hears no objection and the Clerk will read.

The Clerk read as follows:

HOUSE OF REPRESENTATIVES,
COMMITTEE ON BANKING AND CURRENCY,
December 16, 1918.

To the SPEAKER OF THE HOUSE OF REPRESENTATIVES:

Because I can not trust myself from my place on the floor to tell how greatly distressed I am to sever a long-time association with the Congress as Member of the House from the sixth Virginia district, I ask leave to use this method of saying a parting word. My service of nearly nine terms ends to-day, when at noon I shall enter on a new task as Secretary of the Treasury. While I reckon at its very highest value the great honor attaching to the President's invitation to a seat in his Cabinet, I would like my colleagues to believe that no distinction ever has or ever can come to me which will be cherished above the personal affection and the generous confidence shown me by my legislative comrades at the Capitol.

To my political adversaries not one whit less than to intimate party friends am I indebted for invariable courtesy and a quite notable purpose, as far as my work was concerned, to aid in every perplexing situation where helpful counsel and patriotic cooperation were required to accomplish sane results.

With a very real appreciation of the great opportunities as well as of the grave difficulties of the Treasury portfolio, I shall approach them with painful misgivings as to my fitness for the test; but, in any event, I will confidently entertain the hope that I shall have the best wishes of the Congress in an honest endeavor wisely to use the opportunities presented and its indispensable aid in attempting to subdue the difficulties encountered.

With assurances of personal esteem, believe me, my dear Mr. Speaker,

Sincerely, yours,

CARTER GLASS.

Mr. MANN. Mr. Speaker, I think it may be appropriate for me to say that CARTER GLASS, the new Secretary of the Treasury, certainly has the best wishes of every Member of this House in his new task. I think we all believe that no better selection could have been made for Secretary of the Treasury than the appointment of Mr. GLASS. [Applause.] His service in this House will be of inestimable value to him in the performance of the duties of his new office. He has the respect and the affectionate regard of the Members of Congress, and he has the best wishes of us all at all times personally and for his success officially in his new office. [Applause.]

TRANSPORTATION OF GOVERNMENT EMPLOYEES.

Mr. SHERLEY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 13261) providing for the transportation from the District of Columbia of governmental employees whose services no longer are required, with Senate amendments thereto, disagree to the Senate amendments, and ask for a conference.

The SPEAKER. The gentleman from Kentucky asks unanimous consent to take from the Speaker's table the bill H. R. 13261, with Senate amendments thereto, disagree to the Senate amendments, and ask for a conference. Is there objection?

Mr. MANN. Mr. Speaker, reserving the right to object, what are the Senate amendments?

Mr. SHERLEY. Mr. Speaker, I will ask that the Clerk read the Senate amendments.

The Clerk read as follows:

Page 1, line 14, strike out "March 31" and insert "January 15."

Page 2, lines 12 and 13, strike out the words "The foregoing limitation of 10 days shall operate" and insert "The time within which transportation shall be applied for shall be 20 days."

Mr. SHERLEY. Mr. Speaker, one amendment is as to the length of time in which the act shall be effective, touching those who leave the service, and the other is the date within which claims shall be presented for those who have left the service.

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

Mr. SHERLEY. Yes.

Mr. ASWELL. I would like to inquire whether if a war worker desires to resign and go home, that employee will be included within the terms of the bill, or must there be a discharge?

Mr. SHERLEY. Oh, no. An employee of the Government who resigns would come within the purview of the act provided there was nothing against the service of the employee; that is, that the resignation was not one because of lack of efficient service.

Mr. ASWELL. In the case of a young woman who desires to go home, under these conditions will she be included within the terms of the bill?

Mr. SHERLEY. She will. That is one of the purposes of the bill.

Mr. ASWELL. That is, to encourage them to resign and go home.

Mr. SHERLEY. So far as the reason for asking for a conference is concerned, it seemed that in one instance there was an unnecessary length of time fixed by the Senate, and in the other that the time was curtailed to too short a period. There will be in some of the departments, of necessity, a need for quite a few weeks, perhaps a month or two, of a large number of clerks now engaged to be held without the benefit of this act, while others in that particular department should be dismissed. It seemed to be wise to let the matter go to conference, where the matter could be discussed.

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

Mr. SHERLEY. Yes.

Mr. MANN. In connection with the fixing of the time, is the gentleman able to state to the House how soon the bill, if it is enacted by both bodies, can become a law?

Mr. SHERLEY. Mr. Speaker, the gentleman from Illinois is as good and doubtless a better constitutional lawyer than I.

Mr. MANN. Oh, I do not admit that.

Mr. SHERLEY. The gentleman is aware——

Mr. MANN. I was asking what the practice was going to be.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

Mr. SHERLEY. The gentleman is familiar with the provision of the Constitution which requires that bills that pass the two Houses shall be presented to the President for his approval or disapproval; that when presented to the President, unless disapproved by him, they shall become law within 10 days after such time, unless the Congress by its adjournment has made impossible his action. So I take it this bill will become a law, barring action by the President, in 10 days after its presentation to him.

Mr. MANN. Is the gentleman aware of what the present practice is as to bills sent to the White House?

Mr. SHERLEY. I have no official knowledge.

Mr. MANN. I can inform the gentleman that bills that are now taken by the chairman of the Committee on Enrolled Bills to the White House are received up there and a receipt is given that the bill is received in the absence of the President and for transmission to the President.

The ordinary receipt heretofore has been that the bill has been received by the President on such and such a date. Now they give a receipt that on such and such a date the bill is received in the absence of the President, but I am still curious if anybody can tell how long it will take to transmit a bill to the President, or if it is to be held awaiting his return. That makes quite a difference about a bill.

Mr. GILLETT. I have been told, going a little further than the gentleman has, that they are to be sent to the President in France, and I confess I think that is the right thing to do.

Mr. MADDEN. In the meantime when will it become effective?

Mr. GILLETT. Of course, it will not become a law until it reaches the President and he signs it and it is returned.

Mr. MADDEN. And in the meantime 50,000 or 60,000 people here are on the pay roll who ought not to be there.

Mr. LONGWORTH. I have been told that they would recognize a cable to the effect that the bill had been signed in Paris——

Mr. GILLETT. I had not heard that.

Mr. LONGWORTH. As being the time it would go into effect.

Mr. MANN. I spoke about the official record because I have seen the decision.

Mr. SHERLEY. Mr. Speaker, whatever may be the practice which will be adopted, this particular bill is so drawn that the benefits of the bill will flow irrespective of the particular date that it is going upon the statute books, because provision was made in the terms of the bill for the taking care of those cases where there was separation from the service after a date fixed, and I take it that we need not now engage in discussion touching the probable or proper or actual course that may be followed in connection with the presentation of this bill.

Mr. CANNON. Will the gentleman yield?

Mr. SHERLEY. I yield to the gentleman from Illinois.

Mr. CANNON. After all, under all conditions, does the Vice President become the President?

Mr. SHERLEY. Well, the gentleman's opinion is entitled to weight, and his question indicates an opinion. I came to the conclusion some years ago that a little law will go further before the House than any place in the world. I do not want to illustrate that saying by undertaking now to qualify upon a question of constitutional law. I may have an opinion, but I do not think it is necessary that I should undertake to state one, when every Member probably has one and will continue to have it irrespective of mine.

Mr. CANNON. The question has an interrogation point at the end of it.

Mr. SHERLEY. The gentleman shows his usual skill in interrogation. [Laughter.]

Mr. DENISON. I was going to suggest that perhaps the chairman of the committee or somebody else would present this whole subject to Mr. Burleson——

The SPEAKER. That has got nothing to do with——

Mr. DENISON. And that perhaps they might use the telautograph, by which a bill could be signed in Paris, and have it transmitted by some sort of system to this country by wireless.

Mr. SHERLEY. Well, greater physical difficulties than that have been overcome, I might say to the gentleman.

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

The Clerk announced the following conferees: Mr. SHERLEY, Mr. BYRNS of Tennessee, and Mr. GILLETT.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed the following resolutions:

Resolved, That the Senate expresses its profound sorrow in the death of the Hon. BENJAMIN RYAN TILLMAN, late a Senator from the State of South Carolina.

Resolved, That as a mark of respect to the memory of the deceased the Senate, in pursuance of an order heretofore made, assembles to enable his associates to pay proper tribute to his high character and distinguished public services.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That as a mark of further respect to the memory of the deceased the Senate do now adjourn.

LEAVE OF ABSENCE.

By unanimous consent, Mr. FOCHT was granted leave of absence indefinitely on account of illness in his family.

PRINTING LETTER OF DIRECTOR GENERAL OF RAILROADS AS A HOUSE DOCUMENT.

Mr. SIMS. Mr. Speaker, I ask unanimous consent that the letter written to me by the Director General of Railroads be printed as a House document.

The SPEAKER. Is there objection?

Mr. TREADWAY. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Massachusetts rise?

Mr. TREADWAY. I ask unanimous consent to proceed for two minutes.

The SPEAKER. On the request of the gentleman from Tennessee?

Mr. TREADWAY. I understood that matter had been disposed of.

The SPEAKER. No. Is there objection?

Mr. GILLETT. Mr. Speaker, reserving the right to object, what letter is this?

Mr. SIMS. It is a letter of Director General McAdoo, addressed to myself as chairman of the Committee on Interstate and Foreign Commerce, in which he suggests the continuance of Government operation of railroads for a period of five years.

Mr. GILLETT. I remember the last letter that was sent to the gentleman from a Cabinet officer consisted largely of mutual compliments and laudations, and I thought I should object to any future letters of that kind. I understand this is not of that kind?

Mr. SIMS. This is in the RECORD.

Mr. GILLETT. Why does the gentleman want it printed again?

Mr. SIMS. Because there is a demand and request for it.

Mr. MADDEN. Mr. Speaker, I object.

The SPEAKER. The gentleman from Illinois objects. The gentleman from Massachusetts [Mr. TREADWAY] asks leave to proceed for two minutes. Is there objection?

Mr. RAYBURN. Mr. Speaker, reserving the right to object, on what subject?

Mr. TREADWAY. To submit a letter which I have written in reference to the war-risk insurance matter.

Mr. RAYBURN. I hope the gentleman will not do that and take up any more time on this one question which has been brought up here continually now for a week. The committee, I am sure, is going to report the bill to which the gentleman refers.

Mr. TREADWAY. It was a suggestion to Commissioner Nesbitt in the form of a communication which I thought might be of interest to the House.

Mr. RAYBURN. Mr. Speaker, I object.

The SPEAKER. The gentleman objects.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13261) providing for the transportation from the District of Columbia of governmental employees whose services are no longer required.

RETENTION OF UNIFORM AND PERSONAL EQUIPMENT.

Mr. DENT. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 13366) permitting those who have served in the Army during the present war to retain one complete uniform.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 13366) permitting any person who has served in the Army in the present war to retain his uniform and personal equipment, and to wear the same under certain conditions.

The SPEAKER. Is there objection?

Mr. MADDEN. I ask to have it read.

Mr. MANN. Let it be reported.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

Be it enacted, etc., That any person who served in the United States Army in the present war may, upon honorable discharge and return to civil life, permanently retain one complete suit of outer uniform clothing, including the overcoat, and such articles of personal equipment as may be authorized by the Secretary of War, and may wear such uniform clothing after such discharge: *Provided*, That the uniform above referred to shall include some distinctive mark or insignia to be prescribed by the Secretary of War, such mark or insignia to be issued by the War Department to all enlisted personnel so discharged.

SEC. 2. That all acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

Mr. MANN. Reserving the right to object, may I ask the gentleman, first, if it requires legislation in order to do this?

Mr. DENT. That is the opinion of the War Department, and I think that is correct.

Mr. MONDELL. Will the gentleman yield?

Mr. MANN. Have they issued an order on the subject?

Mr. DENT. They have issued an order that a uniform may be retained for four months, and then returned to the Government.

Mr. MANN. That order was issued some time ago?

Mr. DENT. That order was issued some time ago.

Mr. MANN. The statement was made that they had issued a new order. Has that been done?

Mr. DENT. I do not know of any new order. This bill was prepared, I will state to the gentleman, by the War Department, and has the approval of the Secretary of War, and is drawn and reported by the committee exactly as it was prepared, with the use of the word "personal" before "equipment," so as to exclude the idea that the Government would distribute any arms.

Mr. MANN. If the gentleman will permit, I have read in one of the papers here that such a bill had been prepared, and that the Secretary of War had anticipated the passage of it and had issued an order. The statement was made as coming from the Secretary himself, and I wondered whether the Secretary was seeking to obtain credit for the order ahead of the action by Congress, or whether action by Congress was required. The paper stated that the Secretary had done all this himself.

Mr. DENT. I will state to the gentleman that I have not seen the article in the paper myself and know absolutely nothing about it, but I assume that the Secretary would not have sent to me, as chairman of the committee, a bill upon this subject and requested its passage unless it was necessary.

Mr. MANN. I notice this bill requires some distinctive badge or mark placed upon the uniform of the enlisted man. What is that for?

Mr. DENT. To show he is not in the service.

Mr. MANN. Why should it not apply, then, to officers who are also discharged?

Mr. DENT. I think it should apply to officers.

Mr. MANN. The bill does not apply to officers. Why should an officer with his uniform make out that he is still in the Army when he has taken his discharge?

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

Mr. DENT. In one minute.

Mr. PADGETT. I would like to ask the gentleman if that ought not to apply to the Navy also?

Mr. DENT. I think it ought to apply to officers.

Mr. TILSON. The giving of the device is only to enlisted men, but if the gentleman will read the early part of the bill he will see that it says "any person who served," and so forth.

Mr. DENT. It only requires a distinctive mark to be placed upon the enlisted man's uniform.

Mr. McKENZIE Will the gentleman yield? I will simply state that in the national-defense act there is now a law covering the uniforms of officers, and it provides on what occasions they may wear the uniform. And inasmuch as the officer owns his uniform, there is a very great distinction between the uniforms of officers and those of private soldiers. And one of the purposes of permitting these young men to have one uniform and to wear it continuously, perhaps until it is worn out, is the fact that they will save millions and millions or conserve millions and millions of dollars' worth of wool. And it is not only economical, in my judgment, but just.

Mr. DENT. I know.

Mr. MANN. There is not any question about that. This is new law. It apparently permits an officer to wear his uniform without any distinguishing mark. My colleague from Illinois [Mr. McKENZIE] is usually correct, but I am not sure about this matter.

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

Mr. DENT. Let me make this suggestion, Mr. Speaker: I think the point made by the gentleman from Illinois [Mr. MANN] is well taken, and I am going to ask to amend the bill on page 2, line 1.

The SPEAKER. You can not do it now. Unanimous consent has not been given for the consideration of the bill as yet.

Mr. DENT. I suggest this amendment in advance of unanimous consent—that the bill be amended, on page 2, line 1, by inserting, after the word "all," the words "officers and."

Mr. MANN. That could be reached by striking out the word "enlisted." in line 1, page 2.

Mr. TILSON. If the gentleman will yield, it seems to me that what this proviso means is that the War Department shall furnish to the enlisted men this insignia. It says "that the uniform above referred to shall include some distinctive mark or insignia to be prescribed by the Secretary of War." Then, as a distinctive proposition, it provides that in the case of enlisted men it shall be furnished by the War Department. This is the construction I put upon the provision.

Mr. DENT. I do not think there can me any possible objection to adopting the suggestion of the gentleman from Illinois [Mr. MANN] that there should be a distinctive mark upon the uniform of the officer who has been discharged or who has retired from the service as well as on the uniform of the enlisted man.

Mr. TILSON. I think that is taken care of in this proviso, when it says "that the uniform above referred to shall include some distinctive mark or insignia to be prescribed by the Secretary of War, such mark or insignia to be issued by the War Department to all enlisted personnel so discharged." The enlisted personnel is provided for, and is the only portion of the Army provided for in the issue of the prescribed insignia.

Mr. DENT. Well, certainly there can not be any objection to making the law clear. I do not think there should be any distinction. It should include the officer as well as the enlisted man.

Mr. TILSON. It is already clear, but I see no objection to the War Department furnishing the insignia to officers as well. That is what the gentleman's amendment provides for—that the War Department shall furnish the insignia to the officers as well as to the enlisted men.

Mr. POU. The gentleman from Connecticut is absolutely right, I submit.

Mr. TILSON. The language is as clear as day.

Mr. POU. It does not need any amendment.

Mr. GILLETT. It does not need any amendment at all. It is all right as it is.

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

Mr. DENT. Yes.

Mr. ROGERS. Can the gentleman tell us what is intended to be included in the phrase on line 7, "and such articles of personal equipment as may be authorized by the Secretary of War"? The soldier is permitted to retain "one complete suit of outer uniform clothing, including the overcoat, and such articles of personal equipment as may be authorized by the Secretary of War."

Mr. DENT. That would include his underclothing, and it might include a gas mask that he has used.

Mr. ROGERS. That brings me to the question I wanted to ask. For some weeks the soldiers discharged from the Army have been allowed to retain several suits of underwear and several pairs of stockings, and so forth, in their possession. Now, has that been done under authority of law or executive discretion?

Mr. DENT. It has been done under a regulation adopted by the War Department.

Mr. ROGERS. But not under authority of law?

Mr. DENT. No.

Mr. GORDON. There is a regulation authorizing them to keep three suits.

Mr. TILSON. The gentleman understands the distinction between underclothing and uniforms. When the underclothing is issued it may be accounted for as having been expended. They do not take it back and issue it to another soldier. In the case of the uniform they can do that, but when the underclothing is issued it may be accounted for as expended.

Mr. IGOE. Mr. Speaker, I called up Gen. Wood and asked him about this very thing this morning. I received the same explanation. I was informed that orders had been issued for men in the Marine Corps—and I do not know whether it applies to the Army or not—that underclothing and socks would be returned, and I asked Gen. Wood if that were to be true as to the Army and he said that all this clothing under the regulations would have to be returned within not longer than four months, and that the department was very anxious to have some measure passed because the expense of having it checked up and accounted for and returned would more than outweigh the cost.

Mr. DENT. And that this bill was framed in order to take care of that?

Mr. IGOE. Yes; and that this bill was contemplated in order that the department would be relieved in regard to this underclothing.

Mr. HUDDLESTON. Mr. Speaker, I understand that this refers to the outer clothing. I understand the soldier is required to return all his clothing, including his shirt and underwear. Why should not this apply to all the clothing he has?

Mr. DENT. It does.

Mr. HUDDLESTON. But it says "outer clothing."

Mr. DENT. It says "one complete suit of outer uniform clothing, including the overcoat, and such articles of personal equipment as may be authorized by the Secretary of War."

Mr. HUDDLESTON. Does the gentleman think underwear would be included in the term "personal equipment"?

Mr. DENT. I think so.

Mr. HUDDLESTON. It would seem that, a distinction being made as to outer clothing, the inference would be drawn that it was not intended to apply to underclothing or shirts.

Mr. DENT. The hearings before the committee disclosed the idea that the man would be expected to retain such apparel as he had used.

Mr. HUDDLESTON. I think that word "apparel," then, should be put in.

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

Mr. DENT. Yes.

Mr. PADGETT. I would like to inquire, while we are legislating upon this subject, if we could not include the Navy?

Mr. SMITH of Idaho. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SMITH of Idaho. Is the bill under consideration and open for amendment?

The SPEAKER. It is not.

Mr. PADGETT. Why not provide for the Navy and Marine Corps and insert the words "Secretary of the Navy," following the words "Secretary of War"?

Mr. MANN. It should be done.

Mr. PADGETT. So as to make it complete as to the three services.

Mr. DENT. I have no objection to that. We did not take jurisdiction because we did not have it.

Mr. PADGETT. I understand; but while we are legislating on this subject we should look out as well for all of them.

The SPEAKER. Is there objection?

Mr. GARRETT of Texas. I demand the regular order, Mr. Speaker.

The SPEAKER. The regular order is demanded.

Mr. ASWELL. Mr. Speaker, I ask unanimous consent that I may proceed for two minutes before this is carried out.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. ASWELL. I reserve the right to object, if I may.

The SPEAKER. The regular order has been called for twice. Is there objection?

There was no objection.

Mr. ASWELL. Mr. Speaker, I ask unanimous consent to proceed for two minutes.

Mr. GILLETT. On this bill?

Mr. ASWELL. Yes.

The SPEAKER. Is there objection?

There was no objection.

Mr. ASWELL. Mr. Speaker, the first day Congress proceeded to business at this session I introduced a resolution directing that the enlisted men of the Army and the Marine Corps be given their uniforms, the other departments of the Government all being included without any additional law, and the gentleman from Illinois [Mr. MANN] promptly objected to my resolution and prevented its consideration. I proceeded immediately to present the matter to the General Staff of the War Department, and I was requested to submit the resolution and to offer suggestions to the proposed resolution that I had introduced upon the floor of this House. I did so. I was informed that the bill would be prepared by the War College. I was told that the General Staff would have the bill written out in a way that would be acceptable to the War Department. Later on, in the course of human events, some week or so later, I received a very short notice, and in accordance with the archaic and fossilized and granulated rules and regulations of this House and the War Department in giving the superiority of prestige to the time or term of attendance—the rule of seniority that has been so recently so conducive to the success (?) of the Democratic Party in this country—according to that rule of priority, fossilized as it is, I received a letter from the War Department in two lines, telling me that the legislation had been prepared and that it had been presented to the proper committee, and that, therefore, it would be handled without any activity on the part of any individual. That last part I put in myself, because that is what it meant. [Laughter.]

I merely call the attention of the House to the fact that my resolution provided that the enlisted men be permitted to keep their uniforms. It is stated in the bill as "personal equipment," which means all the uniforms—their underclothes, shoes, uniforms, and hats or caps. I submit to this House that it is ridiculous and absurd for the underclothing and shoes and one or two suits of underclothing to be salvaged by the War Department or destroyed, when it would be of very great value to those soldiers if permitted to be retained.

Gentlemen of the House, it is absolutely absurd to talk about the top clothes and take the other suits away from these young men. I am for the bill if you do not give them anything but one shoe. I am for anything that you can give these boys, but it is clear that they should have their entire personal equipment.

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

There was no objection.

The SPEAKER. This bill is on the Union Calendar.

Mr. DENT. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

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

Mr. DENT. Mr. Speaker, I offer the following amendment, page 2, line 1.

The Clerk read as follows:

Page 2, line 1, strike out the word "enlisted."

Mr. McKENZIE. Mr. Speaker, did I understand the gentleman to say that the purpose of the amendment is to include officers along with the enlisted men?

Mr. DENT. Yes.

Mr. McKENZIE. Will the gentleman yield me three minutes?

Mr. DENT. Yes.

Mr. McKENZIE. Mr. Speaker, I doubt whether this amendment ought to be adopted. The purpose of this act is to amend the law now on the statute book covering the uniforms of enlisted men. Under the present law the enlisted man when discharged may wear his uniform at home and continue to wear it for three months. At the expiration of that period he is expected to return the uniform to the Government of the United States, the uniform being the property of the Government.

The purpose of this legislation is to enable the Government to give to each enlisted man one complete uniform, including the overcoat and such other articles of personal wearing apparel, things he has been using in the service, such as a helmet or a gas mask, as the Secretary of War may deem proper. In my judgment this law has nothing to do with officers or officers' uniforms. The officer owns his uniform; it belongs to him; he has paid for it, and the Congress of the United States has nothing to do with saying whether or not he shall have that uniform when he is discharged from the service. It is his personal property.

There is on the statute book, as a part of the national defense act, a provision which says under what circumstances an officer may wear his uniform. While I know that the purpose of my good friend from Alabama is to do the right thing, it will be a grave mistake to take the word "enlisted" out of the bill.

Mr. DENT. Will the gentleman permit a question?

Mr. McKENZIE. Certainly.

Mr. DENT. Under the national defense act the officer has the right to wear his uniform only on limited occasions.

Mr. McKENZIE. Yes.

Mr. DENT. Does not the gentleman believe that in this act, if we pass it, the officer can wear the uniform every day, and would not that be an amendment to the national defense act and so permit him to wear it daily? If we do that, does not the gentleman think there ought to be some distinctive mark for the officer as well as the man to show that he is not actually in the service?

Mr. McKENZIE. It seems to me, if we wish to do that, we should introduce a bill to amend section 125 of the national defense act, which covers this proposition; but we ought not to undertake to involve it in an amendment to the law which now permits soldiers and enlisted men to wear uniforms four months.

Mr. MANN. Will the gentleman yield?

Mr. McKENZIE. Certainly.

Mr. MANN. The amendment which the gentleman from Alabama has offered was offered in accordance with the suggestion that I made. I am inclined to think that my suggestion was an error, and for this reason: Each officer owns his uniform. If this bill should pass with this amendment, it apparently would restrict the officer to retaining one complete suit of outer

uniform, when he may own several. If it applies to the officer, it apparently takes away from the officer the other uniforms he may have. I will say to my friend from Alabama that it seems to me clear that this ought not to apply to officers.

Mr. DENT. I do not quite agree with the gentleman's construction, but I have no objection, Mr. Speaker, and I will withdraw the amendment. I offered it at the suggestion of the gentleman from Illinois.

Mr. DOWELL. Mr. Speaker, I desire to offer an amendment.

Mr. BARNHART. Mr. Speaker, I just asked the gentleman from Alabama if he would yield to me, and he said he would if he had the floor.

The SPEAKER. The gentleman from Alabama can not yield; he had five minutes, and he has exhausted the five minutes. The bill is being considered under the five-minute rule.

The Clerk read as follows:

Amendment by Mr. DOWELL: Page 1, line 6, after the word "overcoat" insert the word "shoes."

The SPEAKER. The question is on the amendment.

The amendment was considered and agreed to.

Mr. HUDDLESTON. Mr. Speaker, I offer the following amendment.

The Clerk read as follows:

Page 1, line 4, strike out the word "present."

Mr. HUDDLESTON. Mr. Speaker, this bill, as it is presented, applies only to soldiers of the "present" war. It does not apply to those who served in the disturbance with Mexico, nor does it apply to Spanish War soldiers. We will, therefore, have the anomalous situation that soldiers serving in this war would be allowed to wear their uniforms, while those serving in the Mexican disturbance and who perhaps rendered as much service as some of the boys now being discharged will not be permitted to wear their uniforms. There are a few of us who served in the Spanish War who have our uniforms and would like to wear them on patriotic occasions.

I confess to a not wholly unselfish motive in offering the amendment, which would make it lawful for soldiers who served on the Mexican border or in the Spanish War to wear their old uniforms. I offer it on behalf of the Spanish War soldiers—of whom I was one—as well as others. I have got put away in a safe place an old blue uniform which I wore during the Spanish War, and if I should go to a soldiers' gathering, where other men who have served their country were permitted to wear their uniform and found that if I should put on my old blue uniform which I wore when a soldier I should be liable to be put in jail, I would feel very bad about it. As some one suggests, there are several moth holes in the uniform. I think it is only just that any soldier who has served his country in time of war and who has received an honorable discharge should be permitted to wear the uniform he brought home with him, even though it has a few moth holes in it.

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

Mr. HUDDLESTON. Yes.

Mr. McKENZIE. Is the uniform which the gentleman wore in the Spanish-American War identical with the uniform that we have now in the Army?

Mr. HUDDLESTON. The uniforms that we now use are khaki, and those old uniforms were blue.

Mr. McKENZIE. Then, of course, if anyone saw the gentleman wearing the old blue uniform of the Spanish-American War, he would not feel that the gentleman was impersonating a soldier of the United States at the present time.

Mr. HUDDLESTON. Oh, I can assure the gentleman that no Spanish-American War soldier wants to impersonate anyone but himself.

Mr. MONDELL. The gentleman is aware of the fact that there is no law against wearing a uniform of the United States that is no longer the standard uniform.

Mr. HUDDLESTON. Where it is a part of the official uniform, or where it so closely resembles it as to be mistaken for it, wearing it is against the law. I will say to the gentleman from Wyoming [Mr. MONDELL] that the United States Guards who are now in service in this war wear the identical uniform that was formerly the uniform of the Regular Army of the United States. In fact, it is the old uniforms that the United States Guards are now wearing.

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

Mr. QUIN rose.

The SPEAKER. For what purpose does the gentleman from Mississippi rise?

Mr. QUIN. To make a few remarks on the gentleman's amendment.

The SPEAKER. The gentleman is recognized for five minutes.

Mr. QUIN. Mr. Speaker, the question that the gentleman from Alabama [Mr. HUDDLESTON] has raised is not pertinent, because the object of this law which the chairman of the Military Committee has brought out on the floor is to give all persons who were in this late war a uniform, including his shoes, together with his socks and underclothing—one good complete uniform and overcoat, including his cap or hat, his helmet, and his gas mask, if he happened to have that, as a personal equipment. That is the intent of this bill. The gentleman from Alabama [Mr. HUDDLESTON] proposes to come up with a uniform in the Spanish War and wear that. Nobody objects to that. It is not a violation of the law, because that is not the uniform of this Government at the present time. I have no objection to the gentleman or any other veteran of the Spanish-American War, nor has the War Department any objection, to his wearing that uniform; but the object of this bill is to allow these men to wear these clothes until they wear them out. It saves in wool alone about $150,000,000 for the Army, and if you include the 600,000 men of the Navy in that, and no doubt a bill will be brought out from that committee to that effect, or an amendment offered to our bill, allowing them to wear their uniforms, you can see that as a question of economy it would be best for this bill to pass, allowing all of those men to wear those uniforms, because many hundreds of thousands of them will not be able to buy a suit of civilian clothing when they come out of the Army, because a wool suit, such as the uniforms are made of, at this time would cost a man $50.

The overcoat would cost him $50 to $75. Instead of these being turned into the scrap heap the individual soldier should be permitted to wear his uniform until he wears it out. If he does not like the khaki color he can have it dyed. Under the intent of this bill it is to be his personal, individual property, with permission to wear it until he wears it out.

Mr. BARNHART. Mr. Speaker, the gentleman is speaking for the committee, and I would like to ask him what the word "outer" means at the end of line 5. The gentleman says that it is the intention of the bill to keep a complete suit of clothing. The bill provides "one complete suit of outer uniform clothing."

Mr. QUIN. I will say to the gentleman that the War Department, in speaking before the committee, said he should keep his underclothing. Of course, his underclothes belong to him.

Mr. BARNHART. Why not strike out the word "outer"?

Mr. QUIN. I have no objection to striking out the word "outer." The intention of the War Department is that he shall have a complete outfit. If that soldier goes into a demobilizing camp and he has not a good uniform, the Government is going to give him a good one, a new one. That is the testimony before the committee. Our committee knowing that fact adopted the language of the department, in order that all of the soldiers, marines, and sailors will be given their uniforms and personal equipment to wear as long as they please in civil life.

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

Mr. HUDDLESTON. Mr. Speaker, I ask unanimous consent to modify my amendment so as to include the word "the" with the word "present" as being striken out, so that it will read, "United States Army in war," instead of "the war."

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

The Clerk read as follows:

Modified amendment by Mr. HUDDLESTON: Page 1, line 4, strike out the words "the present."

The SPEAKER. The question is on agreeing to the Huddleston amendment as modified.

Mr. MANN. Mr. Speaker, I hardly think the amendment suggested by the gentleman from Alabama [Mr. HUDDESTON] is required, but his mention of uniforms in connection with the Spanish War recalls an instance to me which is probably not worth narrating, although it casts some light upon the inefficiency of human organzation. I had a brother who was in the Spanish War, who was returned to Montauk Point. I went there to meet him. He was in the hospital. I obtained a furlough for him so that I might take him to Atlantic City. When we came to go away I ascertained that he had worn a uniform throughout the campaign in Cuba and that just before he came home or just after he came home, and I think it was just before, a new uniform had been issued to him. There was considerable fear that disease might come in from Cuba with the boys, and very strict quarantine regulations were adopted on our part in this country, designed to prevent it. And this wise and wonderful regulation was in force at the time my brother was furloughed.

Mr. ASWELL. Will the gentleman yield?

Mr. MANN. Yes; when I get through with this statement. He was required to give up the new uniform to be fumigated by the Government for fear it might have the lurking germs of disease in it but permitted to wear away the old uniform that he had worn all through Cuba without any fumigation at all. What a wonderful regulation that was. I now yield to the gentleman.

Mr. ASWELL. I merely wish to ask the gentleman if he does not think the permission now given to wear the present uniform three months makes it exactly in line with his proposition?

Mr. MANN. Well, I confess I do not understand the gentleman's question.

Mr. ASWELL. I mean to say that the gentleman rather criticizes the fact he wore the uniform after coming home from Cuba and he seemed to want to prevent them now from wearing the uniform——

Mr. MANN. I have not seemed to want to prevent that, notwithstanding the statement of the gentleman from Louisiana, who is seeking to advertise himself without any regard whatever for the boys, especially any more than other Members of the House, but sought to show that he was the only one who was interested in this when there were plenty of Members in the House who were interested in this subject.

Mr. ASWELL. But plenty of Members in the House did not object, as the gentleman from Illinois did.

Mr. MANN. I objected the other day to the gentleman's precipitating a resolution in here when I did not know what it contained, out of order, solely for advertising purposes.

Mr. MADDEN. Will the gentleman yield for a question——

Mr. MANN. Certainly.

Mr. MADDEN. In this connection. Mr. VESTAL, of Indiana, introduced a resolution with reference to this matter on the 21st of November, which, I think, was the first resolution introduced.

Mr. MANN. There was nobody in this House who was not interested in this subject, and no one here who did not intend that the boys should have an opportunity to wear their uniform and have them.

Mr. ASWELL. Will the gentleman yield?

Mr. MANN. I yield to the gentleman.

Mr. ASWELL. I merely wish to call the attention of the gentleman to the fact that his personal remarks are entirely gratuitous and my concern was on the first day of the meeting of this Congress, and now is, to get these uniforms for these boys.

The SPEAKER. The time of the gentleman has expired.

The question is on the amendment offered by the gentleman from Alabama [Mr. HUDDLESTON].

The question was taken, and the Speaker announced the ayes seemed to have it.

On a division (demanded by Mr. DENT and others) there were—ayes 20, noes 65.

So the amendment was rejected.

Mr. MONDELL. Mr. Speaker, I have an amendment at the Clerk's desk.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. MONDELL: At the end of line 2, page 2, strike out the period and insert "and all persons honorably discharged from the military or naval service should receive one month's extra pay on discharge."

Mr. STAFFORD. Mr. Speaker, I reserve a point of order on the amendment.

Mr. DENT. Mr. Speaker, I make a point of order that it is not germane.

The SPEAKER. The point of order is sustained.

Mr. MONDELL. Mr. Speaker, I offer another amendment.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Page 1, line 7, after the word "personal" insert the word "apparel."

Mr. MONDELL. Mr. Speaker, I ask unanimous consent to amend that by adding the word "and."

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

The Clerk read as follows:

Modified amendment of Mr. MONDELL: Page 1, line 7, after the word "personal" insert the words "apparel and."

The SPEAKER. So that it will read.

The CLERK. "And such articles of personal apparel and equipment as may be authorized," and so forth.

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

Mr. NORTON. Mr. Speaker, I move——

Mr. DOWELL. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Iowa rise?

Mr. DOWELL. The amendment just adopted, I think, covered the question of shoes.

Mr. STAFFORD. And socks.

The SPEAKER. That was adopted a few moments ago. The gentleman from North Dakota has offered an amendment, and he has been recognized to offer it. The Clerk will report the amendment.

The Clerk read as follows:

Page 1, line 5, strike out the word "outer."

Mr. NORTON. Mr. Speaker, I have been very much interested in and in favor of having some legislation enacted by Congress or some order issued by the War Department authorizing men who are discharged from the service to retain the uniforms and wearing apparel issued to them by the Government and permitting them to wear their uniforms with a suitable insignia indicating their discharge from the service. Last week I talked concerning this matter with a major general in charge of one of the sections of the War Department. He stated to me that practically the only objection the War Department had to permitting discharged soldiers to wear their uniforms in civil life was that it tended to affect the good discipline of the Army. It seems that when an officer in the service meets or passes a discharged soldier wearing the regular Army uniform he was unable to tell whether the discharged man should salute him or not. The general made it clear that officers do not desire enlisted men to salute them as a mere formality or as a personal matter, but as a practice which tends to aid in good discipline in the Army. Men in the service are required in passing to salute their superior officers. When men discharged from the service are allowed to wear the regular Army uniform it often causes much embarrassment to men in the service. I believe that the provisions in this bill providing that some insignia indicating the soldier's discharge be attached to the uniform will take care of the objections suggested by the general. I know from personal conversation with many men who have served in the Army during the war that, for sentimental as well as other reasons, they have a strong desire to retain possession of their old campaign uniforms and other wearing apparel that served them during the war. Their wish in this, it seems to me, should be granted without question or hesitation.

Mr. TILSON. Will the gentleman yield to me right there? Does the gentleman have any objection to these soldiers having more than one suit of underwear? Has he any objection to their taking away more than one suit of underwear?

Mr. NORTON. My personal opinion and desire is that they should be allowed to have all the uniforms and wearing apparel issued to them by the Government.

Mr. TILSON. That is exactly what can be done if the gentleman will withdraw his amendment, and probably will be done by the War Department; but if the gentleman's amendment is passed, then the War Department must limit them to one suit of underwear. The gentleman is doing just the opposite to which he desires to accomplish.

Mr. NORTON. I do not believe that such would at all be the effect of my amendment.

Mr. TILSON. The gentleman's amendment provides that the soldier may retain one complete suit of clothing. If the language of the law limits it to that, then he can not take any more. As it stands without the gentleman's amendment it would authorize one suit of outer clothing and such other articles of personal apparel as the War Department may see fit. The gentleman's limitation, cutting out the word "outer," will make it impossible for the War Department to give more than one suit of underwear.

Mr. NORTON. I do not believe that interpretation of my amendment is a right interpretation.

Mr. GARRETT of Texas. Have they not always kept their underwear?

Mr. McKENZIE. Is the gentleman aware of the fact that the discharged soldier is not required to return his underwear?

Mr. NORTON. No; I am not fully informed on that.

Mr. McKENZIE. That is the fact.

The SPEAKER. The time has expired. The question is on the amendment of the gentleman from North Dakota [Mr. NORTON].

The question was taken, and the amendment was rejected.

Mr. BARNHART. Mr. Speaker, I offer an amendment.

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

The Clerk read as follows:

Amendment by Mr. BARNHART: After the word "insignia," line 11, page 1, insert the words "to be uniform except as to length of service and."

Mr. STAFFORD. Mr. Speaker, we could not hear it. I ask that it be read again.

The SPEAKER. The Clerk will read the amendment again.

The amendment was again reported.

Mr. DENT. Mr. Speaker, I would like to have it reported to show how it will read as amended.

The SPEAKER. The Clerk will report the section as it would read as amended.

The Clerk read as follows:

So that as amended the lines will read:

"That the uniform above referred to shall include some distinctive mark or insignia to be prescribed by the Secretary of War, such mark or insignia to be uniform except as to length of service and to be issued by the War Department to all enlisted personnel so discharged."

Mr. MANN. Will the gentleman yield for a question there?

Mr. BARNHART. I would like to make a statement first. But I will yield.

Mr. MANN. If we should add, as I suppose will be offered and I hope will be adopted, a provision for the Navy and Marine Corps, the gentleman would not have the same insignia for all of them?

Mr. BARNHART. If that should be amended, it could be amended in the same way as this.

Mr. MANN. I do not know whether it could be or not, if the House agreed to this amendment and if you insert the other. This could not be amended except by reconsideration.

Mr. BARNHART. I do not think the gentleman from Illinois grasps the intent of this amendment.

Mr. MANN. Yes, I do; namely, the same insignia for the Army as the Navy.

Mr. BARNHART. You get that information from the uniform that they wear. I have not any intention to interfere with any arrangement of the chairman of the Committee on Naval Affairs or any amendment that he has prepared. The purpose, Mr. Speaker, of my introducing this amendment was to call the attention of the House to the fact that I have seen it reported in the newspapers that the War Department is preparing to issue a gold badge to the soldiers who have been called overseas and a silver badge to those who, unfortunately, did not get such service, because they did not get the order for it.

I am inclined to believe that such a distinction between the fighting men of this country, many, many of them volunteers, who went in at the very beginning of the war and were detailed to duty that did not take them to France, would be a discrimination against the bravery and self-sacrifice of the soldiers who did volunteer, who were inducted, and who were drafted into the service at the beginning of the war, but were detailed to some duty in this country, whereby they could not get across. And yet many, many who have gone across have not seen the front trenches; have not seen any more of military life than those who have remained on this side, namely, the training camps, and such are to be brought back, according to the newspaper reports, and given a gold badge because they happened to be fortunate enough to be taken overseas.

Mr. QUIN. Will the gentleman yield right there? The gentleman understands that the newspapers are not the Congress. No such bill has been reported.

Mr. BARNHART. This bill would fix that so that it could not be done, and I think it ought to be so done.

Mr. McKENZIE. If the gentleman will yield, I simply wish to ask the gentleman if he thinks his amendment will cure the evil of which he is now speaking?

Mr. BARNHART. I think it would.

Mr. McKENZIE. The fact of this insignia will only go to show that a man is an honorably discharged soldier, and will have nothing whatever to do with where he served, whether in this country or abroad, and of necessity they will all have to be alike. The way to reach the matter is to introduce a bill to prohibit.

Mr. BARNHART. This will prohibit.

Mr. McKENZIE. Oh, no.

Mr. BARNHART. The gentleman has not read the amendment.

Mr. ROBBINS. Will the gentleman from Indiana yield?

Mr. BARNHART. I yield.

Mr. ROBBINS. Does not the gentleman know that there is now in force among the enlisted men and officers a distinction in the way of a chevron that is worn on the arm?

Mr. BARNHART. That relates to length of service, and the amendment provides that that shall not be interfered with.

Mr. ROBBINS. The white color indicates service in this country and the other color indicates service abroad, and that is in force now under the regulations of the War Department. I do not think it is fair——

Mr. BARNHART. That is what this amendment would correct. It would put the fighting men who did not get to France on the same pedestal of honor as those who were ordered overseas. It would prevent discrimination that will send every soldier home with a heavy heart from unjust disappointment who was denied the possibility of being sent overseas.

Mr. MILLER of Minnesota. Mr. Speaker, I would like to be recognized in opposition to the amendment.

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

Mr. MILLER of Minnesota. I would like to make an inquiry of the gentleman from Indiana, if I may have his attention.

The SPEAKER. The gentleman from Indiana will give heed.

Mr. MILLER of Minnesota. I sympathize thoroughly in the position that the gentleman takes on the question of silver and gold badges. I think it is a shame that there should be any distinction between the two. I do not think this program will be carried out. But I do not think the gentleman's amendment reaches that at all. The War Department now has full authority to issue service stripes, and it is doing it.

Mr. BARNHART. Do they do it by law?

Mr. MILLER of Minnesota. Yes; absolutely. This does not change that in any way. This particular section of the bill, if it means anything, means that they are to put some mark on the uniform to show that the wearer was in the Army or in this war; nothing else; and that he was discharged. It will have nothing whatever to say about where he served, or how long he served, or whether he was black or white or anything else.

Mr. BARNHART. There would not be anything in the provisions of this bill to prevent them from sewing on that uniform a piece of gold or silver braid if the War Department under the provisions of this bill so decided.

Mr. MILLER of Minnesota. There is nothing in this bill to do that.

Mr. BARNHART. But this amendment of mine would prevent that being done.

Mr. MILLER of Minnesota. This has nothing whatever to do with the service stripes. The law is already in existence authorizing the Secretary of War to prescribe service stripes.

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

Mr. MILLER of Minnesota. This has nothing to do with the service stripe. This pertains only to the service of the man in the Army.

Mr. BARNHART. It provides that the uniform should be marked with "insignia." What is "insignia"?

Mr. MILLER of Minnesota. The gentleman could easily frame an amendment that would reach that, but his present amendment does not do it.

The SPEAKER. The time of the gentleman from Minnesota has expired. The question is on agreeing to the amendment offered by the gentleman from Indiana [Mr. BARNHART].

The question was taken, and the Speaker announced that the "noes" seemed to have it.

Mr. BARNHART. A division, Mr. Speaker.

The SPEAKER. A division is demanded.

The House divided; and there were—ayes 25, noes 57.

So the amendment was rejected.

Mr. PADGETT. Mr. Speaker, I desire to offer several amendments in order to complete the text and make it apply to and embrace the Navy and Marine Corps. On page 1, line 3, after the word "Army," insert a comma and the words "Navy or Marine Corps."

Mr. WALSH. Mr. Speaker, I wish to inquire if the Coast Guard is included in the Navy?

Mr. PADGETT. Insert the words "Navy and Marine Corps."

Mr. HICKS. Mr. Speaker, will the gentleman from Tennessee permit me to ask him a question?

Mr. PADGETT. The word "or" is correct after all. It is an alternative.

Mr. HICKS. Would not the gentleman from Tennessee be willing to include in his proposed amendment, in order to make it complete, the Coast Guard, as well as the Marine Corps and the Navy?

Mr. PADGETT. The Coast Guard is serving with the Navy, and I believe it would be embraced in the word "Navy."

Mr. HICKS. We have to include it specifically, as I understand. It would not hurt the text to include it.

Mr. PADGETT. I will include it, then.

Mr. MILLER of Minnesota. Mr. Speaker, may I make an inquiry of the gentleman?

Mr. PADGETT. I think the men of the Coast Guard are embraced under the word "Navy." They are serving with the Navy.

Mr. MILLER of Minnesota. Mr. Speaker, will the gentleman from Tennessee yield for a question?

Mr. PADGETT. Yes.

Mr. MILLER of Minnesota. I am in sympathy with the gentleman's amendment, but another query has arisen in my mind. The members of the Army Nurse Corps evidently ought not to be left out.

Mr. LOBECK. You would have to put on a red cross.

Mr. MILLER of Minnesota. No. The Red Cross is distinct. If you are going to extend this to the Army and Navy and Marine Corps, let us not forget the women, who helped win the war. The hospital surgeon, who is a male, will get this privilege.

Mr. PADGETT. This says "any person." It does not say "male."

Mr. MILLER of Minnesota. I know. But does a member of the Army Nurse Corps have the status of a person in the United States Army?

Mr. PADGETT. I think so.

The SPEAKER. Does the gentleman from Massachusetts desire to make his point of order?

Mr. WALSH. Reserving the right to object, Mr. Speaker, I desire to ask the chairman of the Naval Committee if the Coast Guard is included in the word "Navy"?

Mr. PADGETT. I think so.

Mr. MANN. Those who are not connected with the Army and Navy should not be included.

Mr. WALSH. They are connected with it.

The SPEAKER. Does the gentleman from Massachusetts make the point of order?

Mr. WALSH. I have been trying to get information in order to determine whether I shall make the point of order or not, but I have been subjected to many interruptions. I desire to ask the gentleman from Tennessee if in his amendment he includes the Coast Guard?

Mr. PADGETT. The amendment, as I offered it, includes the Army and the Navy; and my present information is that the word "Navy" includes the Coast Guard, which is serving with the Navy during the war. I have no objection to including it specifically.

Mr. MANN. Does the gentleman think that a lighthouse keeper or a man on a lighthouse tender on Lake Michigan should receive this badge?

Mr. PADGETT. No; but during the war the men in the Coast Guard have been incorporated in the Navy and serving on the same ships.

Mr. MANN. The men in the Revenue-Cutter Service?

Mr. PADGETT. No. They have been going on naval ships.

Mr. MANN. But all lighthouse keepers on inland points have been connected in that sense with the Navy, because they are in the Coast Guard.

Mr. HICKS. The lighthouse keepers and men on lighthouse tenders are not members of the Life-Saving Service.

Mr. IGOE rose.

The SPEAKER. For what purpose does the gentleman from Missouri rise?

Mr. IGOE. I rise in opposition to the amendment.

The SPEAKER. The Chair has been trying to find out for the last 10 minutes if the gentleman from Massachusetts [Mr. WALSH] wants to make the point of order.

Mr. WALSH. I have been trying to find out what this amendment is.

Mr. PADGETT. I have given the gentleman my opinion.

Mr. WALSH. But the gentleman's amendment does not include the Coast Guard.

Mr. PADGETT. I am willing to include that. If anyone wants to amend that, I am willing. I will include the words "Navy, Marine Corps, and Coast Guard."

Mr. MANN. I will amend it. There is no reason for including in this service a lot of men who never were in any way connected with the war. A lot of the Coast Guard were not in any way connected with the war. What do you want to cheapen the whole thing for by putting in everybody?

Mr. PADGETT. I will offer the amendment, "Navy or Marine Corps." I have done the best I can under the circumstances.

Mr. McKENZIE. Mr. Speaker, will the gentleman pardon me for an interruption for a moment?

Mr. PADGETT. Yes.

Mr. McKENZIE. I want to say, for the benefit of my friend from Massachusetts [Mr. WALSH], that if the Coast Guard men are a part of the Navy, they will be included in the amendment; and if not, they will not be included. The officer of the War Department who appeared before our committee was asked if the Army nurses would be included, and he stated they would be covered by this bill that we were considering. I do not think there is any doubt about it, because they are a branch or a part of the Military Establishment.

Mr. POU. Those not in the Navy ought not to be put in the bill.

The SPEAKER. The gentleman from Illinois makes the point of order.

Mr. MANN. The gentleman from Tennessee has modified his amendment so that my point of order would not apply.

The SPEAKER. The gentleman was objecting to the taking in of Coast Guard or Lighthouse Service, and immediately the gentleman from Tennessee withdrew that part of his amendment.

Mr. PADGETT. Now, my amendment applies only to the Navy or the Marine Corps.

The SPEAKER. Does the gentleman from Massachusetts make this point of order?

Mr. WALSH. No, Mr. Speaker; I withdraw the point of order.

Mr. IGOE. Mr. Speaker, I wish to speak on this amendment.

The SPEAKER. On which side?

Mr. IGOE. I am on both sides. [Laughter.] Let me ask the gentleman from Tennessee if the amendment includes the Naval Reserve?

Mr. PADGETT. Yes; because it served in the Navy under existing law.

Mr. IGOE. Here is a peculiar situation. I have had this experience. I think this question is of importance to 600,000 men serving in the Navy. The Regular Navy is composed of men in the Regular Service, who enlisted before the war, men who enlisted in the Regular Service after the war began for a period of four years, and men who enlisted during the war for the period of the war.

Under regulations that have been sent out by the Bureau of Navigation that I have read, and concerning which I have had conferences with the officials of the Navy Department, it is held that men who enlisted in the regular service after the beginning of the war for a period of four years can not receive an honorable discharge until they have finished the four years' service. The man who enlisted during the war for the period of the war and is now discharged under regulations does not receive an honorable discharge, because he has not completed the period of his enlistment, because technically the war is not ended. The man in the Naval Reserve Force can not be discharged, because he has not completed the period of his enlistment. Those men are not discharged, but are put back on the inactive list.

This shows how difficult it is to draw a bill on the floor of the House when you have so many different classes.

Mr. BARKLEY. Will the gentleman yield?

Mr. IGOE. Yes.

Mr. BARKLEY. I have been advised that the Navy Department has issued orders to the officers to discharge 20 per cent of the Naval Reserve Force and 10 per cent of the four-years men. Does the gentleman say they do not get an honorable discharge?

Mr. IGOE. That is my understanding, that no man in the Naval Reserve Force can get a discharge until he serves seven years, or whatever it is. He is put on the inactive list.

In this bill men getting an honorable discharge get certain privileges. In the Regular Navy this situation obtains, that the man who does not get the honorable discharge does not have his transportation paid; that is, as far as the Regular Navy is concerned. The Naval Reserve Force does have transportation paid.

Mr. ROSE. Will the gentleman yield?

Mr. IGOE. Certainly.

Mr. ROSE. What becomes of the boy who enlisted after the war began and is furloughed, receives no pay, no mileage, no subsistence, and no possibility of discharge? What is the gentleman's understanding in such a case?

Mr. IGOE. My understanding is that there is a law which prevents paying transportation of a man enlisted in the Regular Navy discharged before the period of his enlistment expires.

Mr. ROSE. I have a young man in mind who enlisted for the period of the war, and the recruiting officer told him that it made no difference whether he enlisted for 4 years or 40 years, he would be given his transportation on his discharge and be treated like all other discharged soldiers.

Mr. IGOE. Notwithstanding that the Navy Department, as far as men enlisted for the period of the war, while they may be discharged under the regulation, they have not completed their contract, because the war is not ended by a declaration of peace.

Mr. ROSE. And they will be allowed no subsistence, transportation, nor refund for cost of uniforms?

Mr. IGOE. I do not know anything about the subsistence, but I am told that they are not given transportation, but there is some method whereby they may be sent into the Naval Reserve.

Mr. ROSE. Are these boys allowed anything for the money that they spent for their clothing?

Mr. IGOE. I am not able to answer the gentleman.

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

Mr. IGOE. I ask for three minutes more.

The SPEAKER. Is there objection?

There was no objection.

Mr. LINTHICUM. Will the gentleman yield?

Mr. IGOE. Yes.

Mr. LINTHICUM. I want to say that about the middle of last week I called up the department and asked about the discharge of a young man from the Navy, and they said they could not discharge him; that he had better ask to be put on the inactive list.

Mr. IGOE. What I am talking about is not transportation; that can be taken up later; but here you are providing certain benefits for men who get an honorable discharge. The man who enlisted in the Navy during the war, whether for a four-year period or for the war, who has rendered honorable and efficient service—some have been 15 months in the war zone on destroyers—can not get an honorable discharge, and under this bill as it is now worded I do not see how these men could get any benefit from the act.

Mr. McKENZIE. Will the gentleman yield?

Mr. IGOE. Yes.

Mr. McKENZIE. If they get any discharge at all, it will be an honorable discharge.

Mr. IGOE. But they do not get any discharge at all; they are given a release certificate of some sort. There ought to be some appropriate language in the bill to take care of that situation.

Mr. HARDY. I think there ought to be a bill carefully drawn to take care of that case.

Mr. IGOE. I am going to vote for this bill, because it will benefit somebody.

Mr. LOBECK. How about the young men in these training schools?

Mr. IGOE. I do not think they will come under this bill.

Mr. PLATT. Mr. Speaker, if they are put on the inactive service they retain their uniforms, do they not, if not discharged?

Mr. IGOE. The uniforms are returned, as I understand it, to the Navy Department.

Mr. PLATT. Not while they are still in the service, whether inactive or active.

Mr. IGOE. I am not sure about that, but I think that when they are returned to the inactive list they turn in their uniforms.

Mr. LINTHICUM. Mr. Speaker, I would like to answer that question, if the gentleman will permit.

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

Mr. LINTHICUM. Mr. Speaker, I ask to be recognized for a few minutes.

The SPEAKER. On which side is the gentleman?

Mr. LINTHICUM. Like my friend here, I am on both sides. I ask unanimous consent to proceed for two minutes.

The SPEAKER. The gentleman does not have to ask for unanimous consent. The gentleman is recognized for five minutes.

Mr. LINTHICUM. I want to say to the gentleman that last week I called up and asked about the discharge of a certain young man in the Navy. I was told they could not discharge him, but that if the young man would ask to be placed on the inactive list they could grant that, and then he would not have to return $100 worth of uniform.

Mr. PLATT. Exactly.

Mr. LINTHICUM. But that if he was discharged he would have to return $100 worth of uniform. They said that they could not discharge him, but they could put him on the inactive list.

Mr. PLATT. That brings out what I had in mind. If he goes on the inactive list he does receive the benefit of this act.

Mr. IGOE. What I was complaining about was that a man can not be discharged. Why should a man be obliged to go on the inactive list if they make regulations for the discharge of some, which they do, or for letting them out of the service, and they are separated from the service—men in the Regular Navy who have enlisted during the war?

Mr. CANNON. Mr. Speaker, I move to strike out the last word, if that is in order. I have just come in. I do not know what has preceded. This bill seems to cover the Army, and, as I understand it, an amendment is now offered to perfect it by something that would include the Navy.

Mr. PADGETT. And the Marine Corps.

Mr. CANNON. And the Marine Corps. I have a case in mind in my own town where a young man is in the naval training station who is anxious to get his discharge so that he can care for those who are dependent upon him and take up the burdens of civil life. It seems to me that we have really no right to take this class of men and continue them in the inactive service. They ought to go out of the service. I do not know how far this bill goes in doing complete justice to the Army, but it seems to me that the gentleman from Tennessee [Mr. PADGETT], chairman of the Committee on Naval Affairs, ought to treat the matter separately and report a bill, which he would know how to report, that will give relief where it ought to be given, and let these young men who are in the Navy understand they are to be discharged—that they are to be divorced entirely from the service—so that they can know what their status is.

Mr. PADGETT. Mr. Speaker, this bill does not deal with the question of discharges at all. It merely provides for uniforms and allowing the men to wear their uniforms, and to provide that certain insignia shall distinguish that uniform, showing that the man wearing it is retired from active service. It does not relate to discharges from the Army, the Navy, or the Marine Corps. It is not intended for that or drawn for that purpose. It relates only to allowing them to wear their uniforms.

Mr. CANNON. Is there legislation in contemplation to divorce these young men who are, for instance, in the naval training schools, so that they can be discharged and go back to civil life with some assurance that they can make some arrangements to make a living without a liability to be called back into the naval service?

Mr. PADGETT. I can explain the matter to the gentlemen. In the Navy we have three lines of service. We have the regular service and we have a temporary service in the Regular Navy and then we have a Naval Reserve. The Naval Reserve are composed of men in civil life, carrying on their occupations, who enrolled in this Naval Reserve under a stipulation that they would train for one month during the time for which they were to receive regular pay and remain in civil employment, but in case of war or national emergency, proclaimed by the President, they could be called into active duty. When the war came on the President did call the Naval Reserve into active duty. When in active duty they have the same rating and the same pay as the Regular Navy, but when the necessity for their active service ceases they simply go back into the reserves, because that is the regular organization in which they enlisted in time of peace, and they have gone identically into the status in which they were and in which they enrolled in time of peace.

Then there is a temporary increase in the Navy, and the law provides that they shall be disbanded whenever Congress so directs, or when the President shall direct, or in no event later than six months after the declaration of peace. The law already provides for it. There are numbers of applications, and the Secretary has directed a very liberal interpretation of the rules, but it is provided, however, that the young men who are in the reserve, if they want to be released from active duty and go back to the status in which they were when they went into the service in time of peace, shall be permitted to do so, and they receive their transportation back to their homes where they enlisted.

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

Mr. CANNON. I ask that the gentleman have five minutes. I want to ask some additional questions.

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

Mr. CANNON. What I want to get at is this: In the training station in Chicago, near Chicago, there are many thousands of men. I have many constituents who, I understand, have enlisted in the regular service and are there for training. Now, what is to become of them?

Mr. PADGETT. Some of them, where they present cases—proper cases—are being released. The gentleman will understand there are men in the reserve, there are men in the temporary organization and there are men in the permanent organization. Now, those who are in the reserve, when they present a proper claim or application, it is granted, and they go back home into civil life just as they were before they went into the service.

Mr. CANNON. I understand that. Now, take the next case.

Mr. PADGETT. Now, the next case are the temporary ones. If they present a proper case, they are discharged. They are

not in the regular service; they are not in the permanent service; hence, the only thing is to keep them or discharge them, and they are discharged; but in the regular Navy there are only two cases in which that could be done—either to keep them or to discharge them. Now, there are three methods of enlistment—enrollment, provided for four years; that is, in the reserve, and is called enrollment. In the temporary Navy and in the permanent Navy they enlist, and the law provides that he may enlist for four years or for the war, or for such shorter time as the President may provide. Most of them enlisted for four years. That is their contract with the Government where they have enlisted for four years. A few enlisted for the war. Whenever the war officially ends their enlistment ends. The President never directed, as I am informed, any other term of enlistment except the war or the four years. He did not provide for any six months or a year or two years, or anything of that kind.

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

Mr. PADGETT. I will ask for five minutes more in order to explain these matters.

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

Mr. CANNON. I have many requests from constituents where enlistment was in one of the two classes referred to, where they have been in training, and they never received any other service.

Mr. PADGETT. All three of them are in these schools. All three services send men to the training schools.

Mr. CANNON. Does the gentleman think some legislation is necessary to enable these men who desire to get out of the service, whether for the four years or for the war, and let them go back and pick up their duties in private life?

Mr. PADGETT. I do not think there is any legislation necessary. The Secretary is doing it very rapidly, just as fast as the service will permit. We could not pass legislation here and provide just for emptying the whole thing out without regard to a proper care and preservation of the status of the Navy on an efficient basis.

Mr. CANNON. I have been referred by the department here, in many cases, that it is to be taken up in the training schools——

Mr. PADGETT. In order to expedite it the Secretary has given authority to the commanding officers at all naval stations in proper cases——

Mr. BANKHEAD. Will the gentleman yield right there?

Mr. PADGETT. To grant these releases.

Mr. CANNON. What is a proper case?

Mr. BANKHEAD. That is the question I desired to ask, What is a proper case? I have many inquiries.

Mr. PADGETT. The Secretary has indicated where young men wanted to return to complete their education that favorable consideration should be given. He has indicated that in cases of urgent family reasons, if there are any extraordinary and particular family reasons why they should return, if persons are sick or conditions have changed. A large discretion is given.

Mr. CANNON. He is to be recommended by the sailor's commanding officer?

Mr. PADGETT. He does not have to be recommended, the commanding officer is given authority to act.

Mr. RUCKER. Suppose he will not do it.

Mr. PADGETT. Then he can take it up with the department here.

Mr. RUCKER. And then he has to take it up again back there?

Mr. PADGETT. I do not know about that.

Mr. KING. Suppose their applications were torn up by the officers, as has been the case——

Mr. PADGETT. I think we would hear from the department if they were torn up.

Mr. RUCKER. Mr. Speaker, I move to strike out the last three words.

Mr. PADGETT. I have a number of amendments to offer to this one if agreed to.

Mr. RUCKER. May I have the gentleman's attention?

Mr. PADGETT. Yes, sir.

Mr. RUCKER. I have no doubt the discourse the gentleman has just given the House is perfectly intelligible to those who understand the affairs pertaining to the Navy, but to me it is just Greek. I have a letter from a constituent wanting to be discharged. He enlisted for the term of the war. I took it up with the Secretary of the Navy, and the Secretary of the Navy says, "Take it to the commanding officer." You take it to the commanding officer, and he says take it to some other commanding officer [laughter], and the result is you can not get it. Now, as I understood the gentleman's statement here a moment ago during the course of which he used the words "proper occasion" about a proper number of times, and that the proper occasion is when there is some emergency in a family, probably birth or death or about to be one or the other or both, and then they can ask to be discharged to go to school——

Mr. PADGETT. Or an important industry.

Mr. RUCKER. If he has a certificate showing he is a schoolboy, or something in reference to a severe condition in the family.

Mr. PADGETT. No, no.

Mr. RUCKER. That is what the gentleman said.

Mr. PADGETT. The Navy has been very liberal. Those are just general details of the matter, and hundreds and hundreds of boys are being discharged every day, and they are being allowed to go home if they are in the reserve under what is called inactive duty.

Mr. RUCKER. The gentleman will pardon me. The country thinks the war is over. The families who gave their husbands and their children to fight this war are now clamoring to get them home, and it looks to me as if they are going to be kept indefinitely.

Mr. PADGETT. The gentleman must realize that with the vast organization of the Navy and the vast importance of maintaining that organization you can not just simply dismiss men ad hominem ad scatterandum and just throw them off the ships. You have got to maintain the organization.

Mr. RUCKER. You can mobilize them and bunch them, but you do not seem to be able to demobilize them.

Mr. HASTINGS. Will the gentleman state how many have been discharged since the armistice was signed?

Mr. PADGETT. I do not know.

Mr. HASTINGS. The gentleman has made the statement that a great many have been discharged.

Mr. PADGETT. The Secretary told me he was discharging them rapidly.

Mr. HASTINGS. And you have no information as to the number?

Mr. PADGETT. I have not.

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

Mr. RUCKER. Mr. Speaker, I yield the floor. I have lost it.

Mr. DOWELL. I ask unanimous consent for five minutes.

The SPEAKER. The gentleman asks unanimous consent to proceed for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. DOWELL. I have had the information, coming from some of the boys at the Great Lakes Station, that the officers there refused to consider their applications for release, and tell the boys that they do not intend to consider them for several months. Does the gentleman have any information about that?

Mr. PADGETT. Not as to those particular things there. But it is a direct contradiction of what the Chief of the Bureau of Navigation and the Secretary told me, and it is in direct opposition to what the printed circular that I have seen says, namely, that instructions are given to discharge the boys, and the Secretary told me he had given instructions to discharge——

Mr. RUCKER. Mr. Speaker, I have the floor.

Mr. DOWELL. I have the floor.

Mr. RUCKER. You took it away from me, and I think I should take it back.

Mr. PADGETT. The Secretary told me he had given instructions to discharge 20 per cent.

Mr. DOWELL. One other matter, Mr. Speaker. The department advised me they have nothing to do with the discharge of the boys from the service, but it is entirely in the hands of the officers at the Great Lakes Station. They say they have given general instructions and the officers there can act upon these applications. The department here will not consider the applications for discharge.

Mr. SISSON. Will the gentleman yield? I wanted to try to help the gentleman if I could——

Mr. DOWELL. My time is going on here.

The SPEAKER. The gentleman declines to yield.

Mr. DOWELL. One other matter. A young man was in the city not over two days ago and advised me——

Mr. SISSON. Mr. Speaker——

The SPEAKER. The gentleman declines to yield.

Mr. SISSON. I make the point of order there is no quorum present.

Mr. DOWELL. If the gentleman wants to take up the time of the House to call the roll, he may do so.

The SPEAKER. The gentleman is out of order. The Speaker will count to see if there is a quorum present. [After counting.] One hundred and five gentlemen are present; not a quorum.

Mr. DENT. I move a call of the House.

The motion was agreed to.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The roll was called, and the following Members failed to answer to their names:

Ashbrook	Essen	Kiess, Pa.	Rowland
Bacharach	Estopinal	Knutson	Russell
Benson	Fairchild, G. W	Kreider	Sabath
Birch	Farr	Larsen	Sanders, La.
Bland, Ind.	Ferris	Lesher	Saunders, Va.
Blanton	Flynn	Littlepage	Scott, Pa.
Brand	Focht	Lobeck	Shackleford
Caldwell	Francis	London	Sherley
Cantrill	Fuller, Mass.	Longworth	Shouse
Carew	Gallivan	Lunn	Siegel
Carlin	Gandy	McAndrews	Slayden
Carter, Mass.	Garland	McArthur	Slemp
Carter, Okla.	Garner	McCormick	Small
Chandler, N. Y.	Goodall	McCulloch	Smith, Chas. B.
Church	Graham, Pa.	McLaughlin, Pa.	Smith, Thos. F.
Clark, Fla.	Gray, N. J.	McLemore	Stedman
Clark, Pa.	Gregg	Maher	Steele
Cleary	Griffin	Mason	Stevenson
Connelly, Kans.	Hamill	Mays	Stiness
Cooper, Ohio	Hamilton, N. Y.	Montague	Strong
Cox	Harrison, Miss.	Morin	Sullivan
Crago	Haskell	Mott	Swift
Curry, Cal.	Hayden	Mudd	Tague
Dale, N. Y.	Hayes	Nelson, J. M.	Templeton
Davey	Heaton	Nolan	Thomas
Davis	Heflin	Overmyer	Van Dyke
Decker	Heintz	Paige	Waldow
Delaney	Helm	Park	Walton
Dewalt	Hensley	Parker, N. Y.	Ward
Dies	Hood	Price	Watson, Pa.
Dominick	Howard	Rainey, J. W.	Webb
Dooling	Hull, Iowa	Rankin	White, Ohio
Drane	Hutchinson	Reed	Williams
Dunn	Johnson, S. Dak.	Riordan	Wilson, Tex.
Dupré	Keating	Roberts	Wood, Ind.
Eagle	Kelley, Mich.	Rodenberg	Wood, Iowa
Edmonds	Kennedy, R. I.	Rowe	Woodyard

The SPEAKER. On this roll call 284 Members—a quorum—have answered to their names.

Mr. KITCHIN. Mr. Speaker, I move that further proceedings under the call be dispensed with.

The SPEAKER. The gentleman from North Carolina moves that further proceedings under the call be dispensed with. The question is on agreeing to that motion.

The motion was agreed to.

The SPEAKER. The Doorkeeper will open the doors.

EXTENSION OF REMARKS.

Mr. RUCKER. Mr. Speaker, I ask unanimous consent that I may have the privilege to revise and extend my remarks on the bill which was discussed in the House a few days ago to increase the salaries of judges.

The SPEAKER. The gentleman from Missouri asks unanimous consent to revise and extend his remarks on the bill to increase the salaries of judges. Is there objection?

There was no objection.

LEAVE OF ABSENCE.

Mr. SLAYDEN, by unanimous consent, was granted leave of absence for three days on account of important business.

RETENTION OF UNIFORM AND PERSONAL EQUIPMENT.

Mr. DOWELL. Mr. Speaker, may I inquire how much time I have?

The SPEAKER. The gentleman has two minutes.

Mr. DOWELL. Mr. Speaker, as I was just about to state, a couple of men, who are engineers and who enlisted in the service for the war, advised me a few days ago that they were being held in a work that was not necessary for war work, but were engaged on construction work by the Navy Department, and they were working as privates, being held there with men who were receiving $6, $8, or $10 per day, and that they were unable to get any consideration whatever of their applications for discharge. Does the gentleman know anything about that situation?

Mr. PADGETT. No; I know nothing about individual cases; but the Secretary has issued regulations providing for the discharge of men and has given authority to the commandants of the various yards and stations to grant discharges, and has indicated certain lines where he thought they ought to be granted—men in important industry, and for family reasons, and to complete their education—and I have been told that numbers and numbers of them are being released. But I do not know about individual cases.

Mr. DOWELL. But, Mr. Speaker, what I am complaining about this is: I know that there is a general order, but I also know that many of the men in the Navy and in the Army are making applications where it is imperative that they be relieved, and I do know that their applications are receiving slow consideration by the commanding officers, and I know that the departments here are not considering these applications but advising that the commanding officers are authorized to grant these releases. It occurs to me that both the Navy and the War Departments should make every possible effort to release these young men who have enlisted for the war, where a clear showing is made that they are needed at home, either for industrial or other good reasons, and especially where they have dependents.

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

Mr. DOWELL. I ask unanimous consent to proceed for three minutes more.

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

Mr. RAGSDALE. I object.

The SPEAKER. The gentleman from South Carolina objects. All these pro forma amendments are withdrawn.

Mr. WALSH. Mr. Speaker, I have an amendment.

The SPEAKER. The gentleman will send it up. The Chair will remind the gentleman that there is an amendment pending. Is this an amendment to the amendment?

Mr. WALSH. Yes.

The SPEAKER. Let us get through with the Padgett amendment first. The Clerk will report the Padgett amendment again.

The Clerk read as follows:

Page 1, line 3, after the word "Army," insert "Navy or Marine Corps."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. PADGETT. Now, Mr. Speaker, I have several amendments perfecting the verbiage of the bill.

The SPEAKER. If the gentleman from Massachusetts [Mr. WALSH] is willing that the gentleman from Tennessee go ahead, the Chair will recognize the gentleman from Tennessee.

Mr. WALSH. Very well.

The SPEAKER. The gentleman from Tennessee will proceed.

Mr. PADGETT. On page 1, line 7, after the word "authorized," insert the word "respectively."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. PADGETT. In line 8, after the comma after the word "War," insert "or the Secretary of the Navy."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. PADGETT. In line 11 of page 1, after the word "prescribed" and before the word "by," insert the word "respectively."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. PADGETT. In the same line, after the word "War," insert "or the Secretary of the Navy."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. PADGETT. On page 2, line 1, after the word "issued," insert the word "respectively."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. PADGETT. On page 2, line 1, after the word "Department," insert "or Navy Department."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. Another amendment is pending. The Clerk will report.

Mr. WALSH. I will withhold my amendment, Mr. Speaker. I understand the gentleman from Iowa [Mr. DOWELL] wishes to submit something.

Mr. DOWELL. Mr. Speaker, a few moments ago I offered an amendment to add the word "shoes" after the word "overcoat," in line 6 of the bill. Subsequently the gentleman from Wyoming [Mr. MONDELL] offered an amendment, which included the personal effects and which made this amendment unnecessary. The amendment of the gentleman from Wyoming covers all that was intended to be covered by this amendment. I therefore move to reconsider the vote whereby my amendment was adopted.

The SPEAKER. The gentleman from Iowa moves to reconsider the vote whereby his amendment was adopted. The question is on agreeing to his motion.

The motion was agreed to.

Mr. DOWELL. The amendment now is before the House, and I want to say this word: The purpose of this amendment was to include shoes with the uniform. It has now been suggested to me that by adding the word "shoes" it is limited to one pair, and, as I am advised, I think all of the boys have issued to them more than one pair of shoes. I think all of them have two pairs of shoes at least. Under the provisions of the Mondell amendment the War Department may issue to them the shoes that they think are necessary, and I am in favor of giving them whatever they are entitled to receive under their assignment.

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

The question was taken; and the amendment was rejected.

Mr. WALSH. Mr. Speaker, I offer the following amendment.

The Clerk read as follows:

Page 2, line 2, insert at the end of the line the following: "the word 'Navy' shall include the officers and enlisted personnel of the Coast Guard who have served in the Navy during the present war."

The SPEAKER. The question is on the amendment.

The amendment was considered and agreed to.

Mr. DENT. Mr. Speaker, I move the previous question on the bill and all amendments.

Mr. SMITH of Michigan. Mr. Speaker, before that is done I would like to propose an amendment by way of a new section.

The SPEAKER. The gentleman can do so if the gentleman from Alabama will withhold his motion.

Mr. DENT. I have no objection to the gentleman from Michigan offering his amendment, and I withhold my motion for that purpose.

Mr. SMITH of Michigan. I offer the following amendment.

The Clerk read as follows:

At the end of section 1 add a new section, as follows, to stand as section 2:

"SEC. 2. That the provisions of this act shall apply to all such private soldiers and sailors honorably discharged since April 6, 1917, and in cases where such clothing and uniforms have been restored to the Government on their discharge the same or similar clothing and uniform in kind and value as near as may be shall be returned and given to such soldiers and sailors."

The SPEAKER. The question is on the amendment.

The question was taken.

Mr. SMITH of Michigan. I ask for a division.

The SPEAKER. The ayes have it.

Mr. SMITH of Michigan. Oh, well, then.

The SPEAKER. And the amendment is agreed to.

Mr. FRENCH. Mr. Speaker, I rose to be recognized before the vote was taken, but now I would like to amend the language of the amendment of the gentleman from Michigan.

The SPEAKER. The Smith amendment has been adopted.

Mr. FRENCH. I ask unanimous consent to have that amendment, if it is too late now to amend it, adopted so that the language will be changed from "soldiers and sailors"——

The SPEAKER. But the Smith amendment has been adopted. If the gentleman from Alabama will withhold his motion, the gentleman from Idaho can move to amend. The gentleman from Alabama has moved the previous question.

Mr. DENT. I will yield to the gentleman from Idaho.

Mr. FRENCH. Mr. Speaker, I move to amend the section just adopted by striking out the words "soldiers and sailors" and inserting the words "persons who served in the United States Army or Navy or Marine Corps in the present war."

Mr. SISSON. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. SISSON. I understood that a division was demanded on the Smith amendment, and I think the House generally understood it.

The SPEAKER. Who demanded the division?

Mr. SISSON. The gentleman from Michigan [Mr. SMITH] demanded a division.

The SPEAKER. But the amendment was carried.

Mr. SISSON. I think the House did not realize that the Smith amendment had been adopted.

The SPEAKER. The gentleman from Michigan demanded a division under the impression, I suppose, that his amendment had been defeated. The Member whose side carries has no right to demand a division.

Mr. STAFFORD. I question that ruling, Mr. Speaker. Sometimes a Member wants to see how large his amendment carries.

The SPEAKER. Suppose he does. [Laughter.]

Mr. GARRETT of Tennessee. Mr. Speaker——

Mr. RAGSDALE. A point of order, Mr. Speaker.

The SPEAKER. The gentleman will state it.

Mr. RAGSDALE. As a matter of fact, the gentleman from Michigan [Mr. SMITH] withdrew his request for a division and that settled the proposition without regard to any other.

Mr. GARRETT of Tennessee. Mr. Speaker, I desire to make this observation. I hope the statement just made by the Chair may not stand as a ruling for this reason, if the Chair will permit: A gentleman may demand a division on his amendment which has carried, and if the Chair holds that he has no right to demand it, other gentlemen who are against it, relying on his having demanded a division, may fail to demand it, and then they have lost their rights. The House, as some gentlemen say in this instance—I was not myself—was misled by the fact that the gentleman from Michigan demanded a division.

The SPEAKER. The Chair thinks the gentleman from Tennessee is correct.

Mr. GARRETT of Tennessee. The House was in considerable confusion, and I submit that in all fairness to the House there ought to be a division on that proposition.

Mr. MANN. A motion to reconsider is in order.

Mr. DENT. I move to reconsider the vote whereby the Smith amendment was agreed to.

The SPEAKER. The gentleman from Alabama moves to reconsider the vote whereby the Smith amendment was agreed to.

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

Mr. FRENCH. Now, Mr. Speaker, may my motion be considered as pending?

Mr. McKENZIE. Mr. Speaker, I would like to be recognized for two minutes to make a brief statement about this amendment. In my judgment, the amendment offered by the gentleman from Michigan is unwise. It will involve the War Department in endless confusion, and it will be impossible to carry it out. If the gentleman from Michigan desires to get at some concrete proposition for the benefit of deserving soldiers and sailors who have been discharged, let him offer an amendment that they shall be given in money or some equivalent to that which would be required to purchase a uniform from the Government. Any such proposition I would favor, for I want equal justice granted to all enlisted men.

Mr. DENT. Mr. Speaker, I insist upon my motion for the previous question on the bill and all amendments to final passage.

Mr. KAHN. Mr. Speaker, will the gentleman withhold that for a moment?

Mr. DENT. Certainly.

Mr. KAHN. Mr. Speaker, this amendment as drawn will not permit the issuing of uniforms to sergeants and corporals; neither will it permit the issuance of uniforms to discharged men in the Marine Corps. It is crudely drawn, and in its present shape it should not be adopted.

Mr. DENT. Mr. Speaker, I insist upon my motion for the previous question.

The SPEAKER. The gentleman from Idaho [Mr. FRENCH] wanted to offer an amendment. The question is on the Smith amendment.

Mr. SMITH of Michigan. Mr. Speaker, I would like a few moments.

The SPEAKER. The gentleman is recognized.

Mr. SMITH of Michigan. Mr. Speaker, I think that a man who enlisted and who has been honorably discharged since the beginning of the war is entitled to the benefits of this bill. They all offered their lives and services for their country and for the same purpose. They fought as only American soldiers can fight. They marched, slept, and lived in their uniforms. Their uniform was the one thing that was always with them. Many of them have been discharged since war was declared, and if there is one thing for which they have an attachment more than another it is their uniforms and the insignia they wore during their service. It occurs to me to be unjust, it occurs to me to be unfair, that a person who has served heretofore and who has been discharged before this bill can become a law shall be deprived of the benefit—the small benefit—carried by this bill. Their uniform and clothing are not of supreme value to the country. It will not carry much of any appropriation. But the uniform and the insignia worn by the soldier at the time of his discharge are prized highly by him and by rights ought to be kept by him and belong to him. There is not any reason why a person who has handed in his uniform or sent it back to the Government before the bill becomes a law, who was discharged since we declared war on the 6th day of April, 1917, should not have a uniform under the same regulation that a person gets his uniform after this bill becomes a law. This amendment provides that if the Government can not furnish the soldier the specific uniform that he had when he was discharged it should furnish him a uniform of like kind and value as worn by himself and as given up by him at the time of his discharge as near as may be. So that all of these soldiers who were honorably discharged since war was declared may be

treated fairly. What is the use of discriminating as between a soldier who was discharged last week and one who is discharged this week. It is unfair to these boys.

Mr. FRENCH. Mr. Speaker, I had intended that my amendment should be regarded as pending, and if it is not I should like to offer it again.

Mr. DENT. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. DENT. Is not the motion I made in order for the previous question? I have the floor for the purpose of making that motion, and I yielded only for the purpose of allowing the amendment to be offered and voted on.

The SPEAKER. The Chair understood that the gentleman from Alabama was willing to let the gentleman from Idaho offer his amendment to the amendment.

Mr. DENT. I have no objection to his offering the amendment to the amendment, but I want the previous question to be put.

Mr. FRENCH. Mr. Speaker, my amendment is at the Clerk's desk.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

Amendment offered by Mr. FRENCH: Amend the Smith amendment by striking out in line 2 the following: "Such private soldiers and sailors honorably discharged since April 6, 1917," and insert in lieu thereof: "persons who served in the United States Army, Navy, or Marine Corps during the present war."

The SPEAKER. The question is on the amendment to the amendment.

Mr. KAHN rose.

The SPEAKER. For what purpose does the gentleman rise?

Mr. KAHN. To offer an amendment to the amendment offered by the gentleman from Idaho. Instead of the word "persons" I suggest that he use the language "enlisted men."

The SPEAKER. Does the gentleman offer that as an amendment?

Mr. SMITH of Michigan. I will accept that amendment to include all enlisted men.

The SPEAKER. The gentleman from Michigan has no right to accept the amendment.

Mr. FRENCH. Mr. Speaker, I had intended in the language I propose——

The SPEAKER. The gentleman from Alabama agreed to permit the gentleman to offer his amendment before he moved the previous question, but he insisted there should be no debate. The question is on the French amendment to the Smith amendment.

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

The SPEAKER. The question is on the Smith amendment as amended.

The question was taken; and on a division (demanded by Mr. SMITH of Michigan) there were—ayes 51, noes 68.

The SPEAKER. The gentleman from Alabama moves the previous question on the bill and amendments to final passage.

Mr. DALLINGER. Mr. Speaker, I rise to a point of order. I make the point of order that there is no quorum present on that amendment.

The SPEAKER. The gentleman from Massachusetts makes the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and eighty Members present, not a quorum.

Mr. DENT. Mr. Speaker, I move a call of the House.

The SPEAKER. This is an automatic call. The question is on the Smith amendment as amended.

Mr. EMERSON. Mr. Speaker, may we have the amendment again reported?

Mr. DENT. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. DENT. I understood that the Smith amendment had been disposed of, and I rose to make the motion for the previous question. I understood the Chair to put that question when the point of no quorum was made.

The SPEAKER. The Chair never put the motion for the previous question.

Mr. DENT. The vote on the Smith amendment had been disposed of.

The SPEAKER. That is true, but the gentleman from Massachusetts [Mr. DALLINGER] was up making the point of order that there was no quorum present.

Mr. DENT. After I had made the motion for the previous question.

The SPEAKER. Oh, the gentleman made the motion for the previous question half an hour ago. It is only fair to give the gentleman from Massachusetts a chance. The question is on the Smith amendment as amended. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

Mr. EMERSON. Mr. Speaker, may we have the Smith amendment again reported?

The SPEAKER. Without objection, it will be again reported as amended.

There was no objection, and the Clerk again reported the Smith amendment as amended.

Mr. HASTINGS. Mr. Speaker, I thought an amendment had been accepted by the gentleman from Michigan to change the word "persons" to enlisted men," as suggested by the gentleman from California?

The SPEAKER. It never was accepted. The gentleman from Michigan had no power to accept the amendment. The Clerk will call the roll.

The question was taken; and there were—yeas 250, nays 35, answered "present" 2, not voting 145, as follows:

YEAS—250.

Alexander	Dowell	King	Robinson
Almon	Drukker	Kinkaid	Rogers
Anderson	Dupré	Kitchin	Romjue
Aswell	Dyer	Kraus	Rose
Austin	Eagan	Lampert	Rouse
Ayres	Elliott	Langley	Rubey
Baer	Ellsworth	Lazaro	Sanders, Ind.
Bankhead	Emerson	Lee, Ga.	Sanders, N. Y.
Barkley	Essen	Lehlbach	Saunders, Va.
Barnhart	Fairchild, B. L.	Lever	Schall
Beakes	Fairfield	Linthicum	Scott, Mich.
Beshlin	Fess	Little	Scully
Blackmon	Fields	Lobeck	Sears
Bland, Ind.	Fisher	Lonergan	Sells
Bland, Va.	Fordney	Lufkin	Shallenberger
Borland	Foster	Lundeen	Sinnott
Bowers	Frear	McClintic	Slemp
Browne	Freeman	McCormick	Sloan
Brumbaugh	French	McFadden	Small
Buchanan	Fuller, Ill.	McKeown	Smith, Idaho
Burroughs	Gallagher	McKinley	Smith, Mich.
Brynes, S. C.	Gallivan	McLaughlin, Mich.	Snook
Campbell, Kans.	Gard	McLemore	Snyder
Campbell, Pa.	Garrett, Tenn.	Madden	Stafford
Candler, Miss.	Garrett, Tex.	Magee	Steagall
Cannon	Glynn	Mapes	Steenerson
Cantrill	Godwin, N. C.	Martin	Stephens, Miss.
Caraway	Goodall	Merritt	Stephens, Nebr.
Cary	Goodwin, Ark.	Miller, Wash.	Sterling
Chandler, N. Y.	Graham, Ill.	Mondell	Sumners
Chandler, Okla.	Gray, Ala.	Moon	Sweet
Clark, Pa.	Green, Iowa	Moore, Pa.	Switzer
Classon	Greene, Mass.	Morgan	Taylor, Ark.
Claypool	Griest	Neely	Taylor, Colo.
Cleary	Griffin	Nelson, A. P.	Thompson
Coady	Hadley	Nicholls, S. C.	Tillman
Collier	Hamilton, Mich.	Nichols, Mich.	Tinkham
Connally, Tex.	Hardy	Oldfield	Towner
Cooper, W. Va.	Hastings	Oliver, Ala.	Treadway
Cooper, Wis.	Haugen	Oliver, N. Y.	Vare
Costello	Hawley	Osborne	Venable
Cramton	Heflin	O'Shaunessy	Vestal
Crisp	Helvering	Overmyer	Vinson
Crosser	Hersey	Overstreet	Voigt
Currie, Mich.	Hicks	Padgett	Volstead
Curry, Cal.	Hollingsworth	Phelan	Walker
Dale, Vt.	Huddleston	Polk	Wason
Dallinger	Hull, Tenn.	Porter	Watkins
Darrow	Husted	Pou	Weaver
Davey	Igoe	Powers	Welty
Dempsey	Ireland	Purnell	Whaley
Denison	Jacoway	Quin	Wheeler
Denton	James	Ragsdale	White, Me.
Dewalt	Johnson, Wash.	Rainey, H. T.	Wilson, Ill.
Dickinson	Jones	Raker	Wilson, La.
Dill	Juul	Ramsey	Wingo
Dillon	Kearns	Ramseyer	Wood, Ind.
Dixon	Kehoe	Randall	Wright
Dominick	Kelly, Pa.	Rankin	Young, N. Dak.
Donovan	Kennedy, Iowa	Rayburn	Young, Tex.
Doolittle	Kennedy, R. I.	Reavis	Zihlman
Doremus	Kettner	Reed	
Doughton	Kincheloe	Robbins	

NAYS—35.

Anthony	Gordon	Mansfield	Sherwood
Browning	Greene, Vt.	Moores, Ind.	Sisson
Burnett	Harrison, Va.	Norton	Snell
Butler	Holland	Olney	Temple
Copley	Houston	Parker, N. J.	Tilson
Dent	Howard	Peters	Walsh
Elston	Kahn	Platt	Ward
Foss	McKenzie	Rucker	Welling
Gillett	Mann	Sanford	

ANSWERED "PRESENT"—2.

Byrns, Tenn. LaGuardia

NOT VOTING—145.

Ashbrook	Carter, Mass.	Drane	Fuller, Mass.
Bacharach	Carter, Okla.	Dunn	Gandy
Bell	Church	Eagle	Garland
Benson	Clark, Fla.	Edmonds	Garner
Birch	Connelly, Kans.	Esch	Good
Black	Cooper, Ohio	Estopinal	Gould
Blanton	Cox	Evans	Graham, Pa.
Booher	Crago	Fairchild, G. W.	Gray, N. J.
Brand	Dale, N. Y.	Farr	Gregg
Britten	Davis	Ferris	Hamill
Brodbeck	Decker	Flood	Hamilton, N. Y.
Caldwell	Delaney	Flynn	Hamlin
Carew	Dies	Focht	Harrison, Miss.
Carlin	Dooling	Francis	Haskell

Hayden	Littlepage	Rainey, J. W.	Strong
Hayes	London	Riordan	Sullivan
Heaton	Longworth	Roberts	Swift
Heintz	Lunn	Rodenberg	Tague
Helm	McAndrews	Rowe	Templeton
Hensley	McArthur	Rowland	Thomas
Hilliard	McCulloch	Russell	Timberlake
Hood	McLaughlin, Pa.	Sabath	Van Dyke
Hull, Iowa	Maher	Sanders, La.	Waldow
Humphreys	Mason	Scott, Iowa	Walton
Hutchinson	Mays	Scott, Pa.	Watson, Pa.
Johnson, Ky.	Miller, Minn.	Shackleford	Watson, Va.
Johnson, S. Dak.	Montague	Sherley	Webb
Keating	Morin	Shouse	White, Ohio
Kelley, Mich.	Mott	Siegel	Williams
Key, Ohio	Mudd	Sims	Wilson, Tex.
Kiess, Pa.	Nelson, J. M.	Slayden	Winslow
Knutson	Nolan	Smith, C. B.	Wise
Kreider	Paige	Smith, T. F.	Woods, Iowa
La Follette	Park	Stedman	Woodyard
Larsen	Parker, N. Y.	Steele	
Lea, Cal.	Pratt	Stevenson	
Lesher	Price	Stiness	

So the amendment was agreed to.

The Clerk announced the following pairs:

Until further notice:

Mr. ESTOPINAL with Mr. DAVIS.

Mr. ASHBROOK with Mr. RODENBERG.

Mr. RIORDAN with Mr. NOLAN.

Mr. DOOLING with Mr. STINESS.

Mr. SIMS with Mr. ESCH.

Mr. HELM with Mr. KIESS of Pennsylvania.

Mr. BLANTON with Mr. WOODYARD.

Mr. BELL with Mr. MCARTHUR.

Mr. CARTER of Oklahoma with Mr. COOPER of Ohio.

Mr. SULLIVAN with Mr. MOTT.

Mr. PRICE with Mr. WILLIAMS.

Mr. DALE of New York with Mr. MUDD.

Mr. FERRIS with Mr. BACHARACH.

Mr. MCANDREWS with Mr. GOULD.

Mr. BYRNS of Tennessee with Mr. GOOD.

Mr. JOHN W. RAINEY with Mr. STRONG.

Mr. THOMAS with Mr. SWIFT.

Mr. LITTTLEPAGE with Mr. HAMILTON of New York.

Mr. SANDERS of Louisiana with Mr. GRAY of New Jersey.

Mr. GARNER with Mr. LONGWORTH.

Mr. BOOHER with Mr. GARLAND.

Mr. HAMILL with Mr. DUNN.

Mr. MAHER with Mr. ROWE.

Mr. LARSEN with Mr. WINSLOW.

The result of the vote was announced as above recorded.

Mr. FRENCH. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. FRENCH. Mr. Speaker, as to the amendment that I offered a while ago and that was declared carried, the Clerk in reading was under a different apprehension than I was. I intended to strike out merely the words "such private soldiers and sailors," and not the words "honorably discharged since April 6, 1917." Now, I would like to ask unanimous consent that those words, "honorably discharged since April 6, 1917," be retained in the bill.

It was not in my mind to strike these words out, but in making the amendment from the floor the Clerk understood I intended to include them with the other words of my amendment. Many men have voted no on this amendment under the apprehension that that was really what I intended, and therefore they were against it. I would like to ask unanimous consent that those words be inserted in the proper place they were in the bill.

Mr. TILSON. Mr. Speaker, I reserve the right to object. When that is done, which would really make the amendment somewhat better, then you put in an improper light every man on this floor who has voted nay against this amendment in the shape that it was in.

Mr. TEMPLE. Mr. Speaker, reserving the right to object, I voted against this amendment because it did not have the words that it is now proposed to put in. If those words had been there, I would have voted yea. Therefore I object.

Mr. FIELDS. Mr. Speaker——

The SPEAKER. The gentleman from Pennsylvania objects. The Doorkeeper will open the doors.

Mr. FIELDS. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Kentucky rise?

Mr. FIELDS. To submit a request for unanimous consent.

Mr. FRENCH. Mr. Speaker, I want to make a motion, then. I offer as an amendment——

Mr. FIELDS. Mr. Speaker, I do not believe there is a man in this House that would have voted against the amendment had it carried the language that the gentleman has asked to have reinstated in the bill. I ask unanimous consent that that language be restored to the bill and that the roll call just had be vacated.

Mr. RAGSDALE. Mr. Speaker, I object.

Mr. FRENCH. Then, Mr. Speaker, I offer an amendment to insert, following the words of my amendment, "present war," the words "honorably discharged since April 6, 1917."

The SPEAKER. Does the gentleman from Alabama [Mr. DENT] yield for that purpose?

Mr. DENT. Yes; I yield for that purpose.

Mr. MANN. It is too late to offer an amendment to this amendment unless it is reconsidered, because the amendment has been agreed to by the House.

The SPEAKER. That is true.

Mr. FRENCH. I am offering it to the section as amended.

The SPEAKER. If the gentleman from Alabama [Mr. DENT], the chairman of the committee, who made the motion for the previous question, will yield for the gentleman from Idaho [Mr. FRENCH] to offer an amendment, the Chair will not object to it.

Mr. FRENCH. Will the gentleman from Alabama yield for that purpose.

Mr. DENT. I yield.

Mr. FRENCH. I move to amend by inserting the words "honorably discharged since April 6, 1917," following the words of my amendment adopted a while ago.

The SPEAKER. The Clerk will report it, and everybody will please give attention.

The Clerk read as follows:

Amendment offered by Mr. FRENCH: After the words "present war" insert "honorably discharged since April 6 1917."

Mr. MADDEN. Mr. Speaker, I ask for the yeas and nays on that.

Mr. MANN. Mr. Speaker, I make the point of order the amendment is not in order. The Smith amendment as amended was agreed to by the House. It is too late to amend that by changing anything in it.

The SPEAKER. The point of order is sustained.

Mr. FRENCH, Mr. WOODS of Indiana, and Mr. SCOTT of Michigan rose.

The SPEAKER. For what purpose does the gentleman from Idaho rise?

Mr. FRENCH. I want to move to recommit.

The SPEAKER. The gentleman can not move to recommit now.

Mr. FRENCH. Then I move to reconsider the vote by which the Smith amendment was adopted.

Mr. DENT. Mr. Speaker, I believe I have the floor for the purpose of making a motion for the previous question on the bill and all amendments thereto. I yielded for the gentleman from Idaho [Mr. FRENCH] to offer this amendment, and as a point of order is sustained on it I insist on my motion at this time.

Mr. DOWELL. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Iowa rise?

Mr. DOWELL. On a question of order. The gentleman had the floor and has a perfect right to make the motion to reconsider. He was yielded the floor. The Speaker gave him the floor and he made the motion to reconsider, which is in order.

The SPEAKER. The gentleman from Alabama [Mr. DENT] yielded to the gentleman from Idaho [Mr. FRENCH] to offer an amendment, and the gentleman from Illinois [Mr. MANN] made a point of order that the amendment was not in order. The Chair sustained it.

Mr. FIELDS. Mr. Speaker, I move to reconsider the vote——

Mr. MADDEN. Mr. Speaker, I think a motion to reconsider is privileged under the rules.

The SPEAKER. The Chair was trying to get to it. The gentleman from Idaho [Mr. FRENCH] moves to reconsider the vote by which the Smith amendment as amended by a piece of his amendment was agreed to. The question is on the motion to reconsider.

The motion to reconsider was agreed to.

Mr. FRENCH. Then, Mr. Speaker, I would like to have my amendment offered to include the words "honorably discharged since April 6, 1917," following the language as originally adopted, as I proposed.

The SPEAKER. The Clerk will read it. We do not want to get into any more muddles about this Smith amendment.

The Clerk read as follows:

Amendment offered by Mr. FRENCH: Strike out of the Smith amendment the following: "such private soldiers and sailors" and insert "honorably discharged since April 6, 1917."

Mr. MANN. Mr. Speaker, I ask unanimous consent that the amendment be reported as it will read if this amendment be agreed to.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

SEC. 2. That the provisions of this act shall apply to all persons who served in the United States Army, Navy, or Marine Corps during the present war honorably discharged since April 6, 1917, and in cases where such clothing and uniforms have been restored to the Government with their discharge, the same or similar clothing and uniforms in kind and value, as near as may be, shall be returned and given to such soldiers and sailors.

Mr. CURRIE of Michigan. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Michigan rise?

Mr. CURRIE of Michigan. I desire to ask a question of the chairman of the committee, as to whether the words "honorably discharged" will be sufficient to cover every case desired by the House. My information is that there is a difference between an honorable discharge and a discharge which may come about upon the request of the person in the service. I have in mind the case of a young man serving in the United States Navy who was offered a commission in the Army and who made application for discharge from the Navy. He was granted the discharge on the 6th day of November. The armistice came before he could be commissioned in the Army. He was out of the naval service, but he did not receive an honorable discharge. He received what is called a discharge upon request, showing faithful service and a good rating. But under the amendment as proposed, or under this bill, he would not be permitted the privileges accorded by this bill.

The SPEAKER. Is the gentleman making a speech or is he asking a question? [Laughter.]

Mr. CURRIE of Michigan. Both. I desire information from the chairman upon the question.

Mr. DENT. I can not answer that question. I am not familiar with the regulations of the Navy, but I understand the chairman of the Committee on Naval Affairs explained that fully to-day.

Mr. CURRIE of Michigan. No; he did not.

Mr. DENT. He was on the floor about an hour, and I think he answered all questions propounded to him.

Mr. CURRIE of Michigan. He did not cover that.

Mr. PADGETT. Mr. Speaker, before the vote is taken a verbal amendment ought to be made at the end of the bill, where it says "discharged soldier or sailor." We ought to add "and marine." It says "Army and Navy and Marine Corps," but in the last passage it says simply for the "sailors and soldiers," but does not include marines. The marines ought to be included in that expression. Let the Clerk read the last words there. It also should include the Coast Guard, but that is not necessary. The bill provides that they shall be considered a part of the Navy.

Mr. KAHN rose.

The SPEAKER. For what purpose does the gentleman from California rise?

Mr. KAHN. To ask unanimous consent to extend my remarks on this amendment.

The SPEAKER. The gentleman from California asks unanimous consent to extend his remarks on the amendment. Is there objection?

There was no objection.

Mr. SMITH of Michigan. Mr. Speaker, I ask the same privilege.

The SPEAKER. Is there objection?

There was no objection.

Mr. PADGETT. Mr. Speaker, I want to make a motion to amend the amendment by adding the words "and marines" at the end.

The SPEAKER. The question is on agreeing to the Padgett amendment.

The Padgett amendment was agreed to.

The SPEAKER. The question is on agreeing to the Smith amendment as modified by the French amendment.

Mr. CURRIE of Michigan. Mr. Speaker, would an amendment now be in order to the French amendment?

The SPEAKER. No. That would be an amendment in the third degree. The question is on the Smith amendment as modified by the French amendment and as modified by the Padgett amendment.

Mr. WALSH. The Padgett amendment has not been adopted.

The SPEAKER. Yes. The question is on agreeing to the Smith amendment as modified by the French amendment and the Padgett amendment.

The amendment as modified was agreed to.

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

Mr. WALSH. Mr. Speaker, when was the French amendment to the Smith amendment adopted?

The SPEAKER. About three or four minutes ago.

Mr. WALSH. No. I think the Chair will find it was not.

The SPEAKER. The question is on agreeing to the French amendment as modified by the Padgett amendment.

The question was taken; and the Speaker announced that the "ayes" seemed to have it.

Mr. WALSH. Mr. Speaker, I ask for a division.

Mr. FRENCH. Mr. Speaker, I think the Padgett amendment does not apply to my amendment, but to the language of the Smith amendment. [Laughter.]

Mr. WALSH. Mr. Speaker, I ask for a division on the French amendment.

The SPEAKER. A division on the French amendment is demanded.

The House divided; and there were—ayes 155, noes 0.

So the French amendment was agreed to.

The SPEAKER. The question is on agreeing to the Smith amendment as amended.

The Smith amendment as amended was agreed to.

The SPEAKER. The question is on ordering the previous question.

The previous question was ordered.

The SPEAKER. The question is on the engrossment and third reading of the bill as amended.

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

Mr. DENT. Mr. Speaker, I ask that the title of the bill be amended in conformity with the text.

The SPEAKER. The gentleman from Alabama asks unanimous consent that the title of the bill be amended so as to conform to the text. Is there objection?

There was no objection.

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

LEAVE OF ABSENCE.

Mr. GARNER, by unanimous consent, was granted leave of absence, for one week, on account of illness.

UNANIMOUS CONSENT CALENDAR.

The SPEAKER. This is Unanimous Consent Calendar day, and the Clerk will call the first bill.

INTEREST ON CHEROKEE JUDGMENTS.

The first business in order on the Calendar for Unanimous Consent was the bill (H. R. 357) conferring jurisdiction upon the Court of Claims to hear, consider, and determine certain claims of the Cherokee Nation against the United States.

The title of the bill was read.

The SPEAKER. Is there objection?

Mr. STAFFORD. Mr. Speaker, I reserve the right to object.

Mr. MANN. Reserving the right to object, Mr. Speaker, let us have the bill reported.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That jurisdiction is hereby conferred upon the Court of Claims to hear, consider, and determine the claim of the Cherokee Nation against the United States for interest, in addition to all other interest heretofore allowed and paid, alleged to be owing from the United States to the Cherokee Nation on the funds arising from the judgment of the Court of Claims of May 18, 1905 (40 Ct. Cls. Rept., p. 252), in favor of the Cherokee Nation. The said court is authorized, empowered, and directed to carefully examine all laws, treaties, or agreements, and especially the agreement between the United States and the Cherokee Nation of December 19, 1891, ratified by the United States March 3, 1893 (27 Stat. L., p. 640, sec. 10), in any manner affecting or relating to the question of interest on said funds, as the same shall be brought to the attention of the court by the Cherokee Nation under this act. And if it shall be found that under any of the said treaties, laws, or agreements interest on one or more of the said funds, either in whole or in part, has not been paid and is rightfully owing from the United States to the Cherokee Nation, the court shall render final judgment therefor against the United States and in favor of the Cherokee Nation, either party to have the right of appeal to the Supreme Court of the United States as in other cases. The said claim shall be presented within one year after the passage of this act by petition in the Court of Claims by the Cherokee Nation as plaintiff against the United States as defendant, and the petition shall be verified by the attorney employed to prosecute said claim by the Cherokee Nation acting through its principal chief. A copy of the petition shall be served upon the Attorney General of the United States, and he, or some attorney from the Department of Justice to be designated by him, is hereby directed to appear and defend the interests of the United States in said cause. The law and practice and rules of procedure in said courts shall be the practice and law in this case. The attorney for the Cherokee Nation shall be paid the fee as stipulated in his contract of employment, not to exceed 15 per cent on the gross amount, if any, that shall be recovered for said Cherokee Nation. The amounts recovered for said Cherokee Nation, if any, except the fee to said attorney, shall be disbursed under the supervision of the Secretary of the Interior to the parties entitled thereto in the manner prescribed by the Court of Claims.

The SPEAKER. Is there objection?

Mr. MANN. Reserving the right to object, as I understand, the claims involved in this bill amount in the neighborhood of about half a million dollars. Apparently the bill provides that the attorney who prosecutes a case under it in the Court of

Claims shall receive 15 per cent of the amount which the court may award. As I understand the bill, it is largely a matter, perhaps not exactly of accounting, but almost accounting; a matter to be decided by the records now in existence. Does the gentleman from Oklahoma [Mr. HASTINGS] think that attorneys, for presenting a record case to be decided by the existing records, not lengthy, ought to receive a fee of $50,000 or $60,000?

Mr. HASTINGS. In answer to what the gentleman says, I will say that this involves an accounting of four items. Three of the items are very small, and if they were to find with the Cherokee Nation on three of the four items, then the fee would be practically nothing.

But, in further answer to what the gentleman says, I will say I have prepared an amendment to leave the fixing of the fee to the Court of Claims, so that the court would fix the fee.

I have also in the amendment provided that the maximum shall not be greater than 10 per cent. But 10 per cent on three of the items would be a very inconsiderable fee. Of course, if they were to find for the nation on all the four items and for the full amount claimed, that would be a reasonable fee. Anyway, I have an amendment which it is my purpose to offer allowing the Court of Claims to fix the fee, not to exceed the amount of 10 per cent.

Mr. STAFFORD. Will the gentleman yield in that particular?

Mr. HASTINGS. I do not have the floor.

Mr. STAFFORD. It is generally conceded by anyone who has examined the report of the two bills covering the four items, and especially H. R. 4699, containing two of the items which the gentleman introduced, which was formerly on the Unanimous Consent Calendar, that there is owing to the Cherokees the sum of $27,500. That is virtually conceded by the department. As to items 2 and 3, which involve the amount of $478,000, of course the gentleman agrees that 10 per cent would be an outrageous fee for a small accounting, as has been stated by the gentleman from Illinois. Ten per cent of $27,500 would allow the attorney who has been working up these claims ever since they were adjudicated by the Court of Claims, and passed on by that court and by the Supreme Court, a liberal fee for an ordinary attorney working up claims against the Government.

Mr. HASTINGS. The amendment which I propose to offer provides that the attorney shall be paid such fee as the Court of Claims thinks reasonable and proper. It is not to be in excess of the stipulated contract, not more than 10 per cent total, but any way it provides that the Court of Claims may fix the fee, and the amount shall not be in excess of 10 per cent.

Mr. MANN. Now, let us get down to brass tacks. I remember the bill very well in the previous Congress. An attorney has a contract now under which he is to receive 15 per cent of the amount collected. The Secretary of the Interior has recommended that a bill like this be passed; that we should provide that the contract for the attorney's service must be approved by him; and the old bill provided, or the Secretary recommended, I am not sure which, that the attorney's fees should be fixed by the court subject to the discretion of the Secretary of the Interior, and fix the contract for attorney's fees not to exceed the amount in the contract. So that the attorney would have to receive the approval of the Secretary of the Interior as to the amount of the fee and also the approval of the court.

Now, when it comes to fixing attorneys' fees the court has usually only one side represented. In this case if the court makes an award to the Cherokee Nation, then comes the fixing of the attorney's fees, and there will be nobody in court on any side of the case except the attorney showing how great his services have been. He will have the contract for 15 per cent. Probably the court would allow him 10 per cent. I really think that a fee of $40,000 or $50,000 for presenting to the court simply a record in the case—and that is all that is to be presented practically, for the court to say whether a previous allowance by the court should have carried interest or not, or that the Government should have paid interest beyond a certain point, which it did—it seems to me that that is allowing a good deal. Of course, we know that we paid interest on these claims from 1812 or 1816, or something like that, and in one case the interest amounted to four or five times as much as the principal—I think they were very lucky to get the principal and still luckier to get four or five times as much in interest.

Mr. HASTINGS. The court decided it for us.

Mr. MANN. I understand. Now, it is proposed that we pay additional interest, but if that interest is to be paid it ought not to go to an attorney for practically doing nothing. I am willing that the attorney should receive a reasonable compensation.

Mr. HASTINGS. What would the gentleman suggest as an amendment? All I want is to be certain that he shall receive reasonable compensation.

Mr. MANN. I think it ought to be fixed by the court, with the approval of the Secretary of the Interior.

Mr. HASTINGS. If the gentleman will permit, let me say that the affairs of the Cherokee Nation have been wound up.

Mr. MANN. The gentleman possibly misunderstood what I said. I know the Secretary of the Interior is desirous of contracting for attorneys' fees, but I did not say that, and I understand there is no way of making a new contract. That is one reason why it seems to me that somebody seeking to protect the interest of the Indians shall have something to say about the attorney's fees. Hence I would make the attorney's fees allowed by the court and approved by the Secretary.

Mr. HASTINGS. If the gentleman wants to offer an amendment to this amendment to that effect I will have no objection.

Mr. MANN. I have not prepared any amendment.

Mr. HASTINGS. Then I will insert it in this amendment and provide that it shall be approved by the Court of Claims and the Secretary of the Interior, so that there can be no question but what we want only a fair and reasonable fee.

Mr. STAFFORD. Mr. Speaker, I was going to ask whether the gentleman was willing to accept an amendment suggested by the Secretary of the Interior, in lines 24 and 25, striking out those lines and inserting in lieu thereof "under contract approved by the Commissioner of Indian Affairs and the Secretary of the Interior, as provided by law."

Mr. HASTINGS. The only objection to that is this: An attorney has investigated this question and has been at work at it for 10 or 15 years, and inasmuch as it is going to your own court, inasmuch as it simply submits the claim against the United States on behalf of the Indian tribe, certainly the Indians ought to have something to say as to whom they shall employ. Now, the Indians have employed an attorney who understands the questions involved——

Mr. STAFFORD. The gentleman means the chief has employed an attorney.

Mr. HASTINGS. Exactly; for and on behalf of the Indians, and the Indians themselves have ratified it in convention.

Mr. STAFFORD. Would the gentleman have any objection to inserting after the word "chief" that same language?

Mr. HASTINGS. The chief is dead. There is no officer to act for the tribe. A contract has been made, and the man with whom this contract has been made is familiar with it. Let me say to you that he has given practically his life to this class of work, and he is more familiar with it than any other man I know. I am not trying to fix his fee. I am willing that the Court of Claims should fix it, or that the Secretary of the Interior shall approve it, but I do believe that a man who has given 20 or 25 years of service, first to the original claim when it was pending before the courts, who followed it through all of the courts, and who is familiar with it now, is better qualified to represent these Indians than some new attorney that may be brought in.

Mr. STAFFORD. Has the gentleman that language that will provide for the suggestion made by the gentleman from Illinois?

Mr. HASTINGS. I will have it in a moment.

The SPEAKER pro tempore (Mr. ALEXANDER). Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, early in this session there was this bill and H. R. 4699 reported favorably by the Committee on Indian Affairs. The bill under consideration referred these claims to the Court of Claims for decision and the other bill provided for direct appropriation and recognition by the Congress of the obligation to pay the Cherokee Indians the sum of $27,500. It is now proposed to refer all four claims for adjudication, so far as the back interest is concerned, to the Court of Claims. Has the gentleman the amendment that he proposes to offer in case the bill is given the right of consideration?

Mr. HASTINGS. Yes; it is to the effect that the attorney for the Cherokee Nation shall be paid such fees as the Court of Claims shall find reasonable, the same to be approved by the Secretary of the Interior, and then not to exceed a certain amount.

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

Mr. HASTINGS. Yes.

Mr. NORTON. Would the gentleman say that an attorney would be fairly entitled to exceed $5,000 for his work in this case?

Mr. HASTINGS. It is like this: There are four items in this claim. I think a fee of 15 per cent on three of those items in the event their contention was sustained would be very small for the services rendered. In the event the larger item is found

due, then perhaps that would be considered a large fee, but this provides that it is to be approved first by the Court of Claims and by the Secretary of the Interior, and, also, that it shall not be above a certain amount.

Mr. NORTON. Would the gentleman have any objection to stipulating that it shall not be over $5,000, and in suggesting that I would say this: I believe the Indians will receive better service, and this will be adjudicated much more quickly, if a definite sum of that kind is set. I think that is a sufficient amount.

Mr. HASTINGS. I respectfully submit that it is not a sufficient amount. The attorney who has been working on this has been working on it ever since this judgment was granted 12 or 15 years ago.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none. This bill is on the Union Calendar.

Mr. HASTINGS. Mr. Speaker, I ask unanimous consent that it be considered in the House as in Committee of the Whole House.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk again reported the bill.

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

The Clerk read as follows:

Amendment by Mr. HASTINGS: Strike out all after the word "case," in line 6, page 3, of the bill, and insert:

"The attorney for the Cherokee Nation shall be paid such fee as the Court of Claims may find reasonable, the same to be approved by the Secretary of the Interior: *Provided*, That in no case shall the fee decreed by said Court of Claims be in excess of the amount stipulated in his contract of employment nor amount to more than 10 per cent of the sum, if any, to which the Cherokee Nation shall be found entitled. The amount recovered, if any, for the Cherokee Nation shall be disbursed under the supervision of the Secretary of the Interior to the parties entitled thereto in the manner prescribed by the Court of Claims."

The SPEAKER pro tempore. The question is on agreeing to the amendment offered by the gentleman from Oklahoma.

The amendment was agreed to.

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

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

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

GOVERNMENT CONTROL OF TELEGRAPHS AND TELEPHONES.

Mr. MOON. Mr. Speaker, I ask unanimous consent to place in the RECORD a communication about postal matters from the Postmaster General, which I think will be found of use and information to the House.

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

There was no objection.

The communication referred to is as follows:

OFFICE OF THE POSTMASTER GENERAL,
Washington, D. C., December 16, 1918.

Hon. JOHN A. MOON,
Chairman House Committee on Post Offices and Post Roads.

MY DEAR MR. MOON: I am in receipt of your communication of December 14, 1918, inclosing copy of House joint resolution 368 and requesting my views with respect thereto.

In my judgment this joint resolution should be adopted.

The principle which justifies Government control of the Postal Service applies equally to all electrical means of communication. The Constitution, in giving Congress control over post offices and post roads, obviously contemplated, not particular physical structures, but the communication of intelligence.

To establish and maintain means of communication is as much the function of the Government as is the provision for national defense. An established and widely extended means of communication is, in fact, a part of the national defense. Moreover, it is essential to the development of the country and to the progress and prosperity of its people. It is a defense of the national interests as much in peace as in war.

The authority given by the Constitution for Government control of the transmission of communication carries with it the implied obligation on the part of the Government to provide the means of communication. The function of transmitting intelligence in the service of the general public must of necessity be a monopoly, so that it may be operated in a way to be accessible to the entire public.

The wire service is a public utility of universal necessity and is adapted to the performance of no other function than that of conveying intelligence; and, disregarding the divergence of views as to Government ownership of public utilities generally, it must be recognized that electrical agencies of communication stand alone as an essential utility performing a Government function. The progress and prosperity of the Nation are dependent upon expansive means of communication between and among the people. Extension of the wire service should be determined by public needs, not the opportunity for private gain. The wire systems are supported by the public because they are a necessity in social life and in all business enterprises, however wasteful they may be in their methods of operation or extravagant in the charges. Up to this time the charges for service have been greater and the service less extensive because of wasteful duplications and competition. The extent of the service under private ownership is restricted to areas where it may be operated profitably to the individual owners. The competition which it invites is that which is in pursuit of profit, not in rivalry for public benefit and service. An extended survey of the situation has been made by the Post Office Department since the Government assumed control of the wire systems, and it clearly appears that unification of control and operation are necessary to eliminate the wastes and inherent defects of the competing and duplicating system which has heretofore existed. It would be as logical to have two or more post offices in the same town operating independently and where the patrons of each had no means of communication with the other as to allow two telephone systems to operate in the same territory, for in either case the cost to the public is muliplied and the utility divided.

Mr. Theodore N. Vail, president of the American Telephone & Telegraph Co., and probably the highest authority on wire service in the world, in a communication of the 6th instant, in which he quotes extensively from his annual report for the American Telephone & Telegraph Co., says that the service should afford electrical communication "of every kind of intelligence from anyone at any place to anyone at any other place; that the service should be comprehensive, nation wide, economical, at a minimum price so that potential business could be developed.

"To do this effectively and economically requires the combination of every kind of electrical transmission of intelligence into one system over which the most efficient service could be rendered through the development of new and useful services, and the wire plant and facilities thus be utilized to their fullest extent * * *.

"To get the best result, therefore, the common control of this unified system should extend to the furthest possible limits. Should cover our Nation and the international communications to the boundaries of all other nations with which we have existing or potential relations.

"Whatever may be done in the practical reorganization and operation of electrical communication — domestic or international—in or by the United States, whether 'open wire,' 'cable or radio,' there should be such close harmony of effort and operation one with the other and all with the internal wire systems that, in effect, there should be 'one control' of all and the cooperation and coordination of all connected or related activities, including research, investigation, and experimentation. Only in this way can the greatest results in service, in public benefit, in economy, or in cheapness be obtained."

The Government alone can safely exercise a right of monopoly such as the wire service calls for, but some plan of organization should be devised which will combine all the advantages and the authority possessed by the Government without losing the benefits of the experience of the best operation which our industrial world has demonstrated to be advantageous. The advantages of private initiative in research, investigation, and experimentation, and in other ways where possible and consistent with Government monopoly should not be lost in the inauguration of such a new system. I believe an effective plan to accomplish that result can be worked out.

The information acquired through Federal control of the telegraph and telephone systems since August 1 last enables me to assure you that the entire wire system can be acquired without requiring the appropriation of a dollar from the Public Treasury, and that through the savings by the elimination of duplications in plants and operating expenses the entire telegraph and telephone systems of the country can be paid for through an amortization fund in 25 years without increasing the rates to the public and at the same time develop a national wire system available for the use of every community in the country coextensive with the present Postal Service.

The economic importance of the proposition to acquire the properties by the Government is very great. Private capital is invested in public-service enterprises with the expectation of

7 to 8 per cent and often a greater return upon the investment. This, of course, the public is expected to pay, while the Government can borrow money at 4½ per cent. The public, however, pays the charge in either event. The difference between 4½ per cent and 8 per cent for the money invested in the wire systems of the United States would maintain and pay for the property in 18 years and 9 months. The Government as owner would no more expect to charge for interest on the investment than it would for money invested in postal facilities, navy yards, or other public property, and, as Mr. Vail has so well said:

"In any utility the permanent plant and equipment are by far the largest items of capital investment; the maintenance of plant and the proper provision for depreciation and obsolescence and taxes are second only to the cost of wages.

"If the uses of combined plant can be multiplied, extended, and utilized, it not only means reduction in the investment relative to increased utilization; it means one charge for taxes, maintenance, depreciation, and obsolescence, all of which will be reflected in the cost of operation, for, broadly speaking, upon the cost of operation charges for service are based."

Government ownership of the telegraph and telephone can in no sense be considered a party question. As early as 1844, when the Morse telegraph was in its infancy, Congress made an appropriation looking to its acquisition by the Postal Service.

In 1845 and again in 1846 the Postmaster Generl recommended that it be made a part of the postal monopoly. By the act of July 24, 1866, and the acceptance by the telegraph companies of the provisions thereof, the United States obtained an option to purchase the telegraph properties at their appraised value at any time. This option is still in full force and effect.

Postmaster General Randall in his annual report for 1867 called attention to the fact that the telegraph system of Great Britain had been put in charge of the British Post Office Department and, after stating that it was a matter of very great importance, which ought to be thoroughly investigated by Congress, recommended the appointment of a special commission to inquire into the workings of the new arrangement in Great Britain and into its feasibility in the United States.

Postmaster General Cresswell, who succeeded Mr. Randall, in his reports of 1869 and 1871 devoted considerable attention to the matter, and in the latter report, after discussing the progress of the regulation and control or the ownership and management of telegraph systems in foreign countries, said:

"These facts, all tending with overwhelming force in one direction, demonstrate conclusively the utility of the postal telegraph for both Government and the people. * * * I therefore deprecate further delay [in acquiring the telegraph lines] as injurious to the public interests."

In transmitting Postmaster General Cresswell's report to Congress, President Grant wrote:

"The suggestions of the Postmaster General for improvement in the department presided over by him are earnestly recommended to your special attention; especially do I recommend favorble consideration of the plan for uniting the telegraph system of the United States with the postal system. It is believed that by such a course the cost of telegraphing could be much reduced and the service as well, if not better, rendered. It would secure the further advantage of extending the telegraph through the portions of the country where private enterprise will not construct it. Commerce, trade, and, above all, the efforts to bring the people widely separated into a community of interest are always benefited by a rapid intercommunication."

Again, in 1873, Postmaster General Cresswell earnestly renewed his recommendation for the acquisition of the telegraph by the Government.

The matter of Government control of the telegraph systems of the country does not appear to have been again discussed in reports of the department until the report of Postmaster General Maynard for the year 1880. He refers to a visit to the British post office and to the success of the operation of the telegraph system by the postal service of that country, and inquires:

"Is it not time for us to renew the inquiry whether it is wise to leave this important instrument of correspondence in charge of corporations whose primary object is gain to the managers and stockholders and the convenience of the public secondary only?"

Postmaster General Howe in his report for 1882 refers to the consideration which was given in the past to the question by the Postmaster General and committees of Congress, who have urged that the Post Office Department should take exclusive possession of the telegraph service, and states that he is forced to the conclusion "that the time has fully come" when the telegraph and postal services should be embraced under one management.

Postmaster General Gresham in his report for 1883 presents the legal phase of the subject, and concludes that Congress has constitutional power to assume control of the telegraph either by acquisition and operation of existing lines or the construction of lines which would operate in competition with existing companies.

Postmaster General Wanamaker in his annual reports for 1889, 1890, 1891, and 1892 strongly urged the operation of the telegraph lines as a part of the postal system by contract or otherwise, and forcibly presented his views as to the benefits and economies to the public by such unification and operation of the two systems, and in his reports for 1891 and 1892 he also recommended the utilization of the telephone systems as a part of the Postal Service.

Postmaster General Payne in his report of 1903 recommended an appropriation by Congress for the purpose of enabling the Postmaster General to investigate the propriety of extending the privileges of special delivery of letters or the contents thereof by means of the telephone.

Postmaster General Cortelyou, in his report of 1906 referred to departmental investigations to be had to determine the feasibility of the adoption of many important policies of administration, including the postal telegraph and telephone.

Postmaster General Hitchcock in his annual report of 1911 strongly urged that the telegraph lines be made part of the Postal Service and operated in conjunction with the mail service, as is done in practically all of the European countries, including Great Britain, France, Italy, Russia, Austria, and Germany.

The present Postmaster General in his annual report for 1913 and subsequent reports has urged the Government ownership of both the telegraph and the telephone systems and their operation in connection with the Postal Service.

More than 70 bills have been introduced in Congress since 1871 to secure legislation for the purchase or control by the Government of the telegraph lines, and more than a score of these bills have been reported favorably by Senate or House committees.

The purchase, lease, or other forms of control of the telegraph and telephone have been advocated by many Senators and Representatives, and public men such as Henry Clay, Charles Sumner, Hannibal Hamlin, President Grant, Senators Edmunds, Dawes, Chandler, nearly all of the Postmasters General since the Civil War, as well as by leading publicists and economists of the country, regardless of party or factional alignments, and there is absolutely no reason why the question should be made a political one at this time.

The telegraph and telephone systems are now being operated by the Postmaster General for the duration of the war. Awards have been made for compensation, or compensation agreed upon, with the leading telegraph and telephone companies, and the properties are now being operated as one system. An opportunity is thus presented to demonstrate the advantages or disadvantages to the public of the joint operation of the telegraph and telephone systems and the Postal Service, which has been so strongly urged upon Congress in one form or another for over 75 years.

The present control will, under existing law, cease upon the proclamation of the President of the ratification of the terms of peace. Many of the independent telephone companies could not take back the properties without serious loss to the investors and great detriment to the service. I find that many of these companies were operating at a loss, due to the waste incident to competition and delivery of State regulation, and that, owing to the failure to set aside proper depreciation funds, many of the properties were rapidly drifting into a condition where they could not give proper public service and had been operating under such conditions that new capital could not be provided for renewals; in fact, some of the larger companies are losing hundreds of thousands of dollars a year in some States in operating the properties under the abnormal conditions which have existed during the present war. The interest of the public, the investors, and the maintenance of the properties all require that the telegraph and telephone properties should not be returned to the owners in the present situation of affairs.

One of the objections advanced against Government ownership of the telegraph and telephone systems is that the party in power would be able to make use of the private information contained in telegraph and telephone messages, passing over the lines, for political purposes. In this connection your attention is called to the fact that the act of Congress approved October 29 last provides heavy penalties for divulging the contents of any telegraph or telephone message. In fact, this law throws around telegraph and telephone messages all of the safeguards

as to privacy that previously existed with respect to sealed communications passing through the mails.

Some such legislations as the pending joint resolution would seem to be imperative in view of the facts stated.

Very truly, yours,

A. S. BURLESON,
Postmaster General.

PERSONNEL OF COAST GUARD.

The next bill on the Calendar for Unanimous Consent was the bill (H. R. 6979) to regulate the personnel of the Coast Guard.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. Mr. Speaker, at the request of the gentleman who reported the bill, who is unavoidably absent from the city to-day, I ask unanimous consent that the bill may be passed over without prejudice.

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

Mr. FOSTER. That is to go to the foot of the calendar?

The SPEAKER pro tempore. To go to the foot of the calendar?

Mr. STAFFORD. Yes.

There was no objection.

MINING ON INDIAN RESERVATIONS.

The next business on the Calendar for Unanimous Consent was the bill (S. 385) to authorize mining for metalliferous minerals on Indian reservations.

The SPEAKER pro tempore. Is there objection?

Mr. WALSH. Mr. Speaker, I object.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent that the bill may remain on the calendar.

Mr. FOSTER. At the foot of the calendar.

The SPEAKER pro tempore. The gentleman from Wyoming asks unanimous consent that the bill remain on the calendar, to go to the foot thereof. Is there objection?

There was no objection.

TO PERMIT THE GOVERNMENT TO USED SEIZED OPIUM, ETC.

The next business in order on the Calendar for Unanimous Consent was the bill (H. R. 9830) providing for the disposition of opium, its salts and derivatives, coca leaves, their salts and derivatives, and any other drugs seized by the United States Government in the enforcement of the provisions of the act of October 1, 1890, as amended by the acts of March 3, 1897, February 9, 1909, and January 17, 1914, or the act of December 17, 1914.

The Clerk read the title of the bill.

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

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I understand this has been incorporated in the war-revenue act in the Senate——

Mr. FOSTER. I do not know; not this.

Mr. STAFFORD. When this bill was last brought up on the Unanimous Consent Calendar, if my memory serves me right, the gentleman from Illinois, who introduced the bill and made the report, requested that the bill be passed over without prejudice, and I ask unanimous consent, in his absence, that the bill be passed over without prejudice.

Mr. FOSTER. I have sent for the chairman of the Committee on Ways and Means. The chairman of the committee will be here in just a moment.

Mr. STAFFORD. I ask unanimous consent that the bill be passed over temporarily to be taken up when the gentleman from North Carolina comes in the Chamber.

Mr. FOSTER. It is a pretty important bill.

Mr. WALSH. Why should not the gentleman from Illinois [Mr. HENRY T. RAINEY] also be present, who introduced the bill and made the report?

The SPEAKER pro tempore. The gentleman from Wisconsin asks unanimous consent that the bill be passed over temporarily. Is there objection?

Mr. FOSTER. This is to be just temporary?

The SPEAKER pro tempore. That is the announcement the Chair made. Is there objection?

Mr. WALSH. What is the gentleman's request?

The SPEAKER pro tempore. That the bill be passed over temporarily. Is there objection? [After a pause.] The Chair hears none.

EXEMPTING WRECKING VESSELS FROM THE PROVISIONS OF THE SEAMEN'S ACT.

The next business in order on the Calendar for Unanimous Consent was the bill (H. R. 11408) to amend section 4516 of the Revised Statutes of the United States, as amended by sections 1 and 2 of an act entitled "An act to promote the welfare of American seamen in the merchant marine of the United States; to abolish arrest and imprisonment as a penalty for desertion, and to secure the abrogation of treaty provisions in relation thereto; and to promote safety at sea," approved March 4, 1915.

The Clerk read the title of the bill.

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

Mr. STAFFORD. Mr. Speaker, reserving the right to object——

Mr. MANN. Let us have the bill reported.

The Clerk read as follows:

Be it enacted, etc., That section 4516 of the Revised Statutes of the United States, as amended by sections 1 and 2 of an "Act to promote the welfare of American seamen in the merchant marine of the United States; to abolish arrest and imprisonment as a penalty for desertion and to secure the abrogation of treaty provisions in relation thereto; and to promote safety at sea," approved March 4, 1915, be amended by striking out the period at the end of said sections 1 and 2 and adding the following words: "or wrecking vessels."

The committee amendments were read, as follows:

Page 1, line 4, strike out the word "sections" and insert the word "section."

Page 1, line 5, strike out the words "and two," and after the word "of" strike out the word "an" and insert the words "the act entitled 'an.'"

Page 2, line 5, after the word "fifteen," strike out the word "be" and insert "and section 2 of said act of March 4, 1915, are hereby."

Page 2, line 6, after the word "by," strike out the words "striking out" and insert the words "inserting before."

Page 2, line 7, after the word "of," insert the words "each of."

Page 8, after the word "sections," strike out the words "1 and 2 and adding," and amend the title.

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

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I wish to inquire of some member of the committee what are the provisions of sections 1 and 2 from which this bill seeks to relieve wrecking vessels?

Mr. HARDY. The gentleman from Missouri [Mr. ALEXANDER] will explain, if necessary, more at length, but I will simply say this: In the original enactment of the seamen's bill there was a requirement for certain watch officers on board the different vessels and there were exceptions to it. For instance, in the provision yachts were excepted and fishing vessels, but it was overlooked that there was not any need for different watches on board a wrecking vessel, which is stationary in the main, and when this was called to the attention of the committee, that we had required different watches on wrecking vessels, they immediately and unanimously added an exemption which also extended to wrecking vessels.

Mr. STAFFORD. Do I understand from the gentleman's statement that sections 1 and 2 merely relate to watches on board vessels?

Mr. HARDY. This provision, as I remember it, adds wrecking vessels to the exemption in reference to watches. There is no objection to it by anybody.

Mr. STAFFORD. These wrecking vessels see service on the high seas, and it is very necessary they should come under the scope of certain provisions of the seamen's law.

Mr. ALEXANDER. The seamen's act provides for the crewing of vessels and is quite rigid in its requirements. Now, in view of the fact that wrecking vessels are only navigated when going from one wreck to another, and for a greater part of the time are stationary while they are engaged in the wrecking business, it will be a very great hardship for them to be manned under the standards of the seamen's act. The law gives to the steamboat inspectors the power to determine what a sufficient manning of wrecking vessels may be for their safe navigation, just like on yachts and fishing vessels, and it gives them great discretion.

Mr. STAFFORD. The vessels will be relieved from the absolute requirement as to the number of watches and number of seamen, but leaves it to the discretion of the Secretary of Commerce to determine what should be the proper complement of men?

Mr. ALEXANDER. Yes; that is it. As it is, it is a very great hardship.

Mr. STAFFORD. I withdraw the reservation of the point of order.

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

The question is on the committee amendments.

The question was taken, and the committee amendments were agreed to.

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

The title was amended to read as follows: "A bill to amend section 4516 of the Revised Statutes of the United States and section 2 of an act entitled 'An act to promote the welfare of American seamen in the merchant marine of the United States; to abolish arrest and imprisonment as a penalty for desertion, and to secure the abrogation of treaty provisions in relation thereto; and to promote safety at sea,' approved March 4, 1915."

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

Mr. FIELDS. Mr. Speaker, I ask unanimous consent that roll call No. 13, which was the roll call last had, be vacated.

The SPEAKER pro tempore. The gentleman from Kentucky asks unanimous consent that the last roll call, No. 13, be vacated.

Mr. DONOVAN. Mr. Speaker, reserving the right to object, the gentleman from South Carolina [Mr. RAGSDALE] was interested in that. He has stepped from the Chamber a moment. I shall object until his return and see whether he wishes it done or not.

The SPEAKER pro tempore. Objection is made. The Clerk will report the next bill.

EXTENSION OF REMARKS.

Mr. DOWELL. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD on the bill (H. R. 13366) relative to uniforms and equipment of soldiers and sailors.

The SPEAKER pro tempore. The gentleman from Iowa asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection? [After a pause.] The Chair hears none.

GOVERNMENT USE OF SEIZED OPIUM.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent to return to the bill H. R. 9830, which was passed over temporarily a moment ago.

The SPEAKER pro tempore. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 9830) providing for the disposition of opium, its salts and derivatives, coca leaves, their salts and derivatives, and any other drugs seized by the United States Government in the enforcement of the provisions of the act of October 1, 1890, as amended by the acts of March 3, 1897, February 9, 1909, and January 17, 1914, or the act of December 17, 1914.

Mr. KITCHIN. Let the Clerk read the bill.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That all opium, its salts, derivatives, and compounds, and coca leaves, salts, derivatives, and compounds thereof, which may now be under seizure or which may hereafter be seized by the United States Government from any person or persons charged with any violation of the act of October 1, 1890, as amended by the acts of March 3, 1897, February 9, 1909, and January 17, 1914, or the act of December 17, 1914, shall, upon conviction of the person or persons from whom seized, be confiscated by and forfeited to the United States; and the Secretary of the Treasury is hereby authorized to deliver for medical or scientific purposes to any department, bureau, or other agency of the United States Government, upon proper application therefor under such regulation as may be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, any of the drugs so seized, confiscated, and forfeited to the United States.

The provisions of this act shall also apply to any of the aforesaid drugs seized or coming into the possession of the United States in the enforcement of any of the above-mentioned acts where the owner or owners thereof are unknown. None of the aforesaid drugs coming into possession of the United States under the operation of said acts, or the provisions of this act, shall be destroyed without certification by a committee appointed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, that they are of no value for medical or scientific purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none. The bill is on the Union Calendar.

Mr. KITCHIN. Mr. Speaker, I ask unanimous consent that it be considered in the House as in the Committee of the Whole.

The SPEAKER pro tempore. Is there objection to the request made by the gentleman from North Carolina that the bill be considered in the House as in the Committee of the Whole? [After a pause.] The Chair hears none.

Mr. MANN. Mr. Speaker, will the gentleman from North Carolina yield for a question?

Mr. KITCHIN. I will.

Mr. MANN. How much of this stuff is now on hand?

Mr. KITCHIN. About $100,000 worth on the date this bill was reported out.

Mr. MANN. How rapidly does it accumulate and how long a time does that represent? Does the gentleman know?

Mr. KITCHIN. I really do not know. I think most of it must have been seized since the act passed in 1914.

Mr. MANN. Well, I supposed there was a considerable amount seized on importations at different times. What has been done with that under the law?

Mr. KITCHIN. It is in the hands of the agents of the Government. The smoking opium, that which is seized mostly from importation, under the law, they can sell to the highest bidder, and that was disposed of and the money, of course, turned into the Treasury.

Mr. MANN. Is the gentleman sure that smoking opium is sold? I think it is not.

Mr. KITCHIN. Yes. Smoking opium was authorized to be sold to the highest bidder; but other opium, coca leaves, their salts and derivatives, could not be sold, and, of course, had to be held by the Government, either by the customhouse officials or, if the offenders were convicted, by the Department of Justice.

Mr. MANN. The gentleman states that smoking opium seized is sold. That was not my impression. I may be wrong about it. I had a good deal to do with the passage of the original act to prohibit the importation of smoking opium. I must say I can not see we are so much better off if a man can import smoking opium, then have it seized by the Government, and then buy it on a sale by the Government. We get the smoking opium and the evils of smoking opium. That was what we were seeking to abolish—the smoking.

Mr. KITCHIN. Now, we are seeking to turn it all over and not sell it to the highest bidder. Turn it over to the department for medical and scientific purposes, under such rules and regulations as the International Revenue Commissioner may decide.

Mr. MANN. My recollection is, although it is somewhat hazy, perhaps, that the scientists connected with the Government when we passed the original law practically stated that smoking opium was of no value for any scientific purpose.

Mr. KITCHIN. Well, it may not be; but it would be turned over for some purpose and not get into the hands of the public for smoking.

Mr. MANN. Clearly it ought not to be sold.

Mr. WALSH. Will the gentleman yield?

Mr. KITCHIN. I will.

Mr. WALSH. Is there any particular urgency for the passage of this measure in order that some of these drugs may be destroyed or turned over to the Government?

Mr. KITCHIN. I did not catch the first part of the question.

Mr. WALSH. Is there any particular urgency for passing this in order to take over these drugs that have been accumulating?

Mr. KITCHIN. No particular urgency, except some of the bureaus desire it for scientific purposes.

Mr. WALSH. As the gentleman probably knows, we passed a bill here several months ago very similar to this, almost similar, except it was to take care of intoxicating liquors that have been accumulating, and the Government is having great difficulty in finding storage place for it, and it is filling up warehouses and having to hire buildings, and it was represented that was a particular urgency. The bill passed the House and is still slumbering. I wondered if the same method was to be pursued.

Mr. KITCHIN. I assure the gentleman that we will not have to build houses to take care of the seized opium. The Secretary of the Treasury recommends this. But there is no reason why we should not pass it, because every Member recognizes the fact that this seized and confiscated opium and coca leaves, and their salts and derivatives, ought to be disposed of by the Government in the way pointed out by this bill; that is, turn it over to the Government hospitals or to some bureau for scientific purposes. I understand the hospitals are in need of a great deal of this stuff that has been seized.

Mr. WALSH. I would like to know whether the prosecutions for violation of these acts are under the jurisdiction of the Attorney General or are they under the Treasury Department? Who prosecutes them? The Department of Justice?

Mr. KITCHIN. The Department of Justice prosecutes. The Treasury hunts up the cases, gets up the evidence, and makes the seizures.

Mr. WALSH. It seems to me if the Department of Justice prosecutes the violation of this act they would be the ones that would deliver the property to these institutions, and that regulations in connection with its transfer should be made by the Department of Justice and the Attorney General rather than by the Commissioner of Internal Revenue. I wondered whether there was any particular reason for taking it out of the Attorney General's hands after the convictions had been secured. This provides that after it is seized it shall be turned over to the department under the rules and regulations of the Internal-Revenue Commissioner. I suppose after it is seized there will have to be some convictions had?

Mr. KITCHIN. Yes.

Mr. WALSH. Now, after conviction is secured you put the matter out of the Attorney General's hands and turn it back to the Secretary of the Treasury.

Mr. KITCHIN. The Attorney General would turn it over to the Internal-Revenue Commissioner's office or dispose of it according to the rules and regulations that are prescribed.

Mr. WALSH. I suppose there will not be any conflict, but it seems to me that where a law officer of the Government takes charge of the prosecution of these cases, the violation of the internal-revenue laws or the use of these drugs, he ought to be the proper official to dispose of it. It would be in his custody during the trial of the case and under his control.

Mr. HENRY T. RAINEY. Mr. Speaker, will the gentleman yield?

Mr. WALSH. I yield.

Mr. HENRY T. RAINEY. I will say to the gentleman that this opium and these derivatives are in the possession now of the Internal Revenue Department. The Attorney General's Department never gets it at all. This is taken away from the bootleggers in the red-light sections of cities and from illicit dealers everywhere. They have an immense amount of it; $100,000 worth, or even more than that much, has been taken since this bill was introduced. The amount is constantly increasing. The business of the Department of Justice is to convict these bootleggers when it can. After they are convicted there is not any provision of law under which these opiates can be disposed of at all. They are left in the hands of the Treasury Department.

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

Mr. HENRY T. RAINEY. Yes.

Mr. NORTON. In cases where these opiates or derivative salts are taken and no conviction is secured, although the opium and salts are retained by the Government, what disposition is made of them?

Mr. HENRY T. RAINEY. They ought not to be returned unless it can be shown they are in possession of them legitimately.

Mr. NORTON. I have in mind the fact that opium can be taken oftentimes by the Government and no claimant appears for it.

Mr. HENRY T. RAINEY. The Government ought to be authorized to dispose of it. There is a demand for every bit of it in our Red Cross hospitals at this moment. They are anxious to get it.

Mr. WALSH. I know that the gentleman from Illinois is very familiar with the provisions of the bill, because he introduced it and filed the report on it. He will notice that it is only upon conviction of the persons from whom it is received that this property is confiscated, and, of course, in order to secure conviction it is necessary for the law officers of the Government to prosecute the cases.

Mr. HENRY T. RAINEY. Yes.

Mr. WALSH. And in their prosecution of the cases they must have control and possession of the drugs upon which the prosecution is based.

Mr. HENRY T. RAINEY. They do not bring it into court.

Mr. WALSH. They can not convict them without bringing it into court.

Mr. HENRY T. RAINEY. If they take a chest of these drugs they do not have to bring the entire material into court. They can make proof and secure conviction. Under the laws as they now have them, they have extreme difficulty in convicting anybody.

Mr. WALSH. But it seems they should do in this as it is proposed to be done in the case of intoxicating liquors seized in violation of the Kenyon law and the Reed law.

Mr. HENRY T. RAINEY. Yes.

Mr. WALSH. So that the Attorney General or the district attorney should turn over this property which is the basis of the prosecution and not turn it back to the internal revenue collector or to the Secretary of the Treasury, because it was not seized for failure to pay customs duties or anything of that sort.

Mr. HENRY T. RAINEY. I will say to the gentleman from Massachusetts that the entire administration of the narcotic laws is in a terrific state of confusion. The laws are insufficient and have been held insufficient by the courts in very material parts. This bill is needed as a sort of makeshift to quickly reach the opium now on hand, in order that it may be disposed of and get it into the hands of the hospitals, where it will do some good. I did not draw this bill. I do not have any particular pride of authorship in it.

Mr. WALSH. It looks as if it were drawn in the department.

Mr. HENRY T. RAINEY. It was drawn in the department, and it meets the approval of the internal-revenue officers, as well as the legal department. We are trying to amend the entire body of laws relating to the subject.

Mr. WALSH. I do not raise any objection to the passage of the bill, but in order to have a uniform practice I think it would be better to have a uniform procedure.

Mr. HENRY T. RAINEY. The entire subject ought to be rewritten. All of these laws ought to be rewritten, and they will be.

Mr. WALSH. I have no objection.

Mr. KITCHIN. Question, Mr. Speaker.

The SPEAKER pro tempore (Mr. ALEXANDER). The question is on the engrossment and third reading of the bill.

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

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

The SPEAKER pro tempore. The Clerk will report the next bill.

OLD CUSTOMHOUSE AT KENNEBUNK PORT, ME.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 4283) authorizing the donation of land and building at Kennebunk Port, Me., known as the old customhouse, to the town of Kennebunk Port, Me.

The title of the bill was read.

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

Mr. STAFFORD. I object.

The SPEAKER pro tempore. The gentleman from Wisconsin objects.

Mr. HERSEY. Mr. Speaker, I want to ask, in the absence of my colleague from Maine [Mr. GOODALL], who introduced the bill, which was referred to the Committee on Buildings and Grounds, that the bill be passed over by unanimous consent without prejudice.

Mr. STAFFORD. The gentleman from Maine [Mr. GOODALL], who introduced this bill, has been very energetic not only in securing the consideration of the bill in the committee but in the House, and he called upon me last night in connection with the merits of the bill. If his colleague makes this request I have no objection.

Mr. HERSEY. My colleague from Maine has been unable to be present to-day, and he asks that the bill be put at the foot of the calendar without prejudice.

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

There was no objection.

DISTRICT ATTORNEY OF RHODE ISLAND.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 3563) to increase the salary of the United States district attorney for the district of Rhode Island.

The SPEAKER. Is there objection?

Mr. CRAMTON. I object.

GRANTING CERTAIN LANDS TO THE CITY OF SAN DIEGO.

Mr. KETTNER. Mr. Speaker, I move to suspend the rules and take from the Speaker's table the bill (S. 3646) and put it upon its final passage.

The SPEAKER. The gentleman from California moves to suspend the rules and take from the Speaker's table the bill (S. 3646).

Mr. MANN. Let us have the bill reported.

Mr. CRAMTON. Mr. Speaker, I reserve a point of order.

The SPEAKER. What is the gentleman's point of order?

Mr. CRAMTON. The point of order is against taking up the bill, as it is a bill that is referred to the Committee of the Whole House on the state of the Union. I have other points, but that is the particular one.

The SPEAKER. The Chair would like to hear the gentleman.

Mr. CRAMTON. Rule XXIV, paragraph 2, provides for the disposition of business on the Speaker's table. That will be found on page 394 of the House Manual, section 860.

The SPEAKER. Does the gentleman think that section applies to the suspension of the rules?

Mr. CRAMTON. Possibly not.

The SPEAKER. The Chair does not think it does.

Mr. CRAMTON. May we have the motion again reported?

The SPEAKER. The motion is to suspend the rules, take up the bill, and consider it.

Mr. CRAMTON. And the motion does not state that a similar House bill has been reported?

The SPEAKER. No; it does not state it, and it does not have to. Is that all the point that the gentleman has? The point is overruled. The Clerk will report the bill.

Mr. CRAMTON. Mr. Speaker, I make the point that there is no quorum present.

The SPEAKER. That point is well taken, in all probability. [Laughter.] There is no quorum present.

Mr. KETTNER. Mr. Speaker, I move a call of the House.

The question was taken, and on a division (demanded by Mr. KETTNER and Mr. FOSTER) there were—22 ayes and 24 noes.

Mr. KETTNER. Mr. Speaker, I demand tellers.

The question of ordering tellers was taken and 25 Members arose, not a sufficient number.

Mr. CRAMTON. Mr. Speaker, I move that the House do now adjourn.

The question was taken, and on a division (demanded by Mr. STAFFORD) there were—25 ayes and 33 noes.

Mr. KETTNER. Mr. Speaker, I demand the yeas and nays on the motion to adjourn.

The yeas and nays were ordered.

The question was taken; and there were—years 65, nays 181, answered present 1, not voting 185, as follows:

YEAS—65.

Anderson	Esch	Little	Sanders, N. Y.
Bland, Ind.	Fordney	Longworth	Sanford
Bowers	Frear	Lufkin	Scott, Mich.
Browne	Fuller, Ill.	McKinley	Sells
Campbell, Kans.	Gillett	McLaughlin, Mich.	Stafford
Cannon	Green, Iowa	Magee	Sweet
Cary	Greene, Mass.	Merritt	Tilson
Chandler, N. Y.	Greene, Vt.	Mondell	Timberlake
Clark, Pa.	Hersey	Mott	Voigt
Cooper, W. Va.	Ireland	Nelson, A. P.	Volstead
Copley	Kelley, Mich.	Nichols, Mich.	Walsh
Cramton	Kraus	Parker, N. J.	Ward
Currie, Mich.	La Follette	Platt	Wood, Ind.
Dale, Vt.	LaGuardia	Purnell	Young, N. Dak.
Davis	Lampert	Ramsey	
Elliott	Langley	Ramseyer	
Ellsworth	Lehlbach	Rogers	

NAYS—181.

Alexander	Dupré	King	Schall
Almon	Dyer	Kinkaid	Sears
Ayres	Eagan	Kitchin	Shallenberger
Baer	Emerson	Lever	Sherwood
Bankhead	Evans	Linthicum	Shouse
Barnhart	Fairfield	Lobeck	Sims
Beakes	Fess	London	Sinnott
Beshlin	Fields	Lonergan	Sisson
Black	Flood	Lundeen	Slemp
Blackmon	Foss	McFadden	Sloan
Bland, Va.	Foster	McKenzie	Smith, Idaho
Blanton	French	McKeown	Smith, Mich.
Brodbeck	Gallagher	Mann	Snell
Browning	Gallivan	Mansfield	Snook
Brumbaugh	Gandy	Mapes	Steagall
Buchanan	Gard	Martin	Stephens, Miss.
Byrnes, S. C.	Garrett, Tenn.	Miller, Wash.	Stephens, Nebr.
Byrns, Tenn.	Garrett, Tex.	Moon	Sterling
Campbell, Pa.	Glynn	Moores, Ind.	Sumners
Caraway	Goodwin, Ark.	Morgan	Switzer
Church	Gordon	Norton	Taylor, Colo.
Classon	Graham, Ill.	Oldfield	Temple
Claypool	Gray, Ala.	Oliver, Ala.	Thompson
Cleary	Griest	Oliver, N. Y.	Tinkham
Coady	Hadley	Olney	Treadway
Collier	Hamilton, Mich.	Osborne	Vare
Connally, Tex.	Hamlin	O'Shaunessy	Venable
Cooper, Wis.	Harrison, Va.	Overstreet	Vestal
Crisp	Hastings	Peters	Vinson
Crosser	Haugen	Phelan	Wason
Curry, Cal.	Hawley	Polk	Watkins
Dallinger	Heflin	Porter	Watson, Va.
Darrow	Helvering	Pratt	Weaver
Davey	Hilliard	Quin	Welling
Dempsey	Hollingsworth	Ragsdale	Welty
Denton	Houston	Rainey, H. T.	Whaley
Dewalt	Huddleston	Raker	Wheeler
Dickinson	Hull, Tenn.	Rayburn	White, Me.
Dill	Igoe	Reavis	Wilson, La.
Dillon	Jacoway	Robbins	Wingo
Dixon	Johnson, Ky.	Romjue	Wright
Dominick	Juul	Rose	Young, Tex.
Donovan	Kehoe	Rouse	Zihlman
Doolittle	Kennedy, Iowa	Rubey	
Doughton	Kettner	Sanders, Ind.	
Dowell	Kincheloe	Saunders, Va.	

ANSWERED PRESENT—1.

Butler

NOT VOTING—185.

Anthony	Connelly, Kans.	Ferris	Heaton
Ashbrook	Cooper, Ohio	Fisher	Heintz
Aswell	Costello	Flynn	Helm
Austin	Cox	Focht	Hensley
Bacharach	Crago	Francis	Hicks
Barkley	Dale, N. Y.	Freeman	Holland
Bell	Decker	Fuller, Mass.	Hood
Benson	Delaney	Garland	Howard
Birch	Denison	Garner	Hull, Iowa
Booher	Dent	Godwin, N. C.	Humphreys
Borland	Dies	Good	Husted
Brand	Dooling	Goodall	Hutchinson
Britten	Doremus	Gould	James
Burnett	Drane	Graham, Pa.	Johnson, S. Dak.
Burroughs	Drukker	Gray, N. J.	Johnson, Wash.
Caldwell	Dunn	Gregg	Jones
Candler, Miss.	Eagle	Griffin	Kahn
Cantrill	Edmonds	Hamill	Kearns
Carew	Elston	Hamilton, N. Y.	Keating
Carlin	Essen	Hardy	Kelly, Pa.
Carter, Mass.	Estopinal	Harrison, Miss.	Kennedy, R. I.
Carter, Okla.	Fairchild, B. L.	Haskell	Key, Ohio
Chandler, Okla.	Fairchild, G. W.	Hayden	Kiess, Pa.
Clark, Fla.	Farr	Hayes	Knutson
Kreider	Mudd	Rucker	Tague
Larsen	Neely	Russell	Taylor, Ark.
Lazaro	Nelson, J. M.	Sabath	Templeton
Lea, Cal.	Nicholls, S. C.	Sanders, La.	Thomas
Lee, Ga.	Nolan	Scott, Iowa	Tillman
Lesher	Overmyer	Scott, Pa.	Towner
Littlepage	Padgett	Scully	Van Dyke
Lunn	Paige	Shackleford	Waldow
McAndrews	Park	Sherley	Walker
McArthur	Parker, N. Y.	Siegel	Walton
McClintic	Pou	Slayden	Watson, Pa.
McCormick	Powers	Small	Webb
McCulloch	Price	Smith, C. B.	White, Ohio
McLaughlin, Pa.	Rainey, J. W.	Smith, T. F.	Williams
McLemore	Randall	Snyder	Wilson, Ill.
Madden	Rankin	Stedman	Wilson, Tex.
Maher	Reed	Steele	Winslow
Mason	Riordan	Steenerson	Wise
Mays	Roberts	Stevenson	Woods, Iowa
Miller, Minn.	Robinson	Stiness	Woodyard
Montague	Rodenberg	Strong	
Moore, Pa.	Rowe	Sullivan	
Morin	Rowland	Swift	

So the House refused to adjourn.

The following additional pairs were announced:

Mr. HENSLEY with Mr. WOODYARD.

Mr. STEELE with Mr. BUTLER.

Mr. ESTOPINAL with Mr. GOOD.

Mr. SULLIVAN with Mr. GOODALL.

The result of the vote was announced as above recorded.

SENATE BILL REFERRED.

Under clause 2, Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee as indicated below:

S. 3646. An act to grant rights of way over Government lands for reservoir purposes for the conservation and storage of water to be used by the city of San Diego, Cal., and adjacent communities; to the Committee on Public Lands.

ADJOURNMENT.

Mr. KITCHIN. Mr. Speaker, the gentleman from California [Mr. KETTNER], who makes the motion to suspend the rules, because of some misunderstanding, feels that the bill would better go over to some other day. I move, therefore, that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock p. m.) the House adjourned until to-morrow, Tuesday, December 17, 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 Secretary of Agriculture, transmitting a detailed statement of expenditures of the Department of Agriculture for the fiscal year ended June 30, 1918 (H. Doc. No. 1590); to the Committee on Expenditures in the Department of Agriculture and ordered to be printed.

2. A letter from the Secretary of War, transmitting preliminary examination of St. Lawrence River from Lake Ontario to the Canadian border (H. Doc. No. 1591); to the Committee on Rivers and Harbors and ordered to be printed with illustration.

3. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Columbia River between Carrolls and Stella, Wash., and the Cowlitz River below Ostrander, Wash. (H. Doc. No. 1592); to the Committee on Rivers and Harbors and ordered to be printed with illustration.

4. A letter from the Secretary of the Navy, transmitting statements of expenditures under the contingent appropriations for the Navy Department for the fiscal year ended June 30, 1918 (H. Doc. No. 1593); to the Committee on Expenditures in the Navy Department and ordered to be printed.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. ROGERS: A bill (H. R. 13401) authorizing the Secretary of War to donate to the town of Lowell, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

Also, a bill (H. R. 13402) authorizing the Secretary of War to donate to the town of Hudson, Mass., one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. CAMPBELL of Pennsylvania: A bill (H. R. 13403) to provide for the equitable distribution of captured war devices and trophies to the States and Territories of the United States; to the Committee on Military Affairs.

By Mr. KIESS of Pennsylvania: A bill (H. R. 13404) authorizing the Secretary of War to donate one condemned cannon to the town of Renovo, Pa.; to the Committee on Military Affairs.

By Mr. MOTT: A bill (H. R. 13405) tendering the thanks of Congress to Gen. John J. Pershing, United States Army, and to the officers and men under his command; to the Committee on Military Affairs.

By Mr. HUDDLESTON: A bill (H. R. 13413) for the relief of discharged soldiers; to the Committee on Military Affairs.

Also, a bill (H. R. 13414) for the relief of discharged sailors; to the Committee on Naval Affairs.

By Mr. WINGO: A resolution (H. Res. 479) for the consideration of Senate bill 3220; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS.

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

By Mr. DAVIS: A bill (H. R. 13406) granting a pension to Frederick F. Yahnke; to the Committee on Pensions.

Also, a bill (H. R. 13407) granting a pension to Mary A. Johnson; to the Committee on Pensions.

By Mr. ESCH: A bill (H. R. 13408) granting an increase of pension to Clark Sturdevant; to the Committee on Invalid Pensions.

By Mr. KINKAID: A bill (H. R. 13409) granting a pension to Frank Swartz; to the Committee on Pensions.

By Mr. PURNELL: A bill (H. R. 13410) granting an increase of pension to Jesse C. Barker; to the Committee on Invalid Pensions.

By Mr. SANDERS of Indiana: A bill (H. R. 13411) granting an increase of pension to Henry Lang; to the Committee on Invalid Pensions.

By Mr. SHOUSE: A bill (H. R. 13412) granting an increase of pension to Edward F. Duke; 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. CARY: Petition of American Radio Relay League, protesting against House bill 13159 and Senate bill 5306; to the Committee on Merchant Marine and Fisheries.

Also, petition of Badger Talking Machine Co., of Milwaukee, Wis., protesting against sections 900, 909, and 910 of the pending revenue bill (H. R. 12863); to the Committee on Ways and Means.

Also, resolution of the executive board of Wisconsin Woman's Suffrage Association, held in Milwaukee December 6, 1918, favoring the measure introduced by Senator HOKE SMITH, creating a national department of education; to the Committee on Education.

Also, resolutions of the Optimist Club of Milwaukee, indorsing the flag bill introduced by Congressman OSBORNE; to the Committee on the Judiciary.

By Mr. DALE of New York: Resolutions of Boston Committee for a Democratic Peace, supporting the policy toward Russia announced by the President of the United States and adopted by interallied conference at Versailles; to the Committee on Foreign Affairs.

By Mr. DALE of Vermont: Petition of the Women's Club of Barre, Vt., favoring the passage of the bill to enable osteopaths to qualify for service in the Army; to the Committee on Military Affairs.

By Mr. DALLINGER: Resolution favoring league of nations; to the Committee on Foreign Affairs.

Also, petition protesting against the Alexander bill (H. R. 13159); to the Committee on the Merchant Marine and Fisheries.

By Mr. ESCH: Resolutions of Boston Committee for a Democratic Peace, supporting the policy toward Russia announced by the President of the United States and adopted by interallied conference at Versailles; to the Committee on Foreign Affairs.

By Mr. FULLER of Illinois: Petition of L. H. Schafer & Co., of Chicago, protesting against the proposed tax on sales of jewelry; to the Committee on Ways and Means.

Also, petition of Mrs. Mary B. Page, director of Chicago Kindergarten Institute, for Senate bill 4987, to create a Federal Department of Education with a Secretary of Education; to the Committee on Education.

By Mr. KENNEDY of Rhode Island: Petition of manufacturers of Italian cigars, relating to special tax of 1919 to be levied on manufactured Italian cigars; to the Committee on Ways and Means.

By Mr. SNOOK: Resolutions of the Ohio Society, Sons of the Revolution, favoring legislation against Anarchy and for the deportation of alien enemies; to the Committee on Foreign Affairs.

SENATE.

TUESDAY, *December 17, 1918.*

(Legislative day of Sunday, December 15, 1918.)

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

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

The PRESIDENT pro tempore. The Secretary will call the roll.

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

Baird	Jones, N. Mex.	Page	Smith, S. C.
Bankhead	Jones, Wash.	Penrose	Smoot
Beckham	Kendrick	Pittman	Spencer
Calder	Kenyon	Poindexter	Sutherland
Colt	Kirby	Pollock	Swanson
Culberson	Knox	Pomerene	Thomas
Curtis	La Follette	Ransdell	Thompson
Dillingham	McCumber	Reed	Trammell
Fletcher	McKellar	Robinson	Vardaman
France	McLean	Saulsbury	Walsh
Frelinghuysen	Martin, Ky.	Shafroth	Warren
Gay	Martin, Va.	Sheppard	Watson
Gronna	Moses	Sherman	Weeks
Harding	Myers	Simmons	Williams
Hardwick	New	Smith, Ariz.	
Henderson	Norris	Smith, Ga.	
Johnson, S. Dak.	Nugent	Smith, Md.	

Mr. McKELLAR. The senior Senator from Tennessee [Mr. SHIELDS] is absent on account of illness.

Mr. FRANCE. I desire to announce the absence of the junior Senator from Maine [Mr. FERNALD] on official business of the Senate.

Mr. THOMAS. I was requested to announce that Senators OVERMAN, NELSON, KING, STERLING, and WOLCOTT are absent on official business. I desire also to announce that the Senator from Rhode Island [Mr. GERRY] is detained on important public business.

Mr. SUTHERLAND. I wish to announce that my colleague, the Senator from West Virginia [Mr. GOFF] is absent on account of illness.

The PRESIDENT pro tempore. Sixty-five Senators have answered to their names. There is a quorum present.

SENATOR FROM MASSACHUSETTS.

The PRESIDENT pro tempore. The Chair lays before the Senate the credentials of Senator Elect WALSH, of Massachusetts, which, without objection, will be read and placed on file.

The Secretary read the credentials, as follows:

THE COMMONWEALTH OF MASSACHUSETTS.

To the PRESIDENT OF THE SENATE OF THE UNTIED STATES, greeting:

This is to certify that, on the 5th day of November in the year of our Lord 1918, DAVID I. WALSH was duly chosen by the qualified voters of said Commonwealth a Senator to represent said Commonwealth of Massachusetts in the Senate of the United States for the term of six years commencing on the 4th day of March, A. D. 1919.

Witness, His Excellency Samuel W. McCall, our governor, and our great seal hereunto affixed at Boston this 11th day of December in the year of our Lord 1918, and of the Independence of the United States of America the one hundred and forty-third.

SAMUEL W. MCCALL.

By his excellency the governor:
[SEAL.]

HUBERT H. BOYNTON,
Deputy and Acting Secretary of the Commonwealth.

The PRESIDENT pro tempore. Without objection, the credentials will be filed.

SENATOR FROM OREGON.

Mr. WARREN. Mr. President, I present the credentials of Hon. CHARLES L. MCNARY, appointed by the governor of the State of Oregon a Senator from that State to serve until his successor shall have been elected and qualified.

The PRESIDENT pro tempore. The Secretary will read the credentials.

The credentials were read, as follows:

STATE OF OREGON.

To all to whom these presents shall come, greeting:

Know ye that, reposing special trust and confidence in the capacity, integrity, and fidelity of CHARLES L. MCNARY, a citizen of Salem, Marion County, Oreg.; and whereas F. W. MULKEY, United States Senator in Congress for the State of Oregon, has resigned and his resignation has been accepted, to take effect December 17, 1918, thereby creating a vacancy:

Now, therefore, I, James Withycombe, governor of the State of Oregon, do, in the name and by authority of said State, by these presents appoint and commission him, the said CHARLES L. MCNARY, United States Senator in Congress for the State of Oregon, to serve until his successor shall have been elected and qualified, in accordance with the Constitution and laws of the United States and the provisions of chapter 48 of the General Laws of Oregon for 1915, said appointment to become effective December 17, 1918, the date of the resignation of Senator F. W. MULKEY.